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**Fiji**

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BRITISH DOCUMENTS ON THE END OF EMPIRE

General Editor S R Ashton  
Project Chairman A N Porter

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**Series B Volume 10**

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# **Fiji**

**Editor**  
**BRIJ V LAL**

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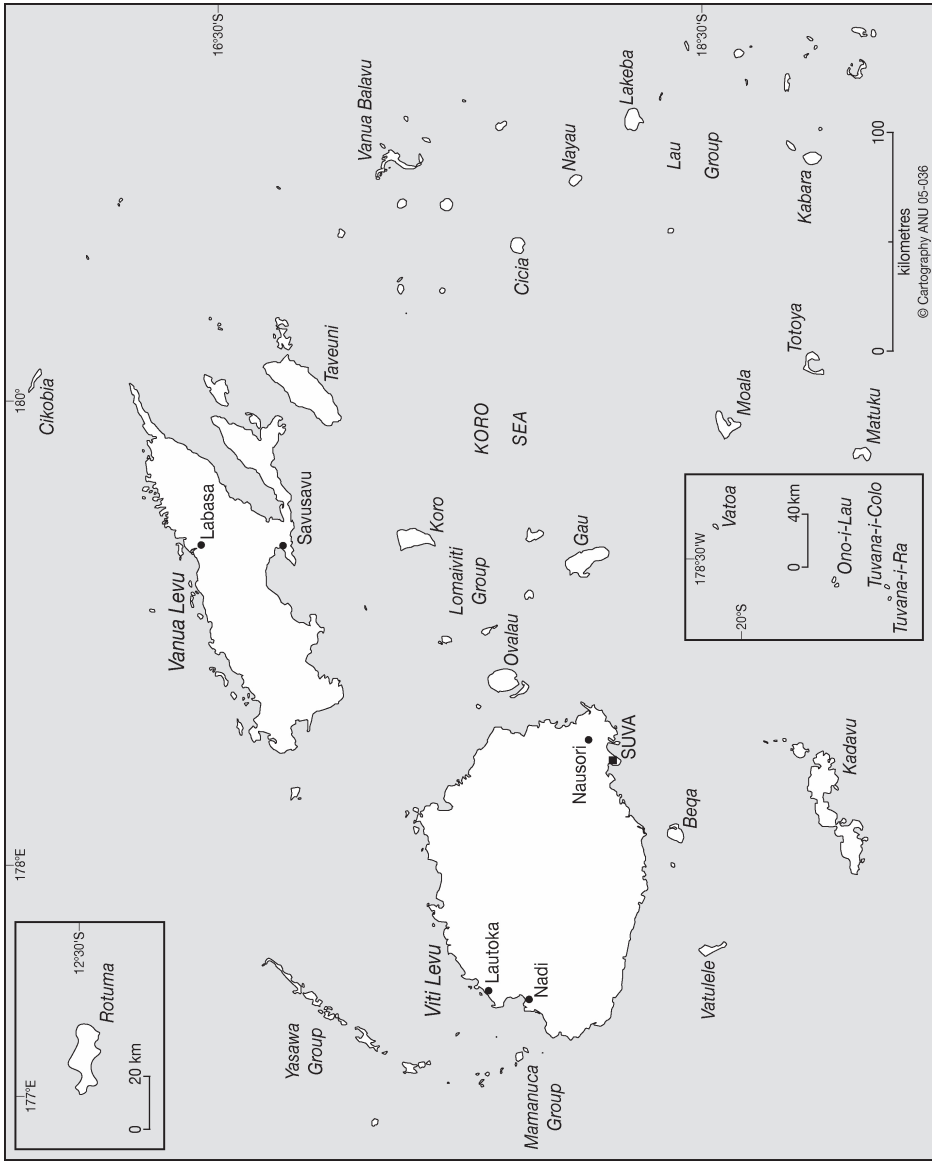
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## Foreword

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The main purpose of the British Documents on the End of Empire Project (BDEEP) is to publish documents from British official archives on the ending of colonial and associated rule and on the context in which this took place. In 1945, aside from the countries of present-day India, Pakistan, Bangladesh and Burma, Britain had over fifty formal dependencies; by the end of 1965 the total had been almost halved and by 1985 only a handful remained. The ending of Britain's position in these formal dependencies was paralleled by changes in relations with states in an informal empire. The end of empire in the period at least since 1945 involved a change also in the empire as something that was more than the sum of its parts and as such formed an integral part of Britain's domestic affairs and international relations. In publishing official British documents on the end of empire this project is, to a degree, the successor to the two earlier series of published documents concerning the end of British rule in India and Burma which were edited by Professors Mansergh and Tinker respectively. The successful completion of *The transfer of power* and *The struggle for independence*,<sup>1</sup> both of which were based on British records, emphasised the need for similar published collections of documents important to the history of the final stages of Britain's association with other dependencies in Africa, the Middle East, the Caribbean, South-East Asia and the Pacific. These documents are crucial research tools for scholars both from sovereign independent states which emerged from colonial rule as well as those from Britain itself. BDEEP is also set in the much wider context of the efforts made by successive British governments to locate Britain's position in an international order. Here the empire, both in its formal and informal senses, is viewed as an instrument of the domestic, foreign and defence policy of successive British governments. The project is therefore concerned with the ending of colonial rule in individual territories as seen from the British side at one level, and the broader political, economic and strategic considerations involved in that at another.

Despite the similarities, however, BDEEP differs in significant ways from its predecessors in terms both of presentation and content. The project is of greater magnitude than that undertaken by Professor Mansergh for India. Four major differences can be identified. First, the ending of colonial rule within a dependent empire took place over a much longer period of time, extending into the final years of the twentieth century while having its roots in the Second World War and before. Secondly, the empire consisted of a large number of territories, varying in area, population, wealth and in many other ways, each with its own individual problems but often with their futures linked to those of neighbouring territories and the

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<sup>1</sup> Nicholas Mansergh et al, eds, *Constitutional relations between Britain and India: the transfer of power 1942-47* 12 vols (London, 1970-1983); Hugh Tinker, ed, *Constitutional relations between Britain and Burma: the struggle for independence 1944-1948* 2 vols (London, 1983-1984).

growing complexity surrounding the colonial empire. Thirdly, while for India the documentary record for certain matters of high policy could be encapsulated within a relatively straightforward 'country' study, in the case of the colonial empire the documentary record is more diffuse because of the plethora of territories and their scattered location. Finally, the documents relating to the ending of colonial rule are not conveniently located within one leading department of state but rather are to be found in several of them. As the purpose of the project is to publish documents relating to the end of empire from the extensive range and quantity of official British records, private collections and other categories of non-official material are not regarded as principal documentary sources. In BDEEP, selections from non-official material will be used only in exceptional cases to fill gaps where they exist in the available official record.

In recognition of these differences and also of the fact that the end of empire involves consideration of a range of issues which operated at a much wider level than that normally associated with the ending of colonial rule in a single country, BDEEP is structured in two main series along with a third support series. Series A represents the general volumes in which, for successive British governments, documents relating to the empire as a whole are published. Series B represents the country or territory volumes and provides territorial studies of how, from a British government perspective, former colonies and dependencies achieved their independence and countries which were part of an informal empire regained their autonomy. In addition to the two main documentary series, a third series—series C—has been published in the form of handbooks to the records of the former colonial empire which are deposited at the National Archives (formerly the Public Record Office). Series C consists of two volumes which form an integral part of BDEEP and also serve as guides to the records at the National Archives. Together they enable scholars and others wishing to follow the record of the ending of colonial rule and empire to pursue their inquiries beyond the published record provided by the general studies in series A and the country studies in series B. Volume one of the handbooks, a revised and updated version of *The records of the Colonial and Dominions Offices* by R B Pugh which was first published in 1964, is entitled *Records of the Colonial Office, Dominions Office, Commonwealth Relations Office and Commonwealth Office* (1995). It covers over two hundred years of activity down to 1968 when the Commonwealth Office merged with the Foreign Office to form the Foreign and Commonwealth Office. Volume two, entitled *Records of the Cabinet, Foreign Office, Treasury and other records* (1998), focuses more specifically on twentieth-century departmental records and also includes references to the records of inter-departmental committees, commissions of inquiry and international organisations. The two volumes were prepared under the direction and supervision of Dr Anne Thurston, at the time honorary research fellow at the Institute of Commonwealth Studies in the University of London, and more recently executive director of the International Records Management Trust.

In the two main series the research is organised in stages. Stage one, covering the years 1925-1957, is now complete and consists of three general volumes and five country volumes, collectively published in twenty-one individual parts. In series A there are volumes on *Imperial policy and colonial practice 1925-1945* in two parts (1996), *The Labour government and the end of empire 1945-1951* in four parts (1992), and *The Conservative government and the end of empire 1951-1957* in three

parts (1994). In series B there are volumes on *Ghana* in two parts (1992), *Sri Lanka* in two parts (1997), *Malaya* in three parts (1995), *Egypt and the defence of the Middle East* in three parts (1998) and the *Sudan* in two parts (1998). Starting in 1999, the project began publishing volumes in a second stage which covers the period 1957-1964. Here there are five volumes, a general volume on the *Conservative government and the end of empire 1957-1964* in two parts (2000), and country volumes on the *West Indies* in one part (1999), *Nigeria* in two parts (2001), *Malaysia* in one part (2004) and Kenya. Research for a third and final stage, covering the years 1964-1971, began in 2000. It consists of a general volume—*East of Suez and the Commonwealth 1964-1971*—in three parts (2004) and country volumes on *Central Africa* in two parts (2005), Southern Africa, the Pacific (Fiji, 2006), and the Mediterranean (Cyprus and Malta).

The criteria which have been used in selecting documents for inclusion in individual volumes are explained in the introductions written by the specialist editors. These introductions are more substantial and contextual than those in previous series. Each volume also lists the sources searched at the National Archives. However, it may be helpful to outline the more general guiding principles which have been employed. BDEEP editors pursue several lines of inquiry. There is first the end of empire in a broad high policy sense in which the empire is viewed in terms of Britain's position as a world power and of the inter-relationship between what derives from this position and developments within the colonial dependencies. Here Britain's relations with the dependencies of the empire are set in the wider defence, economic and foreign policy contexts of Britain's relations with the United States, with Europe, and with the Commonwealth and United Nations. Secondly, there is investigation into colonial policy in its strict sense. Here the emphasis is on those areas which were specifically—but not exclusively—the concern of the leading department. In the period before the administrative amalgamations of the 1960s,<sup>2</sup> the leading department of the British government for most of the dependencies was the Colonial Office; for a minority it was either the Dominions Office and its successor, the Commonwealth Relations Office, or the Foreign Office. Colonial policy included questions of economic and social development, questions of governmental institutions and constitutional structures, and administrative questions concerning the future of the civil and public services and of the defence forces in a period of transition from European to indigenous control. Finally there is inquiry into the development of political and social forces within colonies, the response to these and the transfer of governmental authority and of legal sovereignty from Britain to its colonial dependencies as these processes were understood and interpreted by the British government. Here it should be emphasised that the purpose of BDEEP is not to document the history of colony politics or nationalist movements in any particular territory. Given the purpose of the project and the nature of much of the source material, the place of colony politics in BDEEP is conditioned by the extent to which an awareness of local political situations played an overt part in influencing major policy decisions made in Britain.

Although in varying degrees and from different perspectives, elements of these

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<sup>2</sup> The Colonial Office merged with the Commonwealth Relations Office in 1966 to form the Commonwealth Office. The Commonwealth Office merged with the Foreign Office in 1968 to form the Foreign and Commonwealth Office.

various lines of inquiry appear in both the general and the country series. The aim in both is to concentrate on the British record by selecting documents which illustrate those policy issues which were deemed important by ministers and officials at the time. General volumes do not normally treat in any detail of matters which will be fully documented in the country volumes but some especially significant documents do appear in both series. The process of selection involves an inevitable degree of sifting and subtraction. Issues which in retrospect appear to be of lesser significance or to be ephemeral have been omitted. The main example concerns the extensive quantity of material devoted to appointments and terms of service—salaries, gradings, allowances, pension rights and compensation—within the colonial and related services. It is equally important to stress certain negative aspects of the official documentary record. Officials in London were sometimes not in a position to address potentially significant issues because the information was not available. Much in this respect depended on the extent of the documentation sent to London by the different colonial administrations. Once the stage of internal self-government had been reached, or where there was a dyarchy, the flow of detailed local information to London began to diminish.

Selection policy has been influenced by one further factor, namely access to the records at the National Archives. Unlike the India and Burma series and the current Foreign and Commonwealth Office series of Documents on British Policy Overseas (DBPO), BDEEP is not an official project. In practice this means that while editors have privileged access (in the form of research facilities and requisitioning procedures) to the records at the National Archives, they do not have unrestricted access. For files which at the time a volume is in preparation are either subject to extended closures beyond the statutory thirty years or retained in the originating department under section 3(4) of the Public Records Act of 1958, editors are subject to the same restrictions as all other researchers. Apart from cases where files or series of files are withheld, official weeding processes now tend to remove sentences or paragraphs from public view, rather than the whole document; such omissions are indicated in footnotes. To date access has not impeded the research undertaken by the project to any significant degree, and the project has been successful in securing the release of a number of hitherto withheld documents from the Historical Section of the Cabinet Office and the Records and Historical Department of the Foreign and Commonwealth Office.

A thematic arrangement of the documents has been adopted for the general volumes in series A. The country volumes in series B follow a chronological arrangement; in this respect they adopt the same approach as was used in the India and Burma series. For each volume in both series A and B a summary list of the documents included is provided. The headings to BDEEP documents, which have been editorially standardised, present the essential information. Together with the sequence number, the file reference (in the form of the call-up number at the Archives and any internal pagination or numeration) and the date of the document appear on the first line.<sup>3</sup> The second and subsequent lines record the subject of the document, the type of document (letter, memorandum, telegram etc), the originator

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<sup>3</sup> The call-up number at the Archives precedes the comma in the references cited. In the case of documents from FO 371, the major Foreign Office political class, the internal numeration refers to the jacket number of the file.

(person or persons, committee, department) and the recipient (if any). A subject entry in a heading in single quotation marks denotes the title of a document as it appears in the original. An entry in square brackets denotes a subject indicator composed by the editor. This latter device has been employed in cases where no title is given in the original or where the original title is too unwieldy to reproduce in its entirety. Security classifications and, in the case of telegrams, times of despatch and receipt, have generally been omitted. In the headings to documents and the contents lists, ministers are identified by the name of the office-holder, not the title of the office (ie, Mr Lennox-Boyd, not secretary of state for the colonies).<sup>4</sup> In the same contexts, officials are identified by their initials and surname. In general volumes and where appropriate, ambassadors, governors, high commissioners and other embassy or high commission staff are cited in the form Sir D Jakeway (Fiji). Footnotes to documents appearing below the rule are editorial; those above the rule, or where no rule is printed, are part of the original document. Each volume provides an initial summary list of which principal offices were held by whom, and a separate series of biographical notes (at the end) for major figures who appear in the documents. Other figures are identified in editorial footnotes on the occasion of first appearance. Link-notes, written by the volume editor and indented in square brackets between the heading and the beginning of a document, are often used to explain the context of a document. Technical detail or extraneous material has been extracted from a number of documents. In such cases omission dots have been inserted in the text and the document is identified in the heading as an extract. Occasional omission dots have also been used to excise purely mechanical chain-of-command executive instructions and some redundant internal referencing has been removed, though much of it remains in place, for the benefit of researchers. No substantive material relating to policy-making has been excised from the documents. In general the aim has been to reproduce documents in their entirety but where available space is a major constraint on editors, a consideration which applies particularly in the case of general volumes, where the documentation is voluminous, this is not always possible, and some purely factual information may be omitted. It must also be emphasised in this context that the BDEEP volumes do not remove the necessity for researchers to study the original records themselves. The footnote reference 'not printed' is used only in cases where a specified enclosure or an annex to a document has not been included. Unless a specific cross-reference or note of explanation is provided, however, it can be assumed that other documents referred to in the text of the documents included have not been reproduced. Obvious typing errors in the original are in the main silently corrected, but abbreviations and contractions stand. Each volume has a list of abbreviations together with a consolidated index, and country volumes include a chronology of principal events.

One radical innovation, compared with previous Foreign Office or India and Burma series, is that BDEEP reproduces many more minutes by ministers and officials.

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<sup>4</sup> This is an editorial convention, following DBPO practice. Very few memoranda issued in their name were actually written by ministers themselves, but normally drafted by officials.

Formally launched in 1987, BDEEP has been based since its inception at the Institute of Commonwealth Studies. The work of the project is supervised by a Project Committee chaired by Professor Andrew Porter, Rhodes professor of imperial history in the University of London. Professor Porter succeeded Professor Anthony Low, formerly Smuts professor of the history of the Commonwealth in the University of Cambridge, who retired in November 1994. Professor Michael Crowder became the first general editor while holding a visiting professorship in the University of London and a part-time position at Amherst College, Massachusetts. Following his untimely death in 1988, Professor Crowder was replaced as general editor by Professor David Murray, pro vice-chancellor and professor of government at the Open University, who played a critical role in establishing a secure financial base for the project and in negotiating contracts with the volume editors and the publisher. His invaluable advice and expertise in dealing with the early manuscripts are acknowledged with particular gratitude. Mrs Anita Burdett was appointed as project secretary and research assistant. She was succeeded in September 1989 by Dr Stephen Ashton who previously worked with Professors Mansergh and Tinker during the final stages of the India and Burma series. Dr Ashton replaced Professor Murray as project director and general editor in 1993.

The project benefited from an initial pump-priming grant from the British Academy. Thanks are due to the secretary and Board of the Academy for this grant and for the decision of the British Academy to adopt BDEEP as one of its major projects. The Academy made further awards in 1996 and 2005. The Managers of the Smuts Memorial Fund in the University of Cambridge are also to be acknowledged. They made possible the workshop from which the project developed and they have since provided a further grant for work on two of the stage two volumes. The principal funding for the project in stages one and two has been provided by the Leverhulme Trust, and the early volumes are a tribute to the support provided by the Trustees. For the third and final stage 2000–2005, BDEEP has been the beneficiary of a major research award from the Arts and Humanities Research Board. In making the award the AHRB made generous reference to the value of BDEEP, and the project is grateful for this support.

Members of the Project Committee, who meet annually at the Institute of Commonwealth Studies, have provided valuable advice and much needed encouragement. Professor Low, the first chairman of the Committee, made a singular contribution, initiating the first exploratory meeting at Cambridge in 1985 and presiding over subsequent developments in his customary constructive but unobtrusive manner. Professor Porter continues in a similar vein and his leadership and experience are much appreciated by the general editor. The director and the staff of the Institute of Commonwealth Studies have provided administrative support. The editors of volumes in both stages one have benefited considerably from the researches undertaken by Dr Anne Thurston and her assistants which resulted in the publication of the two handbooks. Although BDEEP is not an official project, the general editor wishes to acknowledge the support and co-operation received from the Historical Section of the Cabinet Office and the Historical and Records Department of the Foreign and Commonwealth Office. He wishes also to record his appreciation of the spirit of friendly co-operation received from the editors of DBPO. Dr Ronald Hyam, editor in stage one of the general volume on the post-war Labour government and co-editor of the stage two volume on the Conservative

government, played an important role in the compilation of the house-style adopted by BDEEP and his contribution is acknowledged with gratitude. Thanks also are due to The Stationery Office for assuming publishing responsibility and for their expert advice on matters of design and production. Last, but by no means least, the contribution of the chief executive and keeper of the records and the staff, both curatorial and administrative, at the National Archives must be emphasised. Without the facilities and privileges afforded to BDEEP editors at the National Archives, the project would not be viable.

S R Ashton  
November 2005





Fiji

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## Abbreviations

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ACS	assistant colonial secretary
AG	attorney-general
ALTA	Agricultural Landlord and Tenant Act
ANZAM	Australia, New Zealand and Malaya
ASPTA	Technical Assistance Programme for Pacific Territories (Australia)
BA	Bachelor of Arts
BDEEP	British Documents on the End of Empire Project
BSIP	British Solomon Islands Protectorate
CAB	Cabinet
CAP	Common Agricultural Policy
CDC	Colonial/Commonwealth Development Corporation
CD&W	Colonial Development & Welfare
CET	Common European Tariff
CMG	Companion of St Michael and St George
CO	Colonial Office/Commonwealth Office
CPA	Commonwealth Parliamentary Association
CPC	Colonial Policy Committee (Cabinet, UK)
CPR	Chinese People's Republic
CRO	Commonwealth Relations Office
CS	chief secretary
CSA	Commonwealth Sugar Agreement
CSO	Chief Secretary's Office
CSR	Colonial Sugar Refining (Company)
DEA	Department of Economic Affairs (UK)
Dept	Department
DSO	Companion of the Distinguished Service Order
ECAFE	Economic Commission for Asia and the Far East

EEC	European Economic Community
Ex Co	Executive Council
FAB	Fijian Affairs Board
FCC	Fiji Constitutional Conference
FCO	Foreign and Commonwealth Office
FMF	Fiji Military Forces
FO	Foreign Office
FP/NFP	Federation Party/National Federation Party
FS	financial secretary
GEIC	Gilbert and Ellice Islands Colony
gov	governor
gov-gen	governor-general
HBM	Her Britannic Majesty
HMG	Her Majesty's Government
HMOCS	Her Majesty's Oversea Civil Service
IRD	International Relations Department (CO)
IS	internal security
ISA	International Sugar Agreement
KBE	Knight Commander Order of the British Empire
KCMG	Knight Commander of St Michael and St George
Kt	Knight
Leg Co	Legislative Council
LLB	Bachelor of Laws
LSE	London School of Economics
MA	Master of Arts
MBE	Member of the Order of the British Empire
MCA	Malayan Chinese Association
memo	memorandum
MLC	Member of Legislative Council
MNR	minister for natural resources
MoD	Ministry of Defence
MP	member of parliament

Nat Govt	National Government (UK)
Nat Lab	National Labour (Party, UK)
NEFT	North-East Frontier Territory (India)
NLC	Native Land Commission
NLT(B)	Native Land Trust (Board)
OAG	officer administering the government
OBE	Officer Order of the British Empire
ODM	Ministry of Overseas Development
OECD	Organisation for Economic Co-operation and Development
OPD	Defence and Oversea Policy (Cabinet Committee, UK)
OSAS	Overseas Service Aid Scheme
OSD	Overseas Service Division
OUP	Oxford University Press
PPF	(Committee on) Future Policy in the Pacific
PhD	Doctor of Philosophy
PM	prime minister
PNG	Papua New Guinea
PSC	Public Service Commission
QC	Queen's Counsel
RAN	Royal Australian Navy
SB	Special Branch
SEATO	South-East Asia Treaty Organisation
SFA	secretary for Fijian affairs
S of S	secretary of state
SPC	South Pacific Commission
SPSM	South Pacific Sugar Mills
TANU	Tanganyika African National Union
tel	telegram
TD	Territorial Efficiency Decoration
UAC	United Africa Company
UK	United Kingdom
UMNO	United Malays National Organisation

UNCTAD	United Nations Commission for Trade and Development
UN(O)	United Nations (Organisation)
US	United States
WEU	Western European Union

# Principal Holders of Offices 1955–1970

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## UNITED KINGDOM

### 1. *Ministers*

#### (a) *Conservative governments to October 1964*<sup>1</sup>

Prime minister	(Sir) W L S Churchill <sup>2</sup> (26 Oct 1951– 5 Apr 1955) Sir Anthony Eden (6 Apr 1955– 9 Jan 1957) Mr M H Macmillan (10 Jan 1957– 13 Oct 1963) Sir Alec Douglas-Home <sup>3</sup> (18 Oct 1963– 16 Oct 1964)
S of S colonies	Mr A T Lennox-Boyd (28 July 1954) Mr I Macleod (14 Oct 1959) Mr R Maudling (9 Oct 1961) Mr D E Sandys <sup>4</sup> (13 July 1962)
Parliamentary under-secretary of state for colonies <sup>5</sup>	Mr J Amery (28 Nov 1958) Mr H Fraser (28 Oct 1960) Mr N Fisher (16 July 1962–24 Oct 1963)

#### (b) *Labour governments Oct 1964-June 1970*<sup>6</sup>

Prime minister	Mr J H Wilson (16 Oct 1964– 19 June 1970)
S of S colonies under Commonwealth affairs from 1 Aug 1966 <sup>7</sup>	Mr A Greenwood (16 Oct 1964) Lord Longford (23 Dec 1965) Mr F Lee (6 Apr 1966)

<sup>1</sup> Elected 1951, re-elected 1955. Ministers in the Conservative government elected in June 1970 are identified in footnotes to the documents.

<sup>2</sup> Knighted 24 Apr 1953.

<sup>3</sup> Formerly Earl of Home.

<sup>4</sup> Office held jointly with S of S Commonwealth relations.

<sup>5</sup> Junior minister, not in Cabinet. This is not a full list; only those of relevance to Fiji are listed here. Office held jointly between CO and CRO from 21 Oct 1963.

<sup>6</sup> Re-elected Mar 1966.

<sup>7</sup> Office of S of S colonies discontinued Jan 1967.

S of S Commonwealth affairs <sup>8</sup> (previously Commonwealth relations) from 1 Aug 1966	Mr A G Bottomley (16 Oct 1964) Mr H W Bowden (11 Aug 1966) Mr G R Thomson (29 Aug 1967)
S of S foreign and Commonwealth affairs (previously foreign affairs) from 17 Oct 1968	Mr M M Stewart (16 Mar 1968)
Parliamentary under-secretary of state for colonies <sup>9</sup>	Mrs Eirene White (Oct 1964–Apr 1966)
Minister of state, Commonwealth Office/Foreign and Commonwealth Office <sup>10</sup>	Lord Shepherd (July 1967–June 1970)
2. <i>Civil servants</i>	
(a) <i>Colonial Office</i>	
(i) Permanent under-secretary of state	Sir Thomas Lloyd (1947–1956) Sir John Macpherson (1956–1959) Sir Hilton Poynton (1959–1966)
(ii) Deputy under-secretary of state	Sir Charles Jeffries (1947–1956) Sir Hilton Poynton (1948–1959) Sir John Martin (1956–1965) Sir William Gorell Barnes (1959–1963) } joint
(ii) Assistant under-secretary of state <sup>11</sup>	Sir John Martin (Pacific, 1955–1956) P Rogers (Pacific, 1957–1959) A R Thomas (Pacific & Indian Ocean, 1960–1963) Trafford Smith (Pacific & Indian Ocean, 1964–1966)
(iii) Assistant secretary <sup>12</sup>	H P Hall (1955–1962) J E Marnham (1962–1964) A J Fairclough (1964–1966)

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<sup>8</sup> Office discontinued 17 Oct 1968.

<sup>9</sup> Junior minister, not in Cabinet. This is not a full list.

<sup>10</sup> Junior minister, not in Cabinet. Not a full list.

<sup>11</sup> Whose supervisory responsibilities included the Pacific or the Pacific & Indian Ocean Depts.

<sup>12</sup> Head of Pacific/Pacific & Indian Ocean Depts.



- (b) *Commonwealth Office from 1 Aug 1966*
- (i) Permanent under-secretary of state & head of Diplomatic Service, 1965–1968 Sir Saville Garner<sup>13</sup> (1966–1968)  
Sir Morrice James (1968)
- (ii) Deputy under-secretary of state & head of Dependent Territories Division (Sir) Arthur Galsworthy<sup>14</sup> (1966–1968)
- (iii) Assistant under-secretary of state, responsible for Pacific & Indian Ocean Dept Trafford Smith (1966–1968)
- (iv) Head of Pacific & Indian Ocean Dept A J Fairclough (1967–1968)
- (c) *Foreign and Commonwealth Office from 17 Oct 1968*
- (iv) Permanent under-secretary of state and head of Diplomatic Service from 1968 Sir Paul Gore Booth (1965–1969)  
Sir Denis Greenhill (1969–1973)
- (v) Deputy under-secretary of state Sir Arthur Galsworthy (1968–1969)  
Sir Leslie Monson (1969–1970)
- (vi) Assistant under-secretary of state, responsible for Pacific & Indian Ocean Dept J C Morgan (1968–1970)
- (iv) Head of Pacific & Indian Ocean Dept T C Jerrom (1968–1969)  
Miss E J Emery (1969–1970)

## FIJI

1. Governor Sir Ronald Garvey (Oct 1952–Oct 1958)  
Sir Kenneth Maddocks (Oct 1958–  
Jan 1964)  
Sir Derek Jakeway (Jan 1964–Dec 1968)  
Sir Robert Foster (Dec 1968–Oct 1970)
2. Colonial secretary A F R Stoddart (1949–1957)  
P D Macdonald (1957–1966)

<sup>13</sup> Permanent secretary at the CRO, 1962–1966.

<sup>14</sup> Knighted 1967.

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|----|---|--|
| 3. | Chief secretary   | G P Lloyd (1966–1970)  |
| 4. | Financial secretary   | H W Davidson (1952–1958)<br>E R Bevington (1958–1961)<br>H P Ritchie (1962–1967)   |
| 5. | Secretary for Fijian affairs<br>(and local government<br>from 1964) | G K Roth (1954–1957)<br>C R H Nott ((1957–1959)<br>A C Reid (1959–1965)<br>Ratu P K Ganilau (1965–1967)  |
| 6. | Members (appointed) from<br>July 1964                               | Ratu K K T Mara (natural resources)<br>J N Falvey (communications and works)<br>A D Patel (social services)  |
| 7. | Members after 1966 election<br>(all Alliance Party)                 | Ratu K K T Mara (leader of government<br>business, natural resources)<br>Ratu Edward Cakobau (trade, industry,<br>tourism)<br>Vijay Raghubar Singh (social services)<br>C A Stinson (communications and works)   |
| 8. | Ministers Sept 1967–1968  | Ratu K K T Mara (chief minister)<br>H P Ritchie (finance)<br>Ratu P K Ganilau (minister for Fijian<br>affairs and local government)<br>Ratu Edward Cakobau (commerce,<br>industry and tourism)<br>Vijay Raghubar Singh (social services)<br>C A Stinson (communications and works)<br>J N Falvey (minister without portfolio)<br>D W Brown (natural resources)                                     |
| 9. | Ministers 1968–1970   | Ratu (Sir) Kamisese Mara <sup>15</sup> (chief<br>minister)<br>H P Ritchie (finance)<br>Ratu Edward Cakobau (commerce,<br>industry and labour)<br>CA Stinson (communications, works and<br>tourism)<br>J N Falvey (minister without portfolio)<br>Ratu P K Ganilau (minister for Fijian<br>affairs and local government)<br>Vijay Raghubar Singh (social services)<br>D W Brown (natural resources) |

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<sup>15</sup> Knighted 1969.

Assistant Ministers

K S Reddy, (social services, No 1)

J Mavoā (natural resources)

Ratu D Toganivalu (communications,  
works and tourism)

E Vuakatagane (social services, No 2)

P D Naqasima (commerce, industry and  
labour)

10. Leader of the Opposition

A D Patel (1966-1969)

S M Koya (1969-1970)



## Chronological Table of Principal Events

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### 1958

Oct Sir Kenneth Maddocks appointed governor of Fiji

### 1959

Apr Report by O H K Spate on the *Economic Problems and Prospects of the Fijian People* published

Sept Ratu George Cakobau installed as Vunivalu (paramount chief) and traditional leader of Fijian people, the first such ceremony since 1835 when his great grandfather, Ratu Seru Cakobau, was installed. Seru Cakobau ceded Fiji to the United Kingdom

Dec Strike in Suva involving Wholesale and Retail General Workers' Union and Shell Oil and Vacuum Oil companies, leading to riot and looting and causing much concern to the authorities

### 1960

Jan–Feb Alan Lennox-Boyd (later Viscount Boyd) visits Fiji

Feb Report of the Burns Commission into the *Natural Resources and Population Trends of Fiji* published

April Fijian Stevedores' Union, the first of many exclusively racial (Fijian) trade unions, formed in the aftermath of the 1959 strike to discourage the formation of multi-racial trade unions

May–Oct Strike in the sugar industry

Aug Council of Chiefs' offer to government to help break the strike in the sugar industry, causing racial tension

Sept Council of Chiefs' opposition to Burns Commission's recommendation to abolish the separate system of often moribund Fijian Administration

Sept Establishment of Public Services Commission to advise governor on staff matters including appointments and promotions.

Oct Parliamentary under-secretary of state for colonies, Julian Amery, visits Fiji on a familiarisation tour

Dec Sir Malcolm Trustram Eve appointed chairman of the inquiry into the strike in the sugar industry, assisted by C J M Bennett and J S Wheatley

### 1961

Mar Hearings before the Eve Commission into the sugar industry strike

Feb Fiji government announces proposals for constitutional reform

Apr Legislative Council debate on Fiji government's proposals for constitutional reform

- Aug Land Development Authority established to carry out projects for the development, improvement and settlement of land, including giving loans to local farmers to assist in increasing production.
- Sept Publication of Sir Malcolm Trustram Eve's *Report of the Fiji Sugar Inquiry Commission*
- Nov New Letters Patent published increasing the size of the number of unofficial members in the Legislative Council (from 15–18), introduction of universal adult suffrage, enfranchising women
- Dec Legislative Council debate on the government's proposal for constitutional change, expressing Fijian disapproval

### 1962

- Jan South Pacific Sugar Mills established as a wholly owned subsidiary of the Colonial Sugar Refining Company, in response to a recommendation of the Eve Commission
- Jan Sugar Advisory Council comprising representatives of growers and millers established, following a recommendation of the Eve Commission
- Mar Fijian Association changes its name to Fijian People's United Party 'in keeping with the present trends'
- Mar Fijian newspaper *Nai Lalakai* published for the first time.
- Aug Fiji Public Employees and Workers Union formed, open to all races except Indians.
- Oct Budget address by governor on constitutional advance for Fiji

### 1963

- Jan Parliamentary under-secretary of state for colonies, Nigel Fisher, visits Fiji
- Jan Presentation to Fisher of the 'Wakaya Letter' outlining Fijian preconditions for constitutional change
- Apr Formation of the Fijian Democratic Party by Fijian dissident Apisai Mohammed Tora.
- Apr General elections
- June Formation of the Federation Party (its constitution was formally adopted in June 1964)
- Aug Opening of the first South Pacific Games in Suva
- Dec Opening of COMPAC, the new Pacific cable, giving continuous telephone service between Fiji, New Zealand, Australia, Canada, the United Kingdom and Europe.

### 1964

- Jan Sir Derek Jakeway appointed governor of Fiji
- July Introduction of the membership system: Ratu Mara (natural resources), A D Patel (social services), J N Falvey (communications and works)
- Nov Renewed UN General Assembly debate on Fiji, with a resolution calling on UK to 'take immediate steps to hand over power unconditionally to the people of Fiji'

Nov Close down of the Royal New Zealand Air Force base at Laucala Bay in Suva. The premises later became the founding campus of the University of the South Pacific.

### 1965

Jan Formation of the National Congress of Fiji, principally an Indian political party opposed to A D Patel's Federation Party

Jan Meeting of the Fijian Association expressing Fijian views about constitutional change; adoption of a new constitution; formation of branches throughout Fiji

Mar Trafford Smith from CO visits Fiji

Apr Eirene White, parliamentary under-secretary of State for the colonies, arrives in Fiji to ascertain views of the people in relation to forthcoming constitutional conference in London

Apr Sudden termination of pre-London constitutional talks in Suva among principal Fijian, Indian and European leaders when confidential issues are leaked to the media

June Council of Chiefs expresses the view that the goal of the London conference should not be independence but strengthening links with the Crown.

July–Aug Fiji constitutional conference at Marlborough House

July Debate on Fiji at UN Committee of 24; resolution in favour of a fact-finding mission

Dec UN General Assembly debate on Fiji, approving a resolution asking UK government 'as a matter of urgency to repeal all discriminatory laws in Fiji and to establish an unqualified system of democratic representation on the basis of one man, one vote'

Dec Formation of All-Fiji Muslim Political Front to protect Muslim rights and to demand separate representation in the Legislative Council

### 1966

Mar Formal launch of the Alliance Party, comprising the Fijian Association, Suva Rotuman Association, All-Fiji Muslim Political front, Chinese Association, National Congress of Fiji, General Electors Association, Fiji Minority Party, Rotuman Convention, and Tongan Association

July Liquor Bill is passed in the Legislative Council removing race and gender restrictions on the consumption of alcohol in Fiji, one among many bills dismantling racial discrimination in the colony

Aug Secretary of state for the colonies, Fred Lee, visits Fiji on a familiarisation tour

Aug Fiji National Provident Fund established

Sept General elections; victory for the Alliance Party, election of Ratu Mara as Leader of Government Business, A D Patel leader of the Opposition

Dec UN General Assembly votes 76 to 6, with 17 abstentions to send a fact-finding mission to Fiji and calls on UK to 'grant independence to Fiji without delay'

## 1967

Feb	Secretary of state for Commonwealth affairs, Herbert Bowden, visits Fiji
Apr	Officials from US, UK, Australia and New Zealand meet in Washington and recommend political solutions for Pacific territories stopping short of independence
June	Ratu Mara visits London for talks at Commonwealth Office in connection with EEC issues and holds talks on political developments in Fiji
Aug	UK government rejects United Nations General Assembly's proposal for a Visiting Mission
Sept	Introduction of full ministerial system, with Ratu Mara as Chief Minister
Sept	Federation Party walks out of the Legislative Council in protest against the conduct of the Alliance government and the constitution

## 1968

Jan	Independence of Nauru
Feb	The University of the South Pacific opens at Laucala Bay, Suva.
May	Commonwealth Office meeting with Ratu Mara on the future of expatriate civil servants and general development needs of Fiji
May	Commonwealth Office meeting with P N Kaul, India House
Aug	Apisai Tora's National Democratic Party seeks merger with the Federation Party, leading the following year to the creation of the National Federation Party
Aug	Commonwealth Office meeting with governor-designate Sir Robert Foster
Sept	By-elections return the Federation Party to the Legislative Council with increased majority causing racial tension
Sept	Fijian rallies throughout Viti Levu against the Federation Party, with calls to deport its leaders and not to renew leases to Indian tenant
Nov	Address of Loyalty to Her Majesty the Queen by the Council of Chiefs on matters concerning the Fijian people
Dec	Private talks between Ratu Mara and A D Patel on prospects for future constitutional developments
Dec	Sir Robert Foster appointed governor of Fiji

## 1969

Jan	Ratu Mara knighted, the second Fijian after Ratu Sir Lala Sukuna
May	Ratu Mara visits FCO for talks on constitutional matters and on the implications for Fiji's sugar industry of the possibility of the United Kingdom joining the European Economic Community
July	Announcement that Lord Denning, master of rolls, will chair arbitration commission to decide the terms and conditions of the contract between the sugar cane farmers and the South Pacific Sugar Mills Limited; hearings begin in August
Aug	K C Ramrakha, general secretary of Federation Party, visits FCO for talks
Aug	First of the confidential meetings between the Alliance and the National Federation Party in preparation for the next constitutional conference



- Sept Appointment of the Fiji Education Commission to enquire into the system of education in Fiji and to make recommendations about future policy
- Oct Leader of the National Federation Party and of the Indian community A D Patel dies
- Oct S M Koya elected new leader of the Opposition
- Oct–Nov Visit from FCO of Sir Leslie Monson and Miss E Emery to Fiji for talks with leaders of the National Federation and Alliance parties and representatives of the Fiji civil service
- Oct UK again rejects the proposal by the United Nations General Assembly to send Visiting Mission
- Nov Alliance and the National Federation Party agree on dominion status for Fiji

### 1970

- Jan Announcement of visit to Fiji by Lord Shepherd, minister of state, FCO
- Feb Meeting in Suva between Lord Shepherd and Ratu Mara and representatives of the Council of Chiefs
- Mar FCO meeting with representatives of the Colonial Sugar Refining Company
- Apr–May Fiji independence conference at Marlborough House
- May Ratu Mara and S M Koya visit New York
- Aug FCO meeting with Ratu Mara and SM Koya regarding UK negotiations to join the EEC
- Oct Fiji independence



## Introduction

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In his Christmas message to the people of Fiji, Governor Sir Kenneth Maddocks described 1961 as a year of 'peaceful progress'.<sup>1</sup> The memory of industrial disturbance and a brief period of rioting and looting in Suva in 1959 was rapidly fading.<sup>2</sup> The nascent trade union movement, multi-ethnic in character, which had precipitated the strike, was beginning to fracture along racial lines. The leading Fijian chiefs, stunned at the unexpectedly unruly behaviour of their people, warned them against associating with people of other races, emphasising the importance of loyalty to the Crown and respect for law and order.<sup>3</sup> The strike in the sugar industry, too, was over. Though not violent in character, the strike had caused much damage to the colony's economy dependent on sugar, bitterly split the Indian community, and polarised the political atmosphere.<sup>4</sup> A commission of enquiry headed by Sir Malcolm Trustram Eve (later Lord Silsoe) was appointed to investigate the causes of the dispute and to recommend a new contract between the growers, predominantly Indians, and the monopoly miller, the Australian Colonial Sugar Refining Company (CSR). The recommendations of the 1959 Burns Commission, as it came to be known after its chairman, the former governor of the Gold Coast (Ghana), Sir Alan Burns, into the natural resources and population of Fiji, were being scrutinised by the government.<sup>5</sup> The construction of roads, bridges, wharves, schools, hospital buildings, and water supply schemes was moving apace. Maddocks had good reason to hope for 'peaceful progress'.

Rather more difficult was the issue of political reform but the governor's message announced that constitutional change would be introduced. The existing constitution, in place since 1937, had been overtaken by immense social, economic and demographic change in the post-war years.<sup>6</sup> The international climate too had changed during this time. Former colonies in Asia and Africa had gained, or were in the process of gaining, independence.<sup>7</sup> Harold Macmillan's 'wind of change' was gaining momentum everywhere. After Hong Kong, Fiji was Britain's most important colonial dependency in the East Asia-Pacific region. Whitehall was keen to avoid being overtaken by events. It hoped to lead Fiji to internal self-government perhaps over a decade of cautious, gradual change. The constitutional settlement aimed at had to be broadly acceptable to all the people of the colony as well as to the international community, but especially to the indigenous Fijians for reasons that will become clear shortly. The governor informed the Legislative Council that its size would be increased from 15 to 18 unofficial members, consisting of 6 Europeans, 6 Fijians and 6 Indians. Four members of each community would be elected from separate communal rolls and two nominated by the governor. In the case of Fijians, the two members would be chosen by the Great Council of Chiefs. The number of official members would be 19. Women would be enfranchised for the first time and property qualification for voters would be abolished. The government hoped for a slow but steady start to assuage the fears and anxieties of all the segments of Fiji's society.

But therein lay the problem that would preoccupy both Suva and London for the rest of the decade, until Fiji finally gained independence in 1970. Fiji was a colony not of 'one people' but of three separate ethnic groups, each with its own distinctive understanding of its interests and aspirations in the broad scheme of things, its own distinctive historical experience and economic circumstance.<sup>8</sup> For one group, the Indians,<sup>9</sup> the pace of change was not rapid enough. They rejected the premises which underpinned the racially-ordered political structure that Suva proposed and London reluctantly acquiesced in, and wanted it replaced with one that was racially neutral. In other words, they wanted a common roll system of voting, not communal. Further, they saw any constitutional advance towards greater internal self-governance as leading inevitably desirably to full independence in the not too distant future. If Western Samoa could become independent in 1962 and the Cook Islands attain full internal self-government in free association with New Zealand in 1965, why not Fiji, they argued, somewhat misleadingly as Fiji, by virtue of its history and demography, was unique in the Pacific.

This view was rejected by both the Europeans and Fijians. They insisted on the full and complete retention of the racial system of voting and guaranteed equal political representation for the three main groups, irrespective of population size. This guaranteed representation, it was feared, would be jeopardised in an open, non-racial system of voting, which, in their view, would lead to uncertainty and unrestrained competition for power. Since Indians were the majority community, an open, racially neutral system would lead to 'Indian domination'. That outcome would be unpalatable at any cost, a sure recipe for disaster, perhaps even racial violence. Furthermore, Fijians and Europeans did not want links with the British Crown severed. They saw no reason to. Unlike the Indians, they wanted them strengthened instead.

London's dilemma was thus starkly defined. The prospect of independence could not be ignored however much significant numbers of Fijians and Europeans opposed it. Nor could the United Kingdom government ignore the increasingly insistent and sometimes politically embarrassing demands for decolonisation from the United Nations Committee of 24.<sup>10</sup> Western Samoa's independence from New Zealand in 1962 was followed by that of tiny Nauru, from Australia, in 1968.<sup>11</sup> By the mid-1960s, the question was not whether Fiji would become independent. That was a foregone conclusion. Indeed, as one commentator has observed, the paradox of decolonisation in Fiji was 'underlined by British attempts, throughout the 1960s, to encourage the growth of representative political organisations likely to responsibly contest office and hasten decolonisation'.<sup>12</sup>

The real and the most fraught question was on what—or whose—terms. The Colonial Office acknowledged both the substance and the logic of the non-racial argument, and accepted the imperative to create, as far as possible, political institutions which were based on ideology, not race. But its hands were tied. Officials had a prudent appreciation of the strength and character of the Fijian opposition to any change that might unwittingly give the impression of derogating from their privileged position in the colony. Fijians constituted the overwhelming majority of the colony's armed forces, a key fact that could not be ignored, or ignored at the government's peril. Moreover, there were many influential officials both in London and in Suva who felt a keen sense of moral responsibility to hand the colony back to the people, the indigenous Fijians, who had ceded it to Queen Victoria in the first

place and who had throughout, in war and in peace, remained steadfastly loyal and respectful to the Crown.

This volume of documents attempts to present as full an account as possible of the political dilemmas facing both Suva and London in deciding the future course of Fiji's constitutional evolution, and chronicles the ideas, issues, assumptions, understandings and internal debates that determined policy. Several points need to be emphasised. The documents portray the concerns and priorities of the United Kingdom government, informed closely as they were by regular reports from Fiji. There was broad agreement among top policy makers but by no means complete consensus on all major issues in dispute. On the contrary, these records show how widely divergent sometimes the views were and how, over time, they were developed through several exchanges into a coherent policy. Nor was there unanimity of opinion between London and the Governor's Office over what the most appropriate course of action might be. London listened and consulted closely with the governor, paid close attention to his assessment of the situation on the ground, and sought his opinion and even initiative on important matters. There were no matters of constitutional significance on which the governor was not consulted, although his views were refined or modified—sometimes rejected even—in the light of the wider experience in London.

A typical way in which policy was developed might follow this pattern. The governor would inform London of a particular issue or problem he had under consideration. This might be communicated through a despatch, letter or a telegram. It was sent after the governor had full consultation with his senior advisors whose opinions guided but did not necessarily confine the governor to a particular course of action or line of thought. On political or constitutional matters, the recipient in Whitehall was invariably the head of the Pacific and Indian Ocean Department at, successively, the CO (to 1966 when the head was an assistant secretary), which then merged with the Commonwealth Relations Office to form the Commonwealth Office (1966–1968), which in turn merged with the Foreign Office to form the Foreign and Commonwealth Office (from October 1968). At the Colonial Office, the communication would be the subject of internal debate or discussion through a series of internal departmental minutes and meetings. Other CO departments, or other government departments outside the CO, were brought in when needed. Within the CO the discussion proceeded up a chain of command, to a supervising assistant under-secretary responsible for several departments, including the Pacific and Indian Ocean, and then, on matters of the highest importance, to the permanent under-secretary, the senior CO official.

Ministerial involvement with Fiji's affairs was usually conducted at a level beneath that of secretary of state. While some secretaries of state visited Fiji as part of wider Pacific tours (Fred Lee from the CO in 1966 and Herbert Bowden from the Commonwealth Office in 1967), in London it was more usual for junior ministers—specifically the parliamentary under-secretary of state at the CO, and the minister of state at the Commonwealth Office and then FCO—to take responsibility for Fiji. Junior ministers were also visitors to Fiji. Julian Amery's 1960 visit as parliamentary under-secretary at the CO had significant long-term political consequences. Other junior ministers playing important but lesser roles were Nigel Fisher and Eirene White in 1963 and 1965 respectively, both as parliamentary under-secretaries at the CO, and Lord Shepherd, minister of state at the FCO. Shepherd was especially

important at the time of Fiji's independence, visiting the colony shortly beforehand and presiding over the independence conference in London. Only rarely did secretaries of state become involved with Fiji, a reflection it must be said of where Fiji ranked in UK priorities. Although Fiji was by some distance the most important of the UK's Pacific possessions, possessing what London viewed as an acute and potentially dangerous racial problem, it was still, by contrast with other territories (Aden and British Guiana for example) relatively peaceful. To the extent that secretaries of state involved themselves, it was usually in the context of where Fiji stood in relation to UK policy towards the remaining dependent territories as a group. Communications were often sent back to Suva in the name of the secretary of state but junior ministers and senior officials were the real policy makers. Other Cabinet ministers were hardly ever brought in, although, as was always the case prior to independence, Fiji had to be placed on the agenda of the Cabinet's influential Defence and Oversea Policy Committee. And policy towards Fiji did not change with a change of government in the UK. The Fiji policies of the Conservative governments, to October 1964, and then from June 1970 to independence in October of the same year, and the Labour governments between 1964 and 1970 (a second election in 1966 gave Labour an increased majority) were indistinguishable.

Once a policy was communicated to the governor, and if the subject involved significant constitutional change, an outline text was published, in London as a white paper. These and their Suva counterparts are widely available and they are not reproduced here. Almost all the documents included in the selection are unpublished. The emphasis in them is political and constitutional, concerning issues relating to the constitutional evolution of Fiji. Legal, economic and other documents relating to the development of Fiji are included only in so far as they illuminate the larger debate about constitutional developments. Further dimensions represented are the international and regional contexts.<sup>13</sup> Fiji played an increasingly significant part in UN debates about colonialism in the 1960s, and the Government of India in New Delhi was more than just an interested spectator in Fiji's affairs.<sup>14</sup> Whitehall believed it important where possible to co-ordinate policy towards Fiji's political future with the policies of other colonial powers in the Pacific, notably the United States, Australia and New Zealand, towards their own dependencies. France was regarded as an outsider in this respect. The emphasis on political and constitutional issues reflects the preponderance of material on such matters in the official UK records. Overwhelmingly the documents are drawn from two main classes at The National Archives: CO 1036, the records of the Colonial Office and Commonwealth Office from the Pacific and Indian Ocean Department, 1952–1967, and FCO 32, the successor Pacific and Indian Ocean Department of the Commonwealth Office and FCO from 1967 to 1974.

This volume focuses on the period 1960–1970. The last date selects itself: Fiji became independent that year. With independence, Britain's formal responsibility for the colony ceased although there were continuing consultations about defence and related matters. The volume opens in 1960 because that was when the first serious discussion started about the future course of Fiji's constitutional development, and when the first policies toward greater internal self-government were enunciated. The decade was dominated in Fiji by intense, often deeply bitter, debate about decolonisation, especially about the way in which Fijian interests, accepted by everyone as special and requiring specific, water-tight protection, could be

safeguarded in any future constitutional arrangement within a framework that was, to all outward appearances, democratic and acceptable to the international community. The faint outline of what eventually transpired began to become visible by 1965, and clarified as the decade progressed.

Constitutional matters had been very much on the mind of Sir Ronald Garvey, Maddocks's predecessor as governor, throughout the 1950s. Garvey was an independent-minded old Pacific hand, having served from the late 1920s in a number of locations, including the Solomon Islands where he was district officer (1927–1932), and then Nyasaland, St Vincent in the Caribbean and British Honduras (as governor, 1948–1952) before becoming governor of Fiji in 1952.<sup>15</sup> From very early on in his tenure as governor, he was concerned that Fiji's constitutional arrangements had become an obstacle to the colony's political progress and an impediment to harmonious race relations. From the mid-1950s, Garvey proposed a number of constitutional reforms, none of which bore fruit during his time in Fiji because in London they were deemed premature, too far ahead of public opinion, or insufficiently cognizant of the constraints of the colony's complex and contested history; some of them, however, would be re-visited a decade later. Garvey was also concerned with the internal social and economic problems facing the Fijian people and with the problems hindering Fiji's economic advancement. He took measures to address these issues, which came to the fore by the late-1950s. The volume begins with an introductory chapter from this period, including documents which provide a sense of the key issues and the discussion upon them taking place. And while the 1960s are the principal focus of the volume, events taking place during that time, and the issues dividing the people and confounding senior officials in both London and Suva, had deep roots in Fiji's colonial history. It is to these that we now turn.

### *I. Paramountcy, Parity, Privilege*

An archipelago of some three hundred islands lying on the border between the cultural regions of Melanesia and Polynesia, Fiji was settled some three thousand years ago by a seafaring people travelling eastwards from the Southeast Asian region.<sup>16</sup> The group was made up of a number of rival, semi-autonomous tribal chiefdoms embroiled in incessant struggle for political supremacy. The problem of power struggle was compounded with the arrival of European traders, beachcombers, missionaries and fortune-seekers from the beginning of the 19th century. They took sides among the rival aspirants, acquired land through dubious means, built up plantations, engaged in trading (in sandalwood, beche de mer, coconut oil, shipping), created port towns and urban centres and variously sought to insert themselves into the political scene, creating mayhem in the process.<sup>17</sup> Unable to tame these new, destabilising forces of change and fearing for their own political fortunes, the leading chiefs of Fiji, headed by Ratu Seru Cakobau, the self-styled Tui Viti, the supreme chief of the archipelago, ceded Fiji to the United Kingdom on 10 October 1874.<sup>18</sup> Britain accepted the offer after spurning earlier ones, now keen to exercise control over the activities of its nationals on the unsettled island frontier and to heed calls by missionaries and other humanitarians to curb abuses in the Pacific island labour traffic reported to be soaked in blood.

The transfer of sovereignty was cemented through a Deed of Cession. Much has been made of the Deed and it certainly featured prominently in the constitutional debates of the 1960s. The Fijian leaders invested it with a particular meaning. The Deed, they

argued, assured them not only that their rights and privileges would be safeguarded by the Crown, but that they would remain paramount in the management of the colony's affairs. 'Paramountcy of Fijian interests' was a phrase invoked over and over again throughout the 1960s to stake special claims and to influence the direction of constitutional change.<sup>19</sup> Some Fijian leaders even asserted that in its intent and implication, the Deed of Cession was similar to the Treaty of Waitangi under which the Maori ceded sovereignty of New Zealand to the United Kingdom. The comparison is misleading. Unlike New Zealand, which was a settler colony (while Fiji was a Crown colony), the cession of sovereignty was recognised and enforced at law, a fact which had 'never been questioned or even raised as an issue'.<sup>20</sup>

The words of the Deed in English—there was no Fijian version,<sup>21</sup> unlike the Treaty of Waitangi—are clear. The chiefs who ceded Fiji to the United Kingdom agreed that the 'possession of and full sovereignty and dominion over the whole of the group of islands in the South Pacific Ocean known as the Fijis' was to be 'annexed to and be a possession of and dependency of the British Crown', that the Crown would 'prescribe and determine' the laws and legislation governing the colony, that the 'absolute proprietorship of all lands not shown to be now alienated so as to have become bona fide property of Europeans or other foreigners or not now in the actual use or occupation of some Chief or tribe or not actually required for the probable future support and maintenance of some chief or tribe shall be and is hereby declared to be vested in Her Said Majesty Her heirs and successors'. That is, it would become Crown land. Finally, the Deed acknowledged that upon cession, 'the rights and interests of the said Tui Viti and other high chiefs ceding parties hereto shall be recognised so far as is and shall be consistent with British Sovereignty and Colonial form of government'.<sup>22</sup> That was the extent of the undertaking given in the Deed, and this understanding of it was endorsed by such Indian leaders as A D Patel and Vishnu Deo in the 1940s.

The phrase 'paramountcy of Fiji interests' entered Fiji's political vocabulary in the early 20th century, often invoked by European settlers as guardians of the 'Fijian race' to protect the European-dominated colonial order against demands by Indians for constitutional change. Political and economic self-interest rather than a genuine desire to protect Fijian interests informed the European reading of the document, for the same people who championed the cause of the Fijians hankered for more Fijian labour and land. The Fijians themselves saw the Deed as a 'protective' document which would safeguard their 'rights and interests', particularly the ownership of land and chiefly titles. In that sense, their interests would be paramount. But as independence approached, and fears were raised about how or if Fijian interests would receive special recognition in the new constitutional order, a protective interpretation was transformed into an 'assertive' one. That is, Fijian interests could be protected—be paramount—only if Fijians were in control of Fiji's political leadership, notwithstanding the legal and institutional protection. The Deed, in other words, became a bulwark against change not authorised by or acceptable to the Fijian leaders.

Once Fiji was acquired, the first substantive governor, Sir Arthur Hamilton Gordon (1875–1880), decided early that the Fijian society, already showing signs of stress from contact with the outside world—the indigenous population declined from around 114,000 at the time of cession to 87,000 at the turn of the 20th century, largely because of introduced diseases to which the people had no immunity—should



be allowed to live within their own subsistence environment, under the leadership of their traditional chiefs in a system of indirect rule.<sup>23</sup> To that end, he created a separate system of native administration complete with its own rules and regulations and courts governing indigenous life, a system of native taxation through which people paid tax in kind rather than cash (which thus prevented the disruption of the subsistence lifestyle of the people), and engineered an enquiry into land alienation which eventually ensured that 83 per cent of all land would remain inalienably in Fijian ownership.<sup>24</sup> Fijian fears of dispossession of the kind that took place earlier in other colonies—notably New Zealand—were by this process put to rest. The imposition of a uniform pattern of landownership over an archipelago of great cultural and social diversity created its own problems<sup>25</sup> but in the end, the Fijian people retained possession of most of their land. When, in the late 1990s, former Crown lands were transferred to Fijian ownership, close to 90 per cent of all land was in Fijian hands.<sup>26</sup>

Gordon gave further substance to the idea of indirect rule by formalising a Council of Chiefs, an umbrella organisation of the indigenous community, entirely chiefs until the 1940s, to advise him on all major policy matters relating to their people.<sup>27</sup> Although the strength and intensity of the consultative process fluctuated as times changed and other imperatives intruded, or when governors of a more reforming zeal were at the helm, the voice of the Council was heard when it mattered. The Council of Chiefs was the only body in Fiji which enjoyed the privilege of addressing the Crown directly, and this it did regularly, raising the concerns of the Fijian people or directing attention to matters that needed addressing. In the independence constitution, the Great Council of Chiefs, through its nominees in the Senate, was given the power of veto over any legislation which specifically affected Fijian interests.

Great Britain acquired Fiji reluctantly for strategic purposes as a means of dealing with threatened local instability. The islands were remote and their economic potential unpromising. Unwilling to incur a heavy expenditure in starting the new colonial project, Britain expected the new colony to become economically self-sustaining in the quickest possible time. This was easier said than done, for the basic prerequisites for rapid economic development were lacking. Local Europeans, themselves impecunious following the collapse of the cotton boom after the end of the American civil war, could not be expected to provide capital sufficient for the large scale plantation enterprise Gordon had in mind, having observed its success in Mauritius and Trinidad where he had been governor before coming to Fiji. Gordon settled on sugar cane as the crop most appropriate for Fiji, and turned to the Australian Colonial Sugar Refining Company.<sup>28</sup> The CSR arrived in Fiji in 1882 and remained there till 1973, after independence, dominating the colony's largely mono-crop economy and exercising a great influence on the way things were run there. The company's determination to maintain an iron grip on the industry caused friction with the growers and colonial governors and led to three major strikes in the sugar industry in 1921, 1943 and in 1960, although, not least for its own interests, the company was nevertheless a benevolent landlord. The conflict between the Indian cane growers and the CSR would exercise a deep influence on political developments in Fiji in the post-World War II years.

The Indian cane growers were descendants of indentured labourers. Gordon decided to introduce Indian indentured labour to Fiji because of its success in

Trinidad and Mauritius, where the first migrants had gone in 1834. The prohibition on the commercial employment of Fijian labour on European plantations and the uncertainty of labour supply from the neighbouring Pacific islands deepened the colony's dependence on India. Between 1879 and 1916, over 60,000 indentured labourers were introduced into Fiji, 45,000 from north India and the remainder from the south.<sup>29</sup> Small groups of free migrants from Gujarat and the Punjab, later economically and politically significant, continued to join them after the formal abolition of indenture in 1920. The indentured migrants arrived on a five-year contract which promised a return passage at their own expense after five years of service or free passage after ten. For a variety of social and economic reasons, including inducement provided by the government to stay on, the majority of the migrants settled in Fiji and contributed immensely to the economic development of the colony. From the very beginning, it was expected that those who remained in Fiji as British subjects would enjoy rights equal to those enjoyed by other British subjects resident in the colony. This intention was broadly encapsulated in Lord's Salisbury's despatch of 1875,<sup>30</sup> even though the despatch became a dead letter when Indian provincial governments refused the request to assist indentured recruitment and emigration. And the sentiment was repeated on many occasions later on.<sup>31</sup> It was on the promise of equality that Indians demanded full participation in the colony's political life. This demand for equality, too, would be at the core of the political debate as Fiji inched towards independence. Just as Fijians demanded the recognition of the principle of 'paramountcy,' Indian leaders struggled to gain acceptance of the principle of 'parity'.

The third leg of the Fijian stool were the Europeans—which in Fiji included Australians, New Zealanders, and British.<sup>32</sup> They had been coming to Fiji since the middle of the 19th century, numbering around 2,000 at the time of Cession. Although small in number, the Europeans dominated the retail and wholesale trade in the colony, owned or leased plantations and occupied senior positions in Fiji's public life. In keeping with the ethos of the times, they regarded themselves, by virtue of their race, as superior to other segments of the society and therefore entitled to a privileged position in the colony's affairs. In the late 19th and early 20th centuries, European settlers, unhappy with the government's 'native' or land policies and unable to get their way, led a movement to federate Fiji with New Zealand. But when that effort failed, they used other methods and approaches to advance recognition for their interests. Chief among them was the acceptance of their 'privileged' position in the colony's affairs.

Paramountcy, parity, privilege, then, were the three competing, not to say incompatible—but mutually reinforcing<sup>33</sup>—principles which informed the understanding the three communities had of their place in Fiji's society. These were invoked, with varying degrees of success, whenever London and Suva proposed further constitutional change. The demand for changing the fundamental structure of the colonial order could be—and was—deflected as long as Suva and London had their hands on the levers of power and portrayed themselves as impartial arbiters of the colony's best interests. The 'Crown' could be trusted to be fair to all its subjects. But as independence loomed and the departure of the colonial government became a certainty, the feeling of comfort began to give way to a deep and disquieting concern about the values and assumptions which should underpin the new order, about how the vital interests of the three communities could best be protected. This would be the central issue facing the Colonial Office in the 1960s.

A colony deeply divided by ethnicity and competing claims to political representation was one reality which confronted both London and Suva. There was another: the racially compartmentalised nature of the electoral system that Fiji had adopted from the outset. From Cession in 1874 to 1904, the Legislative Council comprised members nominated by the governor, much to the dismay and opposition of the European settler community which wanted direct (and greater) representation. Their continuing agitation resulted in the opening up of the legislature to limited elected representation.<sup>34</sup> By Letter Patent of March 1904, the hitherto wholly nominated legislature was replaced with one comprising 10 official members, 6 elected Europeans and 2 Fijians nominated by the Council of Chiefs. In 1916, the Letters Patent were further revised. European representation increased by one (from 6 to 7), and nominated members increased from 10 to 12, one of whom, for the first time, was an Indian (Badri Maharaj). Fijian representation remained unchanged. In 1929, partly as a result of representation by the Government of India, the Letters Patent were once again revised, reducing European seats in the Legislative Council from 7 to 6, giving Indians 3 seats to be elected from a communal roll, and 3 to Fijians, to be selected by the governor from a list of names submitted by the Council of Chiefs. Thus the new Legislative Council consisted of 13 official members, 12 unofficial members, 9 elected and 3 nominated.

Soon after election, the Indian members walked out of the Legislative Council when their motion for a non-racial common roll system of voting was rejected.<sup>35</sup> This was the first public occasion when the government's policy of separate racial representation was challenged, but not the last. The issue of a common roll would become one of the most deeply divisive issues in Fiji politics in the 1960s. Throughout the early 1930s, the method of election—common roll versus communal roll, the disparity in the representation of the three communities, and the merits of nomination over elected representation—dominated the political debate in the colony.<sup>36</sup> Indians demanded parity with the Europeans, while Fijians favoured nomination over election, and rejected the Indians' demands as unreasonable and unjustified and a threat to their own position in the colony. London consistently refused to sanction a common roll, citing as its reason the need to uphold pledges given to the Fijian people in the Deed of Cession. Both Europeans and Fijians opposed a common roll which they saw as the thin end of the wedge for Indian domination. And both opposed expansion of election, at least in part because they saw this as threatening their interests. The Europeans feared competition from the Part-Europeans (as they were called) because the latter were greater in number, and Fijian chiefs opposed election because they saw it as a threat to their traditional way of life, and because their key concern was the economic betterment of the Fijians, not national constitutional advancement.

But change could not be averted. In 1937, for the first time, the three main ethnic groups were given equal representation in the Legislative Council, with five members each. Three each of the Europeans and Indians were to be elected (with a property qualification for candidates and voters) from communal rolls and two nominated by the Governor. For the Fijians, the governor nominated five members from a list of ten submitted by the Council of Chiefs. The remainder of the Legislative Council was made up of 'official members', that is, heads of government departments. The distribution of representation in the Legislative Council ensured that the government always had the numbers to carry the day even in the most

unlikely event of all the non-official members combining against it.<sup>37</sup> This structure remained in place until 1963.

Intact but not unchallenged. Throughout the 1940s and 1950s, unofficial members made several attempts, all ultimately unsuccessful, to persuade Suva (and through it London) to change policy and open up representation in the legislature to reflect and accommodate the demographic, social and economic changes sweeping Fiji as well as to honour London's commitment to gradual self-government for the colonies. Specifically, the advocates of constitutional change wanted the system of nomination abolished and replaced by election. The agitation for constitutional reform in the 1940s was led not by the Indian leaders but by Europeans. The main period of Indian political agitation had ceased by the mid-1930s. Unable to persuade their Fijian and European counterparts to embrace the principle of non-racialism, they quietly supported, but did not initiate, constitutional debate. For their part, Fijian leaders staunchly resisted any substantive change to the constitution, or any perceived dilution of their cherished links to the British Crown cemented in the Deed of Cession.

The first wartime debate took place in 1943, when Alport Barker, elected member of the Legislative Council and mayor of Suva, moved to have the nomination system abolished in favour of election, and to increase the number of unofficial members from five to six for each of the three main communities. His aim was to give the unofficial members dominance in the Council. The debate went nowhere. Fiji was engaged in the Pacific War, and the sugar industry was embroiled in a catastrophic strike.<sup>38</sup> Barker withdrew the motion when the governor promised to appoint a select committee to investigate the issue.<sup>39</sup> Two years later, Harold Gibson, another elected member, broached the subject of increased elected representation, again to no avail. In 1948, Amie Ragg raised the subject again, but Fijians remained opposed. With the Indian population established by the census of 1946 as the largest community in the colony (46 per cent to 45 per cent for the Fijians),<sup>40</sup> both London and Suva expressed concern about the protection of the interests of the indigenous community. And this, together with a growing concern over how to deal with the 'Indian problem', weighed heavily on the minds of officials. Opinion in Suva was divided. Some urged greater sympathy for the position of Indians who had made an enormous contribution to the economy and who were therefore entitled to their fair share of rights in the colony. They urged greater Fijian integration into the mainstream colonial economy.

In London, too, opinion was similarly divided. Some officials urged caution and sympathy for the Fijian position. J B Sidebotham, assistant secretary and head of the then Pacific Department at the CO, was adamant in 1947 that any attempt by Europeans and Indians to force the pace of change should be 'firmly resisted,' otherwise 'we are not fulfilling our duties as guardians' of the Fijian people.<sup>41</sup> Removing the official majority would place the Fijians at the mercy of Europeans and Indians 'who would undoubtedly use the resulting situation for their own ends'. And any change which disturbed the traditional nature of the social structure—elections, for example—would be 'the greatest disservice that we could do to the Fijians', because they would become the 'plaything of political parties of other races'. But there were also those who argued that the status quo could not continue indefinitely. Among them was Sir Charles Jeffries, joint deputy under-secretary of state at the CO, who responded that the system of electoral representation had to bear some resemblance to the size of the two communities:

We cannot hope to hold indefinitely or perhaps for very long, the position that an official autocracy is necessary because the Fijian community is backward. We have to face the fact that the Fijians are only half the population of the Colony. The other half consists mainly of Indians, with a not negligible minority of whites. We, as trustees, have a special obligation to protect the interests of the Fijian race, but it is obvious that the ultimate goal must be a constitution based on a Fijian citizenship which shall include persons of all races who have made their home in the Colony.<sup>42</sup>

By the mid-1950s, Fiji had changed dramatically from the pre-war years. In 1955, of the total colonial population of 345,164, Indians numbered 48.2 per cent, Fijians 42.6 per cent, Europeans 2.7 per cent, Part-Europeans 2.3 per cent, Chinese 1.2 per cent and other Pacific Islanders 3.0 per cent. The increase in the Indian population—by 46,000 between 1945 and 1955 (it had taken Fijians twenty-two years to reach that figure)—was due mainly to four factors: a higher fertility rate, a lower infant mortality rate compared to the Fijians, early marriage of Indian women and a higher proportion of female children.<sup>43</sup> These figures rang many alarm bells. Population projections were disturbing. By 1967, it was predicted that the Indian population would increase to a quarter million while the Fijians would reach that figure by 1980. The disparity in the actual size as well as in the projection of Fijian and Indian populations not only caused officials concern but also poisoned race relations in the colony, leading to calls in the 1950s for steady deportation of Indians to remoter parts of the empire, such as the New Guinea highlands.

There were other developments as well which were beginning to change the public face of the colony. As a result of the war, both sea and air communication had improved greatly, connecting Fiji to the world as never before. Within Fiji, the internal transport system improved. A flourishing media, in English as well as Fijian and Hindi, brought the world closer to home. Radio came to many homes in the late 1940s and early 1950s. There was a rapid increase in primary and secondary education. In 1946, there were 438 schools with 36,000 pupils.<sup>44</sup> Ten years later, there were 479 schools with 60,000 pupils. The number of Fijian schools, that is, schools which admitted only Fijian students, increased from 306 in 1946 to 310 in 1955, while the number of Indian schools in the same period increased from 106 to 149. But numbers by themselves do not reveal the full story. Even though Fijian schools outnumbered Indian schools by almost three-to-one, most Fijian schools did not go beyond grade 5 (only 32 of the 300 schools did), while among Indian schools, 84 of the 141 primary schools took their students up to the final year, grade 8. This disparity was evident in other fields as well. In 1958, for instance, there was no professionally qualified Fijian lawyer and only one dentist and one medical doctor. In contrast, there were 38 Indian lawyers, 12 medical doctors and 8 dentists practising in Fiji. The gap in the educational and professional achievements of the two communities, a result of cultural, historical and economic circumstances, would become a matter of urgent public policy concern for both London and Suva in the 1960s.

Three distinct problems faced the new governor, Sir Ronald Garvey, when he assumed office on 6 October 1952: the internal social and economic problems facing the Fijian people which impeded their progress, the economic development of the colony in the context of a rising population and limited and ineffectively utilised

natural resources, and constitutional reform. Garvey tackled them with the courage and confidence of a man with an intimate acquaintance with islands (he was a close friend of the pre-eminent Fijian leader Ratu Sir Lala Sukuna). He appointed a commission of enquiry, headed by Professor O H K Spate of the Australian National University, to investigate and report on the 'economic activity of Fijian producers, with special attention to the effects of their social organisation on that activity', and to 'consider how far the Fijians' social organisation may be a limiting factor in their economic activity, and to suggest in what ways changes in that organisation might be desirable'.<sup>45</sup> Spate's report confirmed the widely held view that Fijians were indeed lagging behind other communities. This was not necessarily because of the success of other groups but because Fijian social institutions and practices, which had evolved in another era and were suited to the needs and requirements of simpler times, had become moribund, smothering the creative life of the community. At the heart of Spate's report was the recommendation to loosen the rigid, stultifying structures of the traditional society, to discourage social practices which made unwarranted demands on individual or communal resources and to encourage the gradual growth of individual enterprise and activity among the people (such as *galala* or independent farming) within the overarching ambience of village communities and not as an extraneous, unwelcome extension to it.<sup>46</sup>

To tackle the problem of population growth and economic development, Garvey appointed a commission chaired by Sir Alan Burns and comprising A T Peacock, professor of economics at Edinburgh University, and T Y Watson, former secretary for agriculture and natural resources in Uganda, to 'examine the surveys of the Colony's natural resources and population trends and, having regard to the need to ensure the maintenance of a good standard of living for all sections of the community, to recommend how the development of the Colony and its resources should proceed'.<sup>47</sup> The Burns Commission's recommendations were understandably more far reaching than Spate's. Those of a non-controversial nature dealing, for instance, with the improvement of the local infrastructure and the conditions of agricultural production, extension of the cooperative movement and technical education and the encouragement of independent farming, were accepted by the government and legislation was passed to implement them. But the more controversial ones, especially those dealing with the structure of Fijian society, raised alarm in many Fijian minds.<sup>48</sup> Among the most radical of Burns's proposals was the recommendation to bring the traditional society into the mainstream. Burns recommended the reform and opening up of a separate system of Fijian Administration and its replacement by a broad-based multiracial local government.

The separate system of administration, it will be recalled, was established by Sir Arthur Gordon in 1876 as a part of his policy of 'indirect rule', complete with its own secretariat, court system and native regulations designed to 'secure the continuance of the Fijian communal system and the customs and observances traditionally associated with it'.<sup>49</sup> The recommendation to dismantle the system of administration was opposed by Fijians because they saw their identity and aspirations tied with it and because it came at a time when the political atmosphere in the colony was deeply unsettled. But once the emotions had subsided, Fijians came around to the view that change was desirable, and the system would be substantially liberalised in the late 1960s (document 14). Among the changes was the abolition of the penal sanctions that had enforced acceptance of subsistence village life for most Fijians and the

introduction of elected provincial councils. Fijians were then completely free to remove themselves to towns or other places (as they had already been doing for some time).

The third problem Garvey tackled was constitutional reform. He informed London in February 1956 that he was convinced of the need for change. 'The position now is that there is a slowly growing interest in constitutional matters, both on the part of the Fijians and the Indians.' Fiji was calm and peaceful, Garvey said, but for how long? 'If we can consider changes in the constitution, now, deliberately and calmly should we not be wise to seize this golden opportunity? There is at present this healthy, if hesitant trend; so should we not seize the growing interest and turn it to our advantage' (2). Later, writing to Sir John Macpherson, permanent secretary at the CO in October 1956, Garvey proposed a number of changes (5). Among these were the removal of the official majority from the Legislative Council, the disappearance of nominated members, an increase in the number of Fijian, Indian and European members to 5 (from the existing 3), with the Fijian members being elected by the Council of Chiefs itself (rather than the governor selecting names from a list provided by the Council), and universal adult franchise for Indians and Europeans subject to literary qualification. His most radical proposal, the first time it was ever made, was for the creation of a 'multiracial bench' of 4 members (one each for the three main racial groups and one for 'other') elected by a weighted common roll.<sup>50</sup> His ultimate goal was a common Fijian citizenship, he said, while acknowledging that racial parity among the three main communities, along with separate communal representation, would have to be retained 'for an indefinite' period.

Another of Garvey's controversial proposals was for the abolition of the official majority in the Legislative Council. The main reason, or at least the officially stated reason, for the official majority was to protect special interests, such as the interests of the Fijians. But in practice, Garvey said, he had never found it necessary to use the official majority for that purpose. 'I do not think there is any danger in the Government being defeated if the official majority were removed, always provided the Governor were invested with reserved powers, and I consider that a healthier atmosphere would be created if it went.' Garvey also wanted to abandon the system of nomination. Its abolition would be a popular move, he told London. 'Whatever may be said about nominated members they are always regarded as Government yes-men, even though frequently they are among Government's more trenchant critics, and this taint vitiates them in the public eye. The choice of them becomes more and more difficult, and their value is just as difficult to assess, and little—if anything—would be lost if the system were discontinued.'<sup>51</sup> He was echoing the sentiments of his predecessor, Sir Brian Freeston, who informed the CO in 1949 that he 'attached little value or importance to maintaining the principle of nominated members, and should shed no tears if the nominated seats . . . were thrown open to election'.<sup>52</sup> Garvey also wanted the number of elected European and Indian members increased from 3 to 5, and all 5 Fijian members elected by the Great Council of Chiefs.

On the more controversial of his proposals, Garvey was not supported by his closest senior advisors, who argued that Europeans and Fijians would be opposed, regarding them as a 'thin end of the wedge' leading eventually to a common roll, paving the way for reforms too radical for the colony to bear, and giving the Indian leaders a sense of victory. Garvey remained undaunted, saying that his proposals for

encouraging multi-racialism were necessary and long over due if the aim was—as he assumed it to be—the encouragement of a multi-racial Fijian citizenship. Preserving the status quo was no solution to Fiji’s problems at all.

Nor was Garvey averse to talking bluntly with the Fijian leaders who resisted change. He did this from a position of strength and from strong personal relationships with many leading Fijians, including especially Ratu Sir Lala Sukuna. In 1954, he asked the Council of Chiefs to consider directly electing three of their five representatives to the Legislative Council and even floated the idea of an adult Fijian franchise. He told the chiefs that the ‘chiefly system on which so much depends should march with the times and should not ignore—for too long—the modern trend of democracy’. To those who invoked the Deed of Cession in support of gradualism and permanent paramountcy of Fijian interests, he responded with characteristic though unprecedented bluntness. He told the Colony in his Cession Day speech in 1957 with a frankness rare in Fiji’s history:

Surely the intention of this Deed, acknowledged and accepted by chiefs who were parties to it, was that Fiji should be developed so as to take a significant place in the affairs of the world but that, in the process, the rights and interests of the Fijian people should be respected. To read into the Deed more than that, to suggest for instance, that the rights and interests of the Fijians should predominate over everything else, does no service either to the Fijian people or their country. The view, for the Fijians, would mean complete protection and no self-respecting individual race wants that because, ultimately, it means that those subject to it will end up as museum pieces. The Indians are equally eligible to have their interests respected. By their work and enterprise, the Indians in Fiji have made a great contribution to the development and prosperity of their country, and to the welfare of its people. They are an essential part of the community and it is unrealistic to suppose that they are not or to imagine the position of Fijians in the world today would benefit by their absence.<sup>53</sup>

Garvey’s proposals were widely discussed in the CO, which recommended caution to ‘keep a firm grip of the initiative’, to act ‘just in advance of pressure, but only just’ (3). The racial factor had to be kept in mind; to go too fast would ‘play into the hands of the Indians’. ‘If there is no pressure to change, we should be the last to stimulate it.’ Garvey’s motives were questioned. Perhaps he wanted to end his term in office by announcing ‘some significant advance’. London remained unmoved by further protestations from Garvey. Writing to the governor in January 1957, Philip Rogers, assistant under-secretary of state, shut the door. It was not ‘desirable to stimulate constitutional change purely for its own sake’, bearing in mind the ‘possibilities of racial conflict’ in Fiji (6). The official majority should be retained, along with nominated members who had an important role to play and who could represent minority communities which sought separate representation such as Muslims. The spirit of Garvey’s multi-racial bench was accepted though not his proposal about how to achieve it. ‘We do not care for the system of weighting votes which you propose, largely because they would highlight the disparity in size of the electorates and lead to probably irresistible pressure for a, possibly gradual, whittling down of the relative weighting.’

Instead, London preferred the existing, not weighted, arrangement through an



additional elected member for each group on the basis of a common roll, with an equivalent increase in official numbers to retain the official majority. In further discussion with Garvey in Suva in June 1957, Rogers remained unconvinced about the merits of the governor's proposals. It was dangerous to provide for an unofficial majority without executive responsibility. The separate racial system of representation could be softened through holding some elections on common roll seats along with reserved seats. Increasing inter-racial education was crucial to breaking down barriers. Rogers doubted whether much could be achieved without addressing the fears and concerns of the Fijians.<sup>54</sup>

By the time Garvey left Fiji on 28 October 1958, the need for constitutional reform and change in other areas of colony's life had been widely accepted. The main questions to be resolved were its pace and direction.

## II. *Amery and the Aftermath*

Sir Kenneth Maddocks replaced Garvey and remained governor until 1964. Maddocks was different from Garvey in both temperament and experience. Born in 1909, he joined the colonial service in 1929 after graduating from Wadham College, Oxford, and served in Nigeria before coming to Fiji. Unhappily for him, his tenure in Fiji was punctuated by long periods of illness. While he did not have Garvey's sure touch, his familiarity with the Pacific, or his wide-ranging friendships across Fiji, Maddocks's Nigerian career provided relevant experience in one important respect. In Northern Nigeria he had been intimately involved in the process of transforming powerful native authorities into subordinate instruments of local government.<sup>55</sup> But unlike Garvey, Maddocks was not one to show vigorous initiative; temperamentally he was more reactive than pro-active. His tenure coincided with perhaps the most turbulent years in Fiji's post-war history. A year after taking office, he was confronted with deeply damaging industrial unrest in the oil industry in Suva in 1959 and in the sugar industry the following year. The overall effect of the unrest upon the governor was to reinforce the importance of caution and gradual change, and an acute appreciation of political realities in the colony.

Maddocks's major concerns throughout his years in office were twofold: to address the imbalance between the two main races in the public sector, and to forge an appropriate path for the orderly constitutional development of the colony. Fijians were not only under-represented in the professions, as we have already seen; they were also greatly outnumbered in the higher echelons of the civil service. This under-representation had a number of causes. Among them was the reluctance of traditional leaders, including Ratu Sukuna, to encourage academic education for their people whose appropriate place, they felt, was in the villages.<sup>56</sup> Indeed, a revamped Fijian Administration in 1944 had strengthened the authority of traditional structures of Fijian society, especially the power of chiefs. But while Fijians were advised to stay close to their traditional cultural roots, Indians were actively pursuing higher education for their children. The gap presented the officials with a delicate and difficult situation, to juggle civil service appointments between preserving the principle of merit on the one hand, and increasing a Fijian presence in it on the other.

To improve Fijian prospects in the civil service, separate scholarships under the Colonial Development and Welfare scheme were inaugurated to enable selected individuals to receive special training in the United Kingdom (23, 24, 32). The

scheme did not attract much adverse comment from the Indian community who were excluded from it. Over the course of the 1960s, the special training schemes did increase, if not dramatically, the number of Fijians in the civil service. There were other unexpected benefits as well. The elite of the emerging Fijian leadership on scholarship in the United Kingdom came in contact and socialised with officials in places that mattered. Through informal and personal contacts, officials in London gained deeper insights into Fijian thinking on critical issues while a period in the United Kingdom increased Fijians' already considerable respect and affection for British institutions and values.

On the constitutional front, Maddocks sought advice from the CO about electoral systems and constitutional arrangements in other places which might have some relevance for Fiji. In particular, he enquired about the so-called 'Tanganyika model' and about the functioning of Legislative Councils with unofficial majorities (7). The Tanganyika model provided a mix of communal as well as common roll seats, the latter reserved for each of the three principal racial groups of Africans, Asians and Europeans. Regarding the Tanganyika model, the CO replied, the 'crux of the matter is whether representation is to be a racial or a party basis. If the intention is that the Fijians, Indians and Europeans should have the opportunity to return candidates acceptable to the majority of their respective *races*, thereby perpetuating communal divisions, then the Tanganyika system does not appear to be the solution' (8). It would work to produce inter-racial cooperation if politics were conducted on party lines.

Yet it was the Tanganyika model which was adopted in Fiji, where political participation had always been racially compartmentalised and where established political parties, while having roots in looser communally orientated political associations, were recent creations. The Federation Party was set up in 1963 and the Alliance Party in 1966, in the latter case just a year before the introduction of a new electoral system with provision for cross-roll voting. As for an unofficial majority, the CO advised against it. The practice had been used in a number of places, including Aden, Gibraltar, Tanganyika, Uganda, and elsewhere, but the experience 'tended to produce frustration and to strengthen premature unofficial demands for greater executive representation and authority' (8). The official majority in Fiji's Legislative Council was not removed until after a constitutional conference in 1965.

Fiji's unique set-up required careful deliberation. Given the colony's history and the ethnic sensitivities involved, the CO conceded that representation would have to continue on racial lines, but it did not favour an extension on a racial basis. And as far as constitutional change was concerned, 'we want to keep one pace, but not two paces, in front of real political feeling and we certainly want to avoid widespread feelings of frustration' (8). The governor was advised to consult his senior officials and present fresh proposals for constitutional advance.

This the governor had been doing in any case (13), with his most senior advisors P D Macdonald, the colonial secretary, and Q V L Weston, the assistant colonial secretary, both with long experience of Fiji, the latter since 1940. Their views differed considerably. Weston argued that the only way Fijians could be persuaded to accept constitutional reform was if the paramountcy of their interests was explicitly acknowledged, perhaps through extra seats in the legislature. He cited the Deed of Cession in justification. Fijians were the indigenous community, they owned over 80 per cent of the land and had always been loyal to the Crown. The reference to loyalty

was intended to remind London of the Fijians' distinguished record of service in World War II, which contrasted markedly with the record of the Indians who stayed out of it partly in protest against the racially discriminatory rates of pay of European soldiers.<sup>57</sup> Once the principle of paramountcy was accepted, Weston argued, the way would open for the introduction of a limited number of common roll seats on the Tanganyika model. The Indian community could be placated by reducing the number of European seats in the Legislative Council. He proposed doubling the number of Fijian members to the number of Indian members (from 5 to 10), with the additional 5 being nominated by the Council of Chiefs.

Macdonald, with whose views Maddocks agreed, opted for the retention of racial voting and the principle of parity. A common roll, in any shape or form, was anathema to both Fijians and Europeans, he argued, and it would be 'impossible' to get their acquiescence to its introduction. For their part, Indians could not be expected to accept Fijian paramountcy without protest, nor would Europeans be likely to accept a reduction in their numbers. European representation in its present form was necessary 'both in order to protect the Fijian, and in order to ensure that the confidence of European businessmen and investors in Fiji, now already shaken, does not result in a flight of capital and cessation of investment'. The way forward, Macdonald advised, was to reduce official numbers in the Legislative Council (something which had been opposed both by Suva and London in the past) and introduce a 'member' system where unofficial members were given a supervisory role over collections of government departments.

These views were being canvassed in Suva when parliamentary under-secretary of state at the CO, Julian Amery, arrived in Fiji in October 1960. Amery was a well-connected Conservative (his father, Leopold, had been secretary of state for India in the 1940s), supremely self-confident and with a penchant for sharp, unequivocal judgements. During his two years (1958–1960) at the CO he developed a particular interest in island colonies, whether in the Caribbean, Mediterranean or Pacific. While his views did not always command support among officials, they always demanded attention. Amery arrived in Fiji at a particularly unfortunate time, when the colony was in the middle of a prolonged strike in the sugar industry. Some Indian leaders, including A D Patel, told their followers that Amery had been sent by London to help end the strike. That, of course, was not the case, although they used Amery's visit as a convenient, face-saving excuse to end their strike. Feelings were inflamed against the Indians, with troops being sent to the sugar belts to 'protect' farmers who wanted to harvest. Fijians were still reeling from the recommendations of the Spate and Burns Commissions, feeling isolated, apprehensive and abandoned. Understandably, their attitude to change had hardened.

The timing of Amery's visit was critical because his recommendations were to have a far-reaching effect on official thinking about policy towards Fiji. The problem of the racial divide was already known in London, and the CO had access to a wide range of informed opinion about the colony. But Amery put the issue vividly, so that his name and words echo in most major policy deliberations throughout the 1960s. He was blunt in his assessment. 'The Fijians and Indians are more distinct as communities than Jews and Arabs in Palestine, Greeks and Turks in Cyprus or even Europeans and Bantu in South and Central Africa'(13).<sup>58</sup> Fijians feared Indian domination, and had hardened their attitude to change. Their confidence in British intentions had been shaken. They regarded the recommendations of the Burns Commission for internal

reform within Fijian society 'as an attempt to give the Indian community control of the land by breaking up traditional Fijian society'. It had to be remembered that it was the Fijians who had been the loyal community, the reference here being to the non-active participation of the Indian community in the war effort. The Fijians provided seventy-five per cent of the armed forces. 'The islands could hardly be governed without them, let alone against them.'

For the foreseeable future, Amery suggested, it was 'impracticable to think in terms of a single Fijian nation of a common roll'. Instead of gradually abolishing the separate system of Fijian Administration, as the Burns Commission had recommended, Amery urged its retention because the Fijians were 'determined to resist any move in this direction'. Indeed, he recommended an Indian counterpart to it. The principle of parity in the civil service (in each grade of each department) should be the aim of the government. And finally, Amery recommended a move towards a 'quasi-ministerial system' while retaining the official majority in the Legislative Council. It was more important to give Fijians experience of how government administration functioned than to extend their representation. His overall policy direction was clear. The Fijians would no longer accept the goal of a single multi-racial community; the more the UK emphasised multi-racialism, the more suspicious the Fijians would become 'that we plan to sell them out to the Indians.' The only way, in Amery's view, to 'exorcise the fear of communal domination' was to make it clear 'as of now' that the UK stood for equal rights for both communities, and would 'not pull out until both ask us to do so'.

Amery's views were widely discussed in the CO. While it was generally agreed that his prognosis was probably correct, there was debate about his prescriptions. Sir Hilton Poynton, the permanent secretary, accepted that the challenge of making Fiji into a cohesive non-racial state was difficult but argued, 'to decide now that we should abandon the attempt [towards non-racialism] and base all our future policy on a constitutional and racial partition (even though not a geographical one) seems to me to be a counsel of despair' (16). Once racial separation was entrenched in the constitution, it would be nearly impossible to change it. The matter was important enough to invite a more thoroughly considered proposal from the governor. Poynton did not want policy formulated 'on the basis of views expressed on particular recommendations here and there'.

Elsewhere in the CO there was general consensus on the broad thrust of Amery's report. The strength of the Fijian opposition had to be recognised and respected. The Fijian Administration would not be abolished in favour of a more multi-racial system of local government. After all, the Fiji government, with CO authorisation, had done much in the 1940s to reinvigorate the separate system of Fijian Administration, elevating 'chiefs to greater status and authority than they had ever held before',<sup>59</sup> partly as reward for the enthusiastic Fijian war effort and partly because of the enormous influence of the pre-eminent Fijian chief, Oxford-educated and a decorated soldier Ratu Sir Lala Sukuna, who was also the secretary for native affairs.<sup>60</sup> Fijians had their reasons for refusing to accept change, but London was also caught in a bind: it could not reverse the wheels it had set in motion and reject the legitimacy and foundations of an order it had so assiduously nurtured. Ironically, therefore, until well into the 1960s, the Fijian elite were clinging defensively to colonial rule as the rulers started to prepare to end it.<sup>61</sup>

Some of Amery's other recommendations were rejected. The idea of a separate

Indian administration, unacceptable in principle because of London's long-term commitment to multi-racialism, and impracticable in any case because of the structure and settlement pattern of the Indian community, was rejected. Fijians needed help and protection, officials in London agreed, but they had also to be taught to face up to modern economic realities. And officials favoured the gradual racial integration of public institutions. Amery's off-hand remark that women should not be franchised if men did not favour it was shrugged off as an itinerant thought of an idiosyncratic mind. In November 1960, Poynton wrote to Maddocks that Amery's recommendation to retain the communal system was accepted for the foreseeable future, but the long-term goal was a non-racial state. This was to be achieved through a 'withering away' rather than 'an overt extinction of the communal roots of society'. And he emphasised to the governor that 'we should avoid any statement which commits us forever to communal representation' (19). The overall impact in London of Amery's visit was summarised by Hugh Fraser, Amery's successor as parliamentary under-secretary of state. He described the CO's stand as a holding position or middle course between 'the Burns non-racial line and the Amery communal approach'. Fiji was a potential trouble spot in the Pacific. Sooner or later, the following year according to Fraser, clearer policy guidelines would be needed (18).

While waiting for a fuller policy statement on Fiji's political future, Maddocks sought the CO's approval of the Fiji government's draft proposal for a new constitution. The reform was to proceed in two stages. In the first stage, selected unofficial members of the Legislative Council would be invited to accept supervisory roles—but with no executive authority—over a number of government departments, working within the conventional framework of collective responsibility exercised in the Executive Council—the membership system. The second stage would be a transition to a full ministerial system in which members would exercise executive responsibility. London approved the governor's proposal, the title 'member' being used in the first stage and 'minister' in the second (25, 28).

The government's constitutional proposals were debated in the Legislative Council between 21 and 24 April 1961 (36). It was the liveliest debate for years and the reaction of the Fijian leaders determined the outcome. With one lone exception (Semesa Sikivou), all of them rejected the motion which, the government was at pains to explain, was not seeking approval or decision but was intended to gauge the views of the people. Ratu Mara, who by a combination of his intellect, education and chiefly birth had emerged as the dominant Fijian leader by the early 1960s,<sup>62</sup> set the mood. Confident that he was speaking for the majority of the Fijian people, he opposed the motion. He felt it would lead to independence, even though it might be in the Commonwealth. The proposals were 'ill-conceived and ill-timed', Mara said, accusing the government of ignoring the Deed of Cession, which, he suggested, had never contemplated the severance of the link between Fiji and the United Kingdom. In private, however, he tended to be less dogmatic (42). Fijians, he said, would accept constitutional reform towards greater self-government if Fiji were guaranteed a continuing link with the United Kingdom similar to that enjoyed by the Channel Islands and the Isle of Man. This was the first mention in Fiji of a proposal often mooted publicly subsequently that Fiji might somehow be 'integrated' with the UK.

Ratu Penaia Ganilau, supporting Mara, chided the government for not consulting the public before announcing the constitutional proposals and raised fears about the

introduction of a common roll. Ravuama Vunivalu, perhaps the ablest debater on the Fijian side, summed up what he called the message from the Fijian people. 'We cannot reconcile the implications of these proposals with the assurances that have been given from time to time that our interests in this, our native land, shall always remain paramount.' His people regarded the Deed of Cession as a contract which could not be annulled by unilateral revocation. In any future constitutional arrangements, he continued, Fijians must have majority representation in both the Executive as well as the Legislative Councils. Fijian preconditions for accepting constitutional reform were made explicit for the first time: recognition of the principle of paramountcy of Fijian interests and a continuing link with the United Kingdom.

The Fijians' opposition to the proposals for constitutional reform had its effect on the government. In July 1961, the governor sought clearance from the CO for a passage he intended to include in his Cession Day address in October to reassure the Fijian people that the pace of change towards internal self-government would heed the advice of their leaders. Maddocks wanted London to agree it would not transfer power until a substantial measure of agreement had been reached among the different races, and legitimate Fijian interests safeguarded (38).

The first concern was superfluous. Fijians could not be forced into self-government against their wish, H P Hall, assistant secretary and head of the Pacific and Indian Ocean Department, minuted. At the same time, the United Kingdom could 'not accept a Fijian veto on any changes whatsoever e.g. the introduction of the membership system'. Poynton was blunter. To give one community in a colony a power of veto over constitutional changes would be 'tantamount to an abdication by the Secretary of State of his responsibilities to Parliament for the orderly constitutional development of the territory'.

The CO view prevailed. London had 'no intention of forcing the pace of constitutional advance in Fiji', it advised the governor, by declaring that the 'extent and timing of such advance will continue to take into account the need to safeguard legitimate Fijian interests and HMG will only decide on any major changes after full consultation with the representatives of the various communities in Fiji' (38). The concept of a Fijian veto was discounted. But at the same time Maddocks also flagged the subject of increased Fijian numbers in the Legislative Council to recognise the principle of Fijian paramountcy. He suggested 6 Fijian members, 4 elected and two nominated by the Council of Chiefs, and 5 Indian and European members each, 4 elected and one nominated.

London required a fuller explanation for a proposal that entailed a fundamental re-direction of policy, upsetting the principle of parity that had been the hallmark of Fiji's constitutional arrangements since 1937. In a long despatch of 21 July 1961, Macdonald, as acting governor, provided the justification (39). An extra seat for Fijians, Macdonald argued, would among other things be recognition by HMG of the rights of the Fijians in their own country, and also of their loyalty in two world wars and in the emergency in Malaya, in which conflicts Indians in Fiji contributed 'virtually nothing'.

The CO rejected the proposal. Assistant under-secretary of state A R Thomas noted that it 'would be needlessly provocative to Indians to have anything short of parity of representation between them' (40). Maddocks agreed that giving Fijians one more seat was not the best way of protecting Fijian interests; it was the governor's duty to

protect the vital interests of the people, especially the Fijian people (43). London also rejected the proposal that the unofficial members of the Executive Council should be elected by the Legislative Council as a whole, preferring them to be appointed at the governor's discretion. The principle of electing unofficial members might in due course complicate the appointment of a chief minister when a full ministerial system came. It would be best to let the governor appoint the person best able to command majority support in the legislature.

Fijian concerns and interests and how best to accommodate them did not fade away. The following year, 1962, Maddocks resumed his correspondence on the subject, reminding London in a lengthy despatch of the difficulty he encountered in getting the Fijians to accept the idea of inter-racial local government (48). This had been one of the recommendations of the Burns Commission. He once again outlined Fijian fears—Indian domination, the loss of Fijian identity in a multi-racial administrative arrangement, comparative disadvantage in education, the economy, the professions, the public sector—and reported that the gulf between the two groups was increasing. He added that the 'dissolution' of the colonial empire was causing Fijians to question how long the UK would be able, or prepared, to protect their interests. Maddocks quoted the words of Ratu Penaia Ganilau and Ratu George Cakobau during the 1961 Legislative Council debate that at independence Fiji should be handed back to the Fijians. This sentiment, he said, was broadly shared by many Fijians. The reference to Amery's findings in the despatch gave an insight into the governor's broad frame of mind and that of his senior officers many of whom supported the principle of Fijian paramountcy (46, 47). This concession, they felt, was necessary to get the Fijians to accept change. The way forward, Maddocks suggested, was 'Fijian racial majority on the Legislative and Executive Councils, with the Indians next in numbers, and the Europeans combined with the other racial groups, coming last'.

The reply from the CO was blunt, and informed by growing anti-colonial pressure at the United Nations, and studies undertaken by the CO itself of Fiji's place in the wider context of UK policy towards its remaining colonial dependencies.<sup>63</sup> The Fijians could not expect the UK to be in control of Fiji in perpetuity. Nor could London accept the recognition of Fijian paramountcy as practicable. It would be difficult to persuade the Indian community to accept the principle when it constituted the majority population. Moreover, it would be 'the negation of democracy'. Indians had become a permanent part of Fiji and 'any solution which does not recognise these facts is doomed to fail', Duncan Sandys, the new secretary of state, told Maddocks in a despatch (52). Sandys suggested another approach, a kind of 'shock tactic', telling the Fijians they could not expect the United Kingdom to hold their privileged position indefinitely. Multi-racialism was not only a desirable goal but an attainable one as well. Independence, he suggested, might be only ten years away, perhaps less. He sought further 'positive recommendations' from Maddocks about the future direction of constitutional policy.

Sandys' despatch was a document of uncommon candour, intentionally, provocatively so, designed to provoke Suva to fresh, creative thinking about alternative solutions to Fiji's complicated problems. It was sent when the CO was also contemplating what to say about Fiji in preparation for regional talks at official level in Washington on the future of colonial territories in the Pacific with representatives from the US, Australian and New Zealand governments. A draft on Fiji was described by officials as

‘controversial’, because it tried to outline ‘the makings of a policy for resolving the Colony’s internal problems which we frankly have not yet got’ (49). Three solutions were under consideration—abandoning attempts to foster integration, acknowledging Fijian paramountcy, or further attempts to bring the communities together—but the UK had yet to decide which to pursue. Only one point seemed certain. The economic value of Fiji to Britain was described as ‘nil’.

To the extent that Sandys’s despatch was designed to provoke a response, Maddocks rose to the challenge. The governor stood his ground and responded equally forthrightly (53). The policy of nudging Fiji towards multi-racialism would contradict past assurances given to Fijians about their special place in the country, he said, and would provoke ‘anger and amazement’ among them—and Europeans. Echoing Amery, Maddocks continued that if Fijians lost confidence in the UK, they might embark upon the path of passive resistance which would hinder moves towards self-government and might even lead to violence. London, he said, did not fully appreciate the strength of the Fijian opposition. Nor did it appreciate that not all Indians wanted multi-racial self-government. Of course, the UK could not be expected to hold on to Fiji indefinitely, but it was too soon to announce that policy publicly. Nor was it wise of London to be preoccupied with long-term goals. The best way forward was to prepare the ground for internal self-government, and acknowledge the special position of the Fijians, perhaps through a friendship treaty similar to the one enjoyed by Tonga.

Maddocks acknowledged the deleterious effects of a racially segregated electoral system, but was also mindful of total Fijian and European opposition to non-racial politics. This problem could partly be solved through the adoption of the Tanganyika model. The Fijian people were not unreasonable, Maddocks assured the CO; they would accept change if they felt their vital interests were protected. Among the proposals the governor had in mind was that the chief minister, when the ministerial system came, should be a Fijian, that Fijian land rights should be given water-tight security, and that a racial balance in the civil service should be preserved.

Within Fiji, where elections were due early in 1963 and with the announcement of parliamentary under-secretary of state Nigel Fisher’s visit around that time, the leaders began to manoeuvre for advantage. Among them was Ratu Mara. While voicing liberal opinions in private, he adopted a hardline approach in public. For example, he privately acknowledged that the system of Fijian Administration was in need of an overhaul. He favoured the introduction of multi-racial local government, and the membership system. But he opposed them in public for fear of alienating his Fijian constituency. In a meeting with other high chiefs in September 1962, Mara alleged that while in London, he had sighted an agreement between Ratu Sukuna and the British government on the future of the Fijian people, implying that London was reneging on the agreement. *Me satini vakavinaka mada na nomu masi*, the Fiji Special Branch reported him as saying, ‘Be prepared to go to war or be prepared to accept whatever is given to you’ (54). No one in the CO knew anything about the supposed secret agreement (55). When consulted Sir Ronald Garvey, the former governor, said ‘with absolute certainty, so far as I am concerned, that no such document exists’ (56).

At the same time, the CO pondered Maddocks’s suggestion about the Tanganyika model for an electoral system, relevant and appropriate on surface appearance, but problematic upon closer scrutiny.<sup>64</sup> The governor wanted a pre-determined outcome: Fijians on top, with a Fijian chief minister. An appropriate, not necessarily a



democratic, system would have to be devised to achieve that outcome. There were other problems as well. The Tanganyika model worked well because political parties existed there. There were only embryonic political parties in Fiji when the governor advanced the proposal. Moreover, racially the population was unevenly distributed throughout the colony which, as one CO official commented, would make it 'silly' to have a constituency dominated by Indians, with few Fijians and hardly any Europeans, and yet have a seat each for the three races.<sup>65</sup> In the end, Maddocks's view about constitutional advance prevailed, with London proposing to reassure the governor that in future, a 'more gradual programme' of change would be adopted.<sup>66</sup> Simultaneously questions were asked if anything was to be learned by comparing the position of the Indians in Fiji with that of the Chinese in Malaya (57, 58).

Fisher visited Fiji in January 1963 as part of his wider Pacific tour, the purpose being 'to listen, to confirm a view, and to advise the Secretary of State on his return' (59). He was advised to avoid causing 'alarm and despondency' by suggesting that the UK was about to force constitutional change upon the people of Fiji, but at the same time to avoid saying anything which might be interpreted as a pledge that no change would be introduced until all sections of the community wanted it. In Fiji, he listened carefully to a wide range of opinion through petitions and submissions. H G Nicholls, chief inspector of the Colonial Sugar Refining Company in Fiji, urged London not to 'turn Fiji loose' as an ill-prepared self-governing territory (61). The Suva Chamber of Commerce expressed the fear that if British administration ceased, 'our rights as free citizens of a democratic state may be seriously affected' (63).

London wanted above all to gauge the breadth and depth of Fijian opinion about the pace and direction of constitutional change, for as the correspondence from Amery onwards shows, it was what the Fijians thought that counted. What it heard was sobering. The Fijian Cane Growers Industrial Congress, based in western Viti Levu, the heartland of Indian settlement, bluntly said: 'We Fijians will not give up our rights.' They wanted to be reassured that the bond between the Fijian people and the Crown was intact (62). Apisai Tora, a politician and radical trade unionist, made a written submission in which he railed against the government as well as Fijian chiefs, demanding more representative government.

Tora could be—and was—dismissed, but not so the Fijian Affairs Board a body composed of the Fijian members of the Legislative Council with broad responsibility for Fijian welfare and the observance of Fijian customary rights. In its submission to Fisher, popularly known as the 'Wakaya Letter' after the Fijian island on which it was formulated, the Board captured the various strands of Fijian political thinking and articulated them with force and coherence for the first time (64). The letter was signed by all Board members, including three 'paramount' chiefs with the highest ranks in Fiji: Ratu Mara (from Lau), Ratu Penaia Ganilau (Cakaudrove) and Ratu George Cakobau (Bau). Its other signatories were A C Reid and R M Major, both senior civil servants, and J N Falvey, European member of the Legislative Council, and the Board's legal advisor. The letter wanted the 'spirit and substance' of the Deed of Cession strengthened, links between Fiji and the United Kingdom preserved, along the lines enjoyed by the Channel Islands and the Isle of Man, Fijian land rights secured, Fiji to be declared a Christian state, and the policy of racial parity in the civil service enforced. Only then would Fijians entertain the possibility of further constitutional change. The Wakaya Letter was a powerful negotiating document with wide-ranging implications.

Fisher reassured the Fijians that the UK would respect the terms of the Deed of Cession although he pointed out that the Deed was 'primarily concerned with the transfer of sovereignty over Fiji to Her Majesty's Government'.<sup>67</sup> He undertook to examine the proposal for Fiji to have a similar relationship to the United Kingdom enjoyed by the Channel Islands. He reassured the Indian community that they were equal, not second-class, citizens of Fiji. And he emphasised the need to develop a more multi-racial approach to problems facing Fiji (71). Sandys wrote to the governor in August 1963 to say he had 'studied carefully' the contents of the Wakaya Letter. He hoped for further progress towards internal self-government but 'in consultation with representatives of the people of Fiji', and not one section of it as demanded by the Fijians. As for a relationship along the lines of the Channel Islands, the circumstances of the two countries were dissimilar, and so the constitutional arrangements would be different although where appropriate some relevant features might be adapted for Fiji. Opinion within Whitehall was rather more candid on this point. In a note for an Official Committee on Future Policy in the Pacific in April 1963, the CO weighed the arguments for and against the UK confirming that a link of some sort would be maintained between Fiji and Britain (66, 67). On balance the arguments were in favour, despite the difficulties this might cause with the anti-colonial movement at the UN and the precedent which might be seized upon by other UK territories anxious for similar treatment. Confirmation of a continuing link (its precise form need not be determined immediately) was required to persuade the Fijians to enter a constitutional dialogue, and while other colonial powers would have to be consulted a continuing link would doubtless please the Americans for whom strategic considerations were uppermost in deciding whether Pacific territories might progress to independence (65). The Foreign Office in Whitehall was never backward in reminding the CO of the importance of the strategic dimension (92, 93).

Against this background Sandys proposed in August 1963 a constitutional conference in London to 'try together to agree upon concrete proposals' for constitutional change (68). But before that happened, Maddocks left Fiji. In April 1964, the CO gave the new governor, Sir Derek Jakeway, who had assumed office in January, its response to the 'Wakaya Letter' and broadly outlined the line he might take in his discussions with the leaders in Fiji. London would try to work out a constitution that was as advanced 'as the Fijians will swallow'. The links with the United Kingdom that the Fijians sought would be preserved in the ministerial system in any case (precisely how was not made clear). The governor would be vested with a range of powers over advisory bodies—such as the Public Service and Police Commissions—to ensure that the interests of all the communities were protected, obviating the need for a precisely formulated pledge the Fijians wanted. It might be counter-productive for Fijians to push too hard for an 'ultimate solution' lest it unduly antagonise the Indians and invite the attention of the United Nations.<sup>68</sup> The demand for Fiji to become a Christian state should be abandoned in favour of the principle of non-discrimination. London was acutely aware of the deep sensitivities on the ground in Fiji, and advised Jakeway not to commit himself to any particular cause of action before further consultation.

Jakeway was a complete contrast to Maddocks. He was energetic and involved, unlike his predecessor who was distant and detached. But more than personality, Jakeway's background was important. He had been chief secretary in British Guiana

in 1956 when Cheddi Jagan's Peoples Progressive Party had accused the government of gerrymandering the division of constituencies to favour its opponent, Forbes Burnham. Surviving the controversy, Jakeway left to serve as chief secretary in the former British Protectorate of Sarawak which became part of the Malaysian Federation in 1963. In Sarawak he came to know first-hand the service of Fijian soldiers fighting Chinese communist insurgency in the 1950s. He developed a sympathetic understanding of the problems of the Malaysian peoples, and saw the Fijian dilemma through the lenses of his Sarawak experience, describing Fijians as a huskier version of non-Muslim Sarawak Malays. In Fiji, Jakeway was active behind the scenes advising Mara to form a multi-racial political organisation along the lines of the 'Alliance' party in Malaya. Jakeway fell foul of the Indian leaders who petitioned London to recall him. London did not, and Jakeway remained to guide Fiji through its most intense and contested period of constitutional development.

Fiji's first election for an expanded legislature under a new constitution replacing that of 1937 had been held in April 1963.<sup>69</sup> It was an important election for a number of reasons, being fought for the first time on the basis of universal adult franchise, with no property qualification for voters or candidates. And it was the first time the ballot box had reached the Fijian people, enabling them to elect their representatives directly. Until then, Fijians were sent to the Legislative Council by the Council of Chiefs. In the Fijian constituencies, all the three sitting members of the Council—Ratu Mara, Ratu Penaia and Semesa Sikivou—were re-elected. Among the Indians, the contest was more fierce and more unpredictable. Emotions in the community were raw over the sugar strike of 1960, with the result that the election came effectively to be seen as a referendum on the strike and on certain people's role in it. Among them was A D Patel, the leader of the strike, who had been a member of the Legislative and Executive Councils from 1944–1950 but had retired to his flourishing private law practice after several electoral defeats in the early 1950s.<sup>70</sup>

Patel won the election easily in the Indian communal seats, along with another member of the recently formed 'Citizens Federation', S M Koya. It was an interesting and unusual combination of a Hindu and a Muslim representing the Indian community, especially in view of the argument that Muslims could not be elected from a predominantly Hindu electorate of the colony. Patel's re-entry into the political arena galvanised the political scene. His uncompromising stand on the common roll was to become one of the most deeply contested issues as Fiji moved towards independence. With Patel in the Council as the leader of the Indian community, Fiji had at its helm in the mid-1960s three (Falvey representing the Europeans) exceptionally talented and tough-minded men, attached (in the case of Mara and Patel) to strongly held principles, unwilling to compromise, each seeking advantage for their respective communities.

With the election over, Jakeway proceeded to prepare the colony for the introduction of the membership system. That came on 1 July 1964 (76, 77).<sup>71</sup> The government appointed three members, one Fijian, one Indian and one European. Ratu Mara became member for natural resources, A D Patel member for social services, and J N Falvey member for communication and works (part-time). The choice of the three was to be expected: they were the acknowledged leaders of their respective communities. Mara's portfolio included agriculture, cooperatives, fisheries, forestry, geology, lands, livestock, marketing and mining, all areas of particular concern to the indigenous community. Patel was responsible for

broadcasting, cultural activities, education, health, prison and social welfare. And Falvey's portfolio included meteorology, postal services, civil aviation tourism, transport, hotels, areas in which the Europeans had major investment and interest. The members of Executive Council had a collective responsibility for the implementation of policy but real authority still rested with the governor and his European officials. The office of secretary for Fijian Affairs remained an Executive Council appointment, but its portfolio was widened to incorporate Local Government as well as Fijian Affairs, a significant change.

The membership system was cumbersome. It was intended to give members administrative experience within a framework of collective responsibility. But members, elected representatives of their respective ethnic communities, had their own interests to safeguard while participating in government with whose policies they might not agree. Wires were certain to be crossed, and they were, especially between Patel, as the leader of the Indian community, and Jakeway as the head of government (and indeed between Patel and his own supporters).<sup>72</sup> As preparations for the constitutional conference (initially proposed by Sandys in 1963) in London in 1965 began, the political temperature in Fiji increased. Patel's Federation Party raised issues—about the common roll and independence, for instance—which aroused a strong reaction. Inevitably, they came under attack from the conservative Australian-owned newspapers, and even from the government's own Public Relations Department which, ironically, was in Patel's original portfolio but was withdrawn upon threats of mass European resignations from the department. The Fiji Broadcasting Commission, a statutory body, called members of the party 'badmash,' hooligans (82).

When Patel attacked the Commission publicly, Jakeway rebuked him and demanded his resignation if he could not observe the rules of collective responsibility entailed in the membership system (76). The governor wrote to Patel asking him to 'explicitly and immediately' dissociate from the attacks, failing which would 'bring into question your continued membership of Executive Council' (78). Patel reminded the governor of the terms and conditions upon which he had accepted the appointment. He could not be expected to consider himself 'responsible to defend the wrongful acts of civil servants or defend them against public criticism' when he himself, as member for social services, had no power to hold officers in his portfolio to account. He had joined the government to 'serve my people—not to forsake them; and I am not prepared to sell my soul for a mess of pottage'. He offered to resign if that was what the secretary of state and the governor wanted (82).

Patel's offer put the governor in a difficult position. It would be a severe setback for the experiment of multi-racial cooperation the government was undertaking. At the CO assistant under-secretary of state, Trafford Smith, sympathised with Jakeway but alerted him to the 'serious and far reaching' consequences of not having Patel (and his fellow party member James Madhavan) in the Executive Council. Might they not adopt a more extreme position which could potentially affect race relations, internal security and affect the smooth running of government? (77). Jakeway reluctantly heeded the advice (84),<sup>73</sup> while London hoped that the 'whole incident has not so seriously undermined the confidence of the other communities in the Indians as to make progress between now and the conference impossible'.<sup>74</sup>

The altercation between Patel and Jakeway could not have come at a worse time, on the eve of the constitutional conference in London. Relations between the two

men, never close, became frosty. The Federation Party, though not Patel himself, publicly criticised the governor.<sup>75</sup> Jakeway's refusal to allow the Indian community to accord a formal Indian welcoming ceremony for secretary of state Fred Lee when he visited Fiji in August 1966 dismayed many, especially when Fijians were allowed to welcome him traditionally at the chiefly island of Bau. The governor's statement during the course of a visit to Australia that 'it is inconceivable that Britain would ever permit the Fijian people to be placed politically under the heel of an immigrant community', and that 'the Indians do not want self-government, because this would immediately cause racial strife',<sup>76</sup> provoked a storm of protest which did not abate quickly. The Federation Party protested against the characterisation of the Indians as an 'immigrant' community (with all the political implications it entailed at a time when the constitutional future was being decided). Jakeway's statement, the party said, had seriously prejudiced the forthcoming conference by pre-judging important issues. It petitioned the CO to recall Jakeway. For his part, the governor responded that he had been misrepresented. London backed Jakeway, but worried if his reputation for impartiality had been damaged. For the Indian leaders it had.

### III. *The 1965 Conference and its Aftermath*

The stand-off between Jakeway and Patel took place during the familiarisation visit to Fiji by parliamentary under-secretary of state, Eirene White, in what was now a Labour government in Britain (90, 93). Her task was to report back on issues that might be raised at the forthcoming constitutional conference. She heard a wide range of opinion: from Muslims about separate representation, from Fijians about their special interests, including political leadership of the country, from Apisai Tora about deporting Indians from Fiji as Ceylon and Burma had done, from the Council of Chiefs reiterating the terms of the 'Wakaya Letter,' from the journalist Alipate Sikivou who expressed the Fijian nationalist line that the Indians could always go back to India, the Chinese to China, and the Rotumans and other islanders to their respective islands but the Fijians, the indigenous people, had Fiji as their only home.

Sikivou was not alone in holding such views. Many others were of the view, as Ratu Penaia Ganilau and Ratu George Cakobau had said in 1961, that at independence, Fiji should be returned to the Fijians. As Uraia Koroi put it at a meeting of the Fijian Association in January 1965 chaired by Ratu Mara, 'Fijians were determined to achieve this claim of right [returning Fiji to Fijians] at the cost of their lives. Bloodshed would mean nothing if their demands were not acceptable to other races in the Colony' (74).

A month before White's tour, in March, Trafford Smith had visited Fiji to talk specifically to the leaders of the three communities about their attitude and possible policy stance at the London conference (75). Ratu Mara reiterated Fijian opposition to a common roll, expressed optimism on the resolution of the land-lease situation while conveying Fijian fears of being dispossessed of their ownership rights, and thought the Fijian demand for paramountcy could be accommodated perhaps by giving Fijians an extra seat. Patel attacked the inequities of the colonial administration, the official patronage of anti-Federation Indians, the 'islands of autocracy' in the public sector immune from parliamentary scrutiny. For him, the main controversial issues at the conference would be the method of election and the composition of the executive. Echoing his earlier confidential comments (70), Falvey explained the basis of Fijian-European political co-operation against the Indians,

emphasised the depth of the Fijian attachment to the principle of paramountcy and offered to give up a European seat to accommodate it, and flew a trial balloon of three common roll seats contested by a member of each of the three main groups.

Throughout the early 1960s the issue of land ownership, and Fijian fears of dispossession lay close to the heart of the problem in Fiji, fears accentuated by a rapid increase in the Indian population and increasing demand for a more secure land tenure system.<sup>77</sup> If they were not in political control, Fijians feared Indians would enact legislation to take their land away. But for Indian politicians, land ownership itself was not an issue; everyone respected the ownership rights of the Fijians. At issue were the terms and conditions under which Fijian land could be leased to mostly non-Fijian tenants. Fortunately, the lease issue was addressed in the report of the Agricultural Landlord and Tenant Committee which was accepted by the CO, with slight modification (73). New leases would be granted for a minimum of ten years and would be heritable.

This Trafford Smith pointed out to Jakeway, was an improvement upon the English practice. Under the new legislation, tenants would be paid compensation for improvements they had made if the lease was not renewed, and there would be a Lands Tribunal to review rents and, perhaps more importantly, to decide on the 'relative' hardship if the lease was renewed or not renewed. As this tended to favour the tenants, the provision came over time to be resented by many Fijians. But in 1965 the passage of the legislation caused much relief to officials in London and in Suva. In Fiji, Indian leaders, Patel in particular, were blamed by some for 'selling out' the interests of the tenants, without appreciating the constraints of the times, the tenacity of the Fijian opposition, or the subtlety of legislation which actually secured for tenants rights and privileges which no earlier legislation had done. Land issues were not expected to play a significant part at the forthcoming London constitutional conference, but the CO wondered if the proposed legislation might be used as a bargaining counter, 'in that Indian readiness to compromise over the retention of mainly communal rolls could well be dependent on that of the Fijians to implement the landlord/tenant proposals'.<sup>78</sup>

Early in 1965, Jakeway initiated among members of the Legislative Council a dialogue about issues likely to be raised at the London conference. He aimed to achieve a measure of consensus which would augur well for the coming talks. The discussion produced consensus on many issues: complete and immediate independence would not be the aim of the conference, and links with the British Crown would be maintained. But, predictably, the talks faltered on the perennially thorny issue of the method of election to the Legislative Council. Patel pressed his case for a common roll, while the Fijians and Europeans opposed it. When distorted versions of the confidential talks began to appear in the colony's major local daily,<sup>79</sup> accusing Patel and his fellow members of the Legislative Council of unstatesmanlike behaviour, Patel withdrew from the talks—not only because the leaks had 'created an atmosphere of mistrust and misunderstanding among the people of Fiji', but also because 'nearly all the remaining subjects for discussion are controversial and on which it is very unlikely any agreement would be reached in Fiji'.<sup>80</sup> The government's own intelligence unit reported that the *Fiji Times* often published distorted and damaging versions of Patel's speeches. But the breakdown had several unfortunate consequences. It deepened the rift between Patel and Jakeway. It poisoned political relations between the principal protagonists, and forged ever closer relations

between Fijian and European leaders. Patel's stand against any compromise probably hardened too. As Jakeway informed London, the possibility of 'reaching unanimous agreement in London receded over the horizon' at the moment the Suva talks ceased.<sup>81</sup>

The conference opened at Marlborough House on 26 July 1965 (87). The United Kingdom government set the agenda but then played a disengaged role in the deliberations. Anthony Greenwood, the secretary of state, assured the Fiji delegation, 'you will encounter no disposition on the part of the British Government to press particular solutions upon you'. Ratu Mara, in his opening remarks, paid warm tribute to Britain, emphasising loyalty, trust, and gratitude, saying that independence was not his goal, and that he saw no reason to sever links with the Crown 'forged by our forefathers in 1874'. Falvey, speaking for the Europeans but also 'with' the Fijian delegation, echoed Mara's sentiments: continuing links with the Crown, satisfaction with the status quo, gratitude for all that Britain had done for Fiji. Patel predictably took a completely different line to Mara and Falvey. He hoped the conference would produce a new constitution which would lead Fiji to 'complete independence in the not too distant future'. He wanted the conference to mark the 'beginning of the end of a form of government which stands universally condemned in the modern world'. And he too had 'faith and trust' in the British government to work out a just and fair solution for Fiji.

Patel's anti-colonial sentiments would have been unexceptionable in most circumstances. Many in the UK itself felt the days of colonial rule were numbered. And the words were a regular part of the vocabulary of many a nationalist leader in the Third World. But Fiji was different. There British colonial government was not reviled, but warmly embraced by the indigenous population. It had preserved their way of life and secured their fundamental interests, such as ownership of the land. In that context Patel's condemnation of colonialism struck a jarring note. The UK delegation was already favourably disposed to the Fijian position, with the Fijian leaders making a considerable play of the Fijian contribution to World War II and the poor contribution of the Indian community to that conflict.<sup>82</sup> Patel's denunciation damaged his own cause. For their part, CO officials put the 'failure' of the conference to provide a broadly acceptable consensus outcome squarely on the shoulders of Patel and his colleagues (91).

The conference nevertheless produced several major steps towards greater internal self-government (90). A new constitution replaced that of 1963, providing for the first time, a majority-elected Legislative Council and the end of the nomination of unofficial members. Ministers were to be appointed, headed by a leader of government business who then became chief minister. The only nominated members in the legislature were the colonial secretary, financial secretary, and attorney general; the ex-officio secretary for Fijian affairs and local government was to be replaced by a minister. Chinese, Rotumans and other Pacific islanders were enfranchised for the first time, the Chinese placed on the European roll and the latter two on the Fijian. The constitution also had for the first time a bill of rights though it did not provide protection against discrimination in civil service appointments, not surprising in view of the concern over racial imbalance there. A subject which remained in the background at the conference was the future of the Fijian Administration, and the related issue of the development of local government. The CO recognised before the conference opened that any attempt by non-Fijians to

interfere in such matters would 'instantly cause the Fijians to stop in their tracks and refuse to make any constitutional progress at all for the present'. Progress was being made, but it was slow and it was in everyone's interest to keep the Fijians 'sweet by letting them go on at their own pace' (86).

It was the composition of the Legislative Council and the method of election that proved to be the most contentious issues at the conference. In the event, the Council was expanded to 36, 14 Fijians, 12 Indians and 10 Europeans. With the two additional members, nominated by the Council of Chiefs but who would be full members of the Legislative Council, the principle of Fijian paramountcy, which had so long divided opinion both in London and in Suva, was recognised. European numbers had been reduced by two, but they were still disproportionately over-represented. London was disposed to reduce their numbers even further to appease Indian feelings, but Fijians would not countenance further reduction: after all, Europeans were their ally against the Indians.

The conference produced an outcome that pleased—and relieved—officials: a Fijian majority (assured because of traditional European support) and thus a Fijian chief minister. Second, the Tanganyika model, which Maddocks had so strenuously advocated, was also introduced. Of the 12 elected Fijian and Indian members, 9 would be elected on separate racial rolls, now called a communal roll, with 7 General Electors.<sup>83</sup> The remaining members, three General Electors, Fijians and Indians, were to be elected on a cross-voting roll where the ethnicity of the candidates would be stipulated, but they would be voted for by everyone eligible to vote, irrespective of ethnicity. There was another feature of the constitution which further isolated the Indians from the rest of the community. For the first time the Chinese were enfranchised, and they were placed on the General roll while Rotumans and other Pacific islanders were placed on the Fijian roll. This amalgamation in effect turned the Fijian and European rolls into a non-racial common roll, while the Indians remained communally separated.

The Federation Party protested against the final report of the conference (88). The two extra Fijian seats (through the Council of Chiefs) had upset the principle of parity between the two communities. The Tanganyika model was unacceptable to them and inappropriate for Fiji because of its electoral provisions. The fear of Indian domination was more psychological than real, because the geographical distribution of the population was uneven. But by then, the Federation Party was talking to itself. When the party realised that the Fijians and Europeans would not move on a common roll, and that the UK would not intervene, Andrew Deoki (non-Federation member of the Indian delegation), proposed a compromise towards the end of the conference which he had presented earlier in Fiji. His proposal was to introduce three additional common roll seats to the existing system of communal representation. But by then the Fijians had the upper hand and London had the result it desired, and so the proposal was not considered because it had come 'too late'.

The Federation Party threatened, but did not carry out, a boycott of the final session of the conference, 'out of respect for the Secretary of State', they said. They accepted the outcome on protest, and put it in writing the next day. Greenwood played little part in the proceedings, having been preoccupied with issues concerning Aden. He admitted at the end that the constitution was not perfect but thought sufficient progress had been made towards multi-racialism in the cross-voting proposals and urged everyone to 'strive to make it work' (103). An elated Ratu Mara



cabled Fiji: '*Ni yalovinaka ni kakua ni taqaya, na veika kece koni taqayataka e seqa ni yaco, sa nomuni na lagilagi*' ('Don't be concerned. All that you were concerned about did not materialise. The victory is yours.'<sup>84</sup> Large victory celebrations awaited the Fijian delegation in Fiji.

Trafford Smith offered his own assessment of the conference (91). He revealed that White had held private talks with Mara and Falvey to see if giving Indians an extra seat would 'be worth the candle', but the proposal was rejected. There was no political advantage for any of the three parties in making this concession anyway. Trafford Smith thought Patel 'got off on the wrong foot' during the formal opening session with his attack on colonialism. And he considered the Federation group singularly inept and unprepared for the conference. Had 'Patel and his henchmen'<sup>85</sup> tabled the compromise proposal for a limited common roll at the beginning of the conference, the British government would have had to take serious note of it and impress upon the Fijians and the Europeans the need to consider it. Rarely, according to Smith, had a case been so mishandled by three lawyers, a reference to Patel and Koya and their legal adviser.

Trafford Smith's view can be explained by several considerations. The UK delegation seem to have been more concerned to appease the Fijians than to arrive at a solution broadly acceptable to all parties. White held private talks with Mara and Falvey, but made no such attempts with the Indian delegation, to impress upon them to meet the others half way. In this she was apparently disregarding the advice of officials who thought it 'necessary to have separate discussions with the delegates from each community to find out to what extent they are prepared to compromise on the issue of common roll' (85). The CO itself recommended avoidance of the issue of a common roll at an early stage as it might lead 'to the striking of attitudes and deadlock'. To argue later that the Indian delegation should have declared their hand earlier seems contradictory.

The Federation Party wanted to convince the conference of the merits of their common roll proposal for building a new, non-racial Fiji, and expected the UK government to show some sympathy for their position. Only when that approach failed was it thought prudent, at the last minute, to present their minimum demand. But London seemed more attuned to the demands of the Fijians, and some members of the European delegation felt socially close enough to the officials in London to make, as Trafford Smith reported, racist, anti-Indian comments in their presence. Privately, some CO officials, such as A J Fairclough, assistant secretary and head of the Pacific and Indian Ocean Department, agreed that the outcome of the 1965 constitutional conference was 'unduly pro-Fijian' (103) An independent expert, Professor Stanley de Smith, regretted that the Federation Party's 'relatively moderate compromise proposal [for limited introduction of a common roll] received such short shrift' (119).

Were the Fijians going to be as intransigent on a common roll as officials in London thought? A CO brief prior to the conference summed up Jakeway's talks with three pre-eminent Fijian leaders, Ratu Mara, Ratu Penaia Ganilau and Ratu Edward Cakobau. The governor reported that 'some gentle selling of the attractions of a limited common roll element in the next constitutional stage has been done with all three and does not appear to have fallen on entirely unreceptive ground'. It was true the Council of Chiefs had come out in favour of a communal roll but there was no specific discussion on the electoral system. Jakeway suggested that 'the position is

that they are prepared to listen to proposals from the British side and to give them a fair hearing' (98). The governor also informed London that Patel would pursue a common roll; 'if he sees no alternative, he will probably accept a limited number of common roll seats in a Legislative Council which is otherwise elected on communal roll'.

But the United Kingdom delegation went into the conference with its mind already made up to recommend the adoption of three cross-voting seats on the basis of parity. The CO recommended that Fijians and Indians have parity (12 seats each), but the Fijians got two more during the conference. Once back in Fiji and stunned by the vehemence of the Indian reaction, Jakeway broached with Mara and Falvey the possibility of Fijians reverting to the status quo, but by then it was too late, and would 'lead to too many internal difficulties for the Fijians themselves' (96).

In September 1966 Fiji held a general election under the new constitution. It was an important contest fought for the first time between two political parties, the Federation and the Alliance. The latter was officially launched on 12 March 1966, although component parts—the Fijian Association and the Indian National Congress, for example—had existed before then. The Fijian Association was the foundation of the Alliance. Most Europeans and a number of Indians also joined the party. The Alliance saw itself as a multi-racial political party, unlike the Federation, which while ideologically non-racial, had its base in the Indian community and was unable to attract many Fijian or European members. Something like the Alliance was bound to enter Fiji's political arena, but it was helped by encouragement from Jakeway who organised contacts (97, 98). As he told a sitting of the Legislative Council in 1966: 'The way is wide open for leaders of imagination, who have the interests of *all* the people of Fiji truly at heart, to build political alliances with the object of contesting elections on a common cross-racial platform and, if they win a majority of seats, forming a broad-based administration which will be effectively self-governing. I shall be only too happy to cooperate with such an administration and give it maximum freedom of action.'<sup>86</sup> Patel clearly was not one of Jakeway's 'leaders of imagination'.

The elections produced a massive, though expected, victory for the Alliance: 22 seats to the Federation's 9 (all Indian communal seats, none of the cross-voting ones). As the leader of the Alliance, Mara was appointed leader of government business, while retaining his natural resources portfolio for a few months before handing it over to a General Elector member of the Alliance, Doug Brown. Vijay R Singh, Patel's most bitter opponent though with a sharp mind and an eloquent tongue, was appointed member for social services and Charles Stinson, a Suva businessmen, member for communications and works. Three other elected members (Ratu Penaia Ganilau, Ratu Edward Cakobau and K S Reddy) were co-opted to the Executive Council. This arrangement lasted until 1 September 1967, when a ministerial style of government was established with Mara as chief minister.

The Federation Party protested against their exclusion from the Executive Council, pointing to paragraph 39 of the conference report (90) which said that the 'Governor would continue to appoint the unofficial members of the Executive Council in his discretion but would provide for appropriate representation of the various communities in the unofficial element of the Executive Council'. As the Federation Party represented the Indian community, it claimed it was entitled to be invited on to the Executive Council. Trafford Smith agreed, saying the 'Secretary of

State no doubt had in mind that the [Executive] Council would be formed on an all-party basis as hitherto'. But a resounding Alliance victory was not foreseen at the time of the conference. Now with the adoption of a 'government' versus 'opposition' system, Fiji had 'crossed a major Rubicon' (104). Mara did not want the Federation Party in government because their policies, he said, were diametrically opposed to his party's and because in all probability the Federation would insist on the exclusion of Indian members of the Alliance Party from the Executive Council as a precondition for participating. This Mara would be loathe to accept (111), as it would in effect undermine the Indian members of his party and hand Patel a victory of sorts. In any case, Patel had accepted the role of the leader of the opposition, and the matter was allowed to rest. Urban local government elections were held in six townships under a common roll in December 1966. In all but one township the electorate was overwhelmingly Indian and the Federation Party mounted a determined campaign after its showing in the general election. Its efforts were rewarded. The Alliance Party, by contrast, did not campaign in its own name. To Trafford Smith 'familiar Fijian conservatism' at the time of the local elections was a 'depressing feature'. A 'more forward looking' Alliance Party organisation was needed (106).

The Alliance government faced the normal teething problems of all new administrations: limited resources, unskilled personnel, demands for development from all sides, the negotiation of grants and experts from London, the politics of patronage, but for the most part it acquitted itself well (103, 110, 111). Jakeway was concerned about the emigration of skilled people from Fiji to Canada and the United States in particular and sought CO advice on how to curtail it (94, 99, 100). The government could do very little was the short reply, because any undue restriction on the movement of people would breach human rights conventions. Perhaps a bond system requiring scholarship holders and other beneficiaries of subsidised training to work in the country for a specified length of time might be the solution. The CO saw a silver lining in the departure of Indians from Fiji: an improvement in the racial balance between the two communities (95). When Lee visited Fiji in August 1966 he alluded to other pressing problems. Among them was the need for racial integration, especially in education. In the past, this had been strenuously opposed by Fijian provincial schools, fearing that integration would submerge their unique identity into something amorphous and threaten their cultural foundation. 'There may be room for argument about timing and methods, but not for doubt of the principle itself', Lee concluded. And he advised the people to accept change, 'assimilate it into the structure of society without allowing tradition either to impede it or to be swept away by it'.<sup>87</sup>

The uncertain future facing expatriate civil service officers, employed not on permanent or pensionable terms since a new policy came into effect in 1962, but on contracts in the territories where they were serving, was also a matter of grave concern not only to the officers concerned<sup>88</sup> but also for the orderly transition to independence (101).<sup>89</sup> The interests and welfare of the expatriate officers had to be balanced against the imperatives of localisation. Under the existing constitution, the governor, not his elected ministers, was responsible for staff matters, but with a full ministerial form of government soon to be established, the equation had changed. In particular, Mara was adamantly opposed to the continuation of the old arrangement, which involved differential rates of pay for local and expatriate officers. He himself

had been a victim of the old system in the early 1960s, and was determined that it should go. He wanted the Overseas Services Aid Scheme and Her Majesty's Overseas Civil Service dismantled, with appropriate compensation, and all future expatriate officers employed on contract or on secondment. For obvious reasons, Mara wanted accelerated localisation (112).

Mara's opposition caught London in a dilemma. It understood the depth of his personal feeling on the issue and its political ramifications in Fiji. For that reason, it could not confront him publicly. Antagonising him at a critical moment in the transition to independence held grave dangers. But neither could London disregard the welfare of senior, long-serving civil service officers who were caught in a dilemma not of their making. Matters became more complicated with Mara's refusal to go to London to discuss the issue with UK ministers. He was adamant that it be discussed in Fiji, with many like-minded colleagues, where he could resist pressure he might have to succumb to in London. There was little London could do except 'to do everything possible to persuade Ratu Mara to see the difficulties of the course he has suggested and to accept that it is preferable that OSAS should continue, despite the problems it poses for him' (112).

Another major area of concern was the implication for Fiji of the UK's second application, lodged in May 1967, for entry into the European Economic Community, in particular for the future of the Commonwealth Sugar Agreement. Sugar was, and long had been, the backbone of the country's economy. There was, moreover, a political dimension to the problem as well. A major success on the sugar front would augur well for Mara politically with the support he commanded in the Indian community. It would also undermine Patel's standing among his strongest supporters in the cane belt. To safeguard Fiji from any potential fallout from Britain's entry into the EEC, Mara revived his 'integration' proposals. Britain was not encouraging, not only because of the local difficulties but also because of the precedent which might be set. Mara dropped the idea, but privately what was now the Commonwealth Office in London conceded that some form of 'associated state status' (103) was 'probably the right goal for Fiji' (109). And associated status was in any case preferable to independence, a point which was not to be divulged to Mara when he came to the UK in September 1967 as part of a world tour.

The recommendation to avoid independence if possible was made after a further round of official talks about the Pacific at Washington in April 1967 involving the same four powers. The UK delegation was led by Trafford Smith at talks which proved to be detailed and, in the case of the US, unusually candid. While admitting that Washington had yet to formulate clear policies for the Pacific, US officials made clear they preferred association arrangements to independence. This was a view shared by the Australian delegation and Australia emerged at the talks as the most beleaguered of the four powers. Nauru and Papua New Guinea were onerous responsibilities, and the stand taken on both by the UN Committee of 24 was resented in Canberra. All four powers, New Zealand to a lesser extent, were concerned to limit UN involvement in the region. A major preoccupation of the Australians was the danger of penetration by 'hostile influences'; 'Indonesia and Asian communists seemed uppermost in their minds', according to the UK report on the talks. The Australians also claimed to have a 'national interest' in Fiji's stability. They regarded Fiji as 'the key to the island region', and they voiced strong opposition to 'any forward movement there'. Throughout the talks UK delegation steered a middle course,

emphasising that stability in the Pacific was a concern of all four powers; individually their aim should be to avoid 'competitive constitutional escalation' and to consider the interests of other powers in making decisions about their own territories (108).

Two observations might be made about the wider significance of the Washington talks in April 1967. First, despite the claim to have a national interest at stake, Australia appeared less keen to involve itself in assisting financially with Fiji's development plans. The suspicion always lurked in Canberra that the UK was seeking to 'offload' its Pacific responsibilities (117, 120). Secondly and rather unexpectedly, Nauru, the subject of extended discussion at Washington, became an independent republic in January 1968. With an area of only 8 square miles and a population of just over 5,561 (an 'English village' according to officials in London), Nauru was perhaps the best example of where, according to the criteria established in Washington, independence was to be avoided. The UK went along with the decision to grant independence, believing that if Australia and the US, who had more at stake in the Pacific, were prepared to acquiesce, it made little sense for the UK to object. By implication, if Nauru could become independent, so too could Fiji.<sup>90</sup>

Earlier, in February 1967, Herbert Bowden, secretary of state for Commonwealth affairs, visited Fiji as part of a familiarisation tour of the South Pacific. He gave assurances that the new departmental arrangements in Whitehall—Jakeway described the merger of the CO and CRO as a 'betrayal' of dependent territories (113)—did not mean any change in the British government's policy on Fiji.<sup>91</sup> Britain would not rush Fiji to independence, but would act only if Fiji asked for and was ready for it. It was advisable, he said, for Fiji to progress gradually.<sup>92</sup> On the future of the contested constitution, Bowden said that since it had been in existence only a short while, 'it should be given a chance to work and see if it is a viable one that meets the needs of Fiji'. On the surface this appeared an innocuous statement, but the words angered the Federation Party which had accepted the constitution under protest in the first instance, had been disadvantaged by it and was publicly committed to its revocation. Patel recalled a conversation with Greenwood—which the Commonwealth Office denied ever took place (121)—that the 1965 constitution would have a short life of two years after which another constitution would be drawn up.<sup>93</sup> The prospect of the contested constitution having a longer life caused him alarm. As Patel put it, if the constitution was not changed immediately, the Indian community would be consigned to 'the wilderness of frustrated and possibly endless opposition'.<sup>94</sup>

Patel's criticism of the apparently unilateral manner in which the Alliance government conducted itself, hastily using the guillotine to cut off debate on important issues—a charge steadfastly denied by both Mara and the governor—sourred political relations even further. On 1 September 1967, exactly a year after the elections, Patel moved a motion in the Legislative Council rejecting the constitution and asking for a fresh conference to devise a constitution based on democratic principles without any bias or distinction on the grounds of colour, race, religion or place of origin.<sup>95</sup> As Vijay R Singh for the Alliance was replying to the motion, condemning it in ringing terms, Federation representatives walked out.

The boycott caught everyone by surprise and complicated plans London had for a gradual transfer of power at a pace acceptable to the Fijians. The Federation Party's by-election platform occasioned by its walkout was a reiteration of its demand during the 1966 elections of complete and immediate independence for Fiji on the basis of a common roll. The Federation Party was out to prove that the overwhelming majority

of the Indians rejected the constitution. But the occasion also provided the Alliance, and Mara in particular, with the opportunity to test their strength in the Indian community and to prove that they too had a substantial base of support. Mara told the Commonwealth Office he was optimistic of making inroads into the Indian electorate,<sup>96</sup> expecting to win one or two Indian communal seats (118). The Indians were beginning to realise that 'he was genuinely determined to safeguard their interests', he said. He was receiving support from Indian workers and Gujarati businessmen opposed to Patel, but not from the Indian middle classes who saw better prospects for advancement under the Federation Party. Patel himself was 'clearly losing ground'.

Mara's optimistic assessment of his political support among Indians was misplaced, for the by-elections, held in September 1968, returned all the nine Federation members with increased majorities (from 65 per cent of the Indian communal votes in 1966 to 76 per cent in 1968), Patel returning with the largest majority of them all.<sup>97</sup> The Federation's win came as a result of the party representing itself as the only authentic voice of the Indian community, its superior list of candidates compared to those of the Alliance, a professional campaign, and a promise to secure a new sugar cane contract favouring the grower (125). The tension and animosity and the solid Indian support for the Federation Party and the dismal performance of the Alliance among Indians, Mara's strenuous efforts to woo them over notwithstanding, took Fiji to the brink of racial riots amidst loud calls to deport Indian leaders, and to cancel land leases to Indian tenants. The fragile experiment in multi-racialism was tested (123). Patel had proved his point that he was the dominant leader of the Indian community who could not be ignored or sidelined in any future constitutional negotiation. But this proof had come at a great cost to race relations, hardening attitudes on the Fijian side which saw the increased support for the Federation Party as an Indian attempt to control political power. The Fijian determination to stand their ground and not concede to demands which might threaten their interests was also out in the open. They shifted to a stance aiming for an early independence, with them in control. The by-elections were the sobering wake-up call to begin negotiations on a more realistic basis.

Throughout the 1960s, London hoped it might be able to resolve Fiji's constitutional and political problems outside the glare of international scrutiny, and it devoted a great deal of its diplomatic energy to that end, both at the United Nations as well as with fellow members of the Commonwealth (not to mention the expectation of the UK parliament itself). But not entirely successfully, for Fiji frequently came to the attention of the UN Committee of 24 throughout the decade (102, 115). The Committee had shown intermittent interest in Fiji earlier, but after the 1965 conference it did so with the active encouragement and even lobbying of the Federation Party (121) which alleged misconduct on the part of the Fiji government and breaches of undertakings by the UK. In 1968 Fiji was on the Committee's agenda, in company with the Portuguese colonies, French Somaliland, British Honduras and the Falkland Islands.<sup>98</sup> There were many issues which had the potential to cause severe embarrassment to the governments in both London and Suva, including the racial system of voting, European over-representation in the legislature, and the delay in fixing a date for independence.

Fijian leaders had always dismissed the Committee as a nuisance which should not be allowed to visit Fiji. Britain too wanted to keep the Committee out but total non-

cooperation was not an option. 'We should aim to be as forthcoming as we can', the Commonwealth Office advised when enquiries came from the Committee, 'some of the questions posed do raise difficulties, particularly as regards any premature disclosure of the substance and timing of changes to the constitution' (115). As broad policy, the Commonwealth Office suggested that on matters of further constitutional development, London would listen to the advice of the Alliance government; proposals for the extension of cross-voting were under consideration and gross over-representation of Europeans in the legislature would be corrected at the next constitutional conference. The aim was to deflect attention from Fiji with soothing words of reassurance about timely constitutional advancement. The UK delegation at the United Nations found a surprisingly friendly ally in India which accepted the UK argument that pressure to introduce a common franchise would be counter-productive,<sup>99</sup> and which encouraged moderation in debates and resolutions concerning Fiji. Mara's own chance meeting with Indira Gandhi, India's prime minister, in Malaysia and favourable reports of Mara's multi-racial posture by the Indian high commissioner in Fiji, all contributed to India becoming more amenable over Fiji.<sup>100</sup> For the time being at least, it suited the UK to have support from New Delhi.

#### *IV. Towards Independence*

The 1968 by-elections changed the political dynamics in Fiji,<sup>101</sup> with London acknowledging that 'the circumstances in Fiji are against us'.<sup>102</sup> For their part, the Fijian leaders realised that they could not expect to drag their feet over constitutional reform and continue to expect sympathetic understanding and support either from London or from younger Fijians who favoured a quicker move to full internal self-government, even independence (123).<sup>103</sup> In the past, London had feared Fijian insurrection if changes it introduced did not meet their approval; now officials were anxious that Patel's successors, 'people of a different calibre', might resort to strong arm tactics, even 'have recourse to violence' (118). The Special Branch reported that Apsai Tora, the western Fijian leader, had been offered a large sum of money by Siddiq Koya 'if he would pledge his support for certain courses of action', including 'physical persuasion'.<sup>104</sup> After the 1965 conference, Koya had threatened to break away from the Federation Party against Patel's 'passive attitude' and non-violent approach to the outcome of the conference, and was talking about forming a 'Subhas Party'—after the Indian leader Subhas Chandra Bose who had been committed during the war to overthrowing the British in India by force—and engaging in massive civil disobedience, such as burning cane.<sup>105</sup> Relations between Patel and Koya, never particularly warm, were tested.

In December 1968, Jakeway left Fiji, telling London on the eve of his departure to eliminate the communal roll and replace it with cross-voting. He was supported by his chief secretary who reached similar conclusions against a constitution which, in his view, had 'an admittedly undemocratic and unsatisfactory electoral system' (123). Jakeway was succeeded by Sir Robert Foster. Six months before he took office, London had been considering the effects of the by-elections and exploring ways of reforming (or rejecting) a constitution it knew was flawed in favour of something more democratic and more broadly acceptable. It was with this goal in mind that Professor Stanley de Smith was sent to Fiji in July 1968. He spent a week in Fiji talking to government officials and political leaders. His extensive report was tough

and insightful (119, 123). The 1966 constitution had two major defects, he said: it entrenched communalism and over-represented the Europeans (1.4 per cent of the population holding 25 per cent of all elected seats). Separate racial representation could work perhaps as a transitional measure, but 'most of the countries in which it has been adopted at one time or another (eg India, Ceylon, Cyprus, Kenya) have had a depressing record of inter-communal violence'. For any constitution to be workable it had to be practicable as well as realistic and attuned both to local interests and hopes and aspirations as well as to the principles of equity and justice.

With that in mind, de Smith proposed what he called a 'radical approach' and a 'realistic approach'. The former proposed an enlarged legislature with two Fijians elected by the Council of Chiefs, but the rest elected in a mixture of some single-member and mostly two-member constituencies on a common roll, without racial reservation of seats. Communalism would be gone as an organising political principle, and parties would be forced to nominate people of different ethnicities. But de Smith realised that this proposal would be unacceptable, because it introduced an element of unpredictability in the outcome of elections and removed guaranteed representation on a racial basis. His realistic approach, following the Kenyan example, comprised an enlarged legislature of 45 seats elected on a common roll and 6 reserved seats, 2 for the representatives of the Council of Chiefs and 4 for 'General' candidates.

This realistic approach, which 'aroused a great deal of interest', seemed certain to attract criticism. The Federation Party would object, and so might the Fijians, while the question of which minority groups should receive 'special protection' could potentially open a divisive debate. The third, and for de Smith the least attractive approach, involved an extension of cross-voting seats with racial reservation. One point stands out in de Smith's proposals: the need to move away from communalism to a non-racial electoral system. In this respect, he was closer to Patel than to Mara and the Europeans. For his part, Jakeway had favoured eliminating communal voting altogether and extending cross-voting or any other system which, as his chief secretary, Peter Lloyd, put it, could be 'cloaked with respectability' and was 'defensible internationally' (123).

Soon after the by-elections, an Indian government minister (Sukhlal Hathi), and three senior officials from the Indian Ministry of External Affairs (Rikhi Jaipal, T N Kaul, and Manjit Singh)— visited Fiji. Hathi and Singh 'offered disinterested assistance' in healing the political and racial divide accentuated by the walkout and the by-elections. During the course of their visit, they met a wide cross section of leaders, including Mara (123), who told London that he 'had recently had considerable cooperation from New Delhi' (132). Writing to Mara after his Fiji visit Hathi, India's minister for labour, employment and rehabilitation, said: 'I have returned to India with a feeling of optimism in regard to the future of Fiji. I have no doubt that with your wise and tolerant approach, the current difficulties in Fiji are bound to be resolved satisfactorily.'<sup>106</sup> Kaul and Jaipal advised the Federation Party to co-operate and abandon their boycott of the Legislative Council (118, 123). Kaul also offered advice on a possible compromise formula for a new electoral system: 15 Fijian and Indian seats each, 5 General seats and 5 'other' seats (127). Precisely what 'other' meant—whether the seats might be filled through election or by the governor through nomination (128), and whether the elections for them would take place from single or multiple member constituencies—became matters of considerable debate.



Kaul refused to provide further clarification, saying he had confined himself to principles, including the extension of cross-voting, a reduction in the number of European seats and parity of representation between Fijians and Indians (133). Patel interpreted the Kaul formula to mean that 35 of the seats would be cross-voting, and the remaining 5 would be elected on a common roll basis from single-member constituencies, with no racial reservation. The 5 common roll seats would provide the opportunity for political parties to compete for votes on non-racial grounds. Patel was in the process of discussing his understanding of the Kaul formula with Mara when he died, in October 1969. India's contribution in counselling moderation at the United Nations was appreciated, along with its emissaries' role in thawing relations between Mara and Patel.

That the Fijian Indians wanted an early constitutional conference was not surprising. What did surprise both Suva and London was that Fijians themselves were now demanding the same thing, though for very different reasons (124). Their demand was based on a pragmatic assessment of the political realities on the ground. Fiji could not forever remain immune from international scrutiny or protected from proportional representation or majority rule, both of which were unacceptable to the Fijians. Full internal self-government would remove Fiji from UN scrutiny whose pressure could not be resisted for too long. The Indian population was increasing, and further delay would make it more difficult for Fijians to insist that the political control of Fiji be handed over to them. Fijians were dominant in the legislature, and their numerical superiority provided an opportune moment to seize control while they were ahead and make further amendments to entrench Fijian control later. The public stand of Fijian leaders was: no independence, at least not yet, no common roll, and deep gratitude to the UK (122), but privately attitudes were changing or at least more flexible.

By mid-1969, it was becoming clear both in London and in Suva that a conference to decide a new constitution for a fully self-governing, if not completely independent, Fiji should be held sooner rather than later, especially in view of agreement on this by both the major parties. Officials continued the search for solutions to the issues which still divided the two parties. A full common roll and single-member constituencies were considered unrealistic because they were unacceptable to the Fijians. As G T P Marshall, second secretary at what was now the Foreign and Commonwealth Office wrote, the 'Fijians cannot afford to take the risk that voting may develop along non-racial lines since there is too much at stake for them to be wrong. These arguments of the Fijians can never be adequately countered because there always comes a point when logic is swept aside and emotion is given free reign'.<sup>107</sup> With the 1969 communal riots in Malaysia fresh in his mind (133), Mara seemed wedded to the 'Bahamas' model which provided for a large measure of internal self-government, with certain powers—external affairs, internal security, the police force and the public service—retained by the Crown, but with the provision for devolution of these responsibilities to the elected government (129, 131). The idea of an upper house to address Fijian concerns was also mooted, but the government was uncertain whether this would be acceptable to Patel's side and whether it would really solve the problem of the two additional Fijian members in the Legislative Council. London noted, moreover, that upper houses were 'rather out of fashion' and generally ineffective. Surveying the overall position, the FCO commented, 'we are necessarily still working to a large extent in the dark' (130).

Mara visited the UK in May 1969. He was knighted in Edinburgh and held a series of meetings with FCO officials in London (134). His discussions covered the politics and problems of defining electoral boundaries, the structure of the Public Service Commission and similar matters. The FCO warned Mara that his proposal to perpetuate communal voting would cause problems not only at the United Nations but also with members of the UK parliament who were 'sincere advocates of the one man, one vote democratic concept [and who] would regard a pattern of communal voting as a retrograde step'. Officials urged him to consider reducing the number of communal seats and increasing the cross-voting ones. Mara gave no undertaking but promised to discuss the proposal with Patel. Mara's London talks also touched once more on the implications for Fiji of UK entry into the EEC (135). Dissatisfied with the assurances he was given, Mara mused about the worth of Fiji's loyalty to the UK and wondered whether Fiji would be better off moving to full independence rather than remain in a relationship doomed to fail under the pressure of economic self-interest on Britain's part. London promised to give its position in writing (137). It also agreed to send a senior official to Fiji to assess for himself the degree of agreement the two parties had reached on outstanding issues, the electoral system among them, before a new constitutional conference could be held.

In August 1969 representatives of the Alliance and Federation parties began a series of informal, confidential talks about a new constitution for Fiji<sup>108</sup> to identify areas of agreement and disagreement. In an atmosphere marked by cordiality, the leaders talked frankly and freely about their concerns and fears. Patel, who died just over a month after attending the first meeting, pressed his case for a common roll and immediate independence. He was succeeded by Siddiq Koya, also a lawyer by training. He was less doctrinally or ideologically committed to a common roll, and more conciliatory and pragmatic. Mara's relations with Koya were cordial, as they never had been with Patel.<sup>109</sup> Having grown up at the dawn of Gandhi's anti-colonial movement, and deeply influenced by its philosophy, Patel was committed to the idea of a non-racial society to the point of stubbornness. Koya, on the other hand, accepted the reality on the ground and sought to work within its parameters and constraints whereas his predecessor sought to change them.

Between August 1969 and March 1970, the confidential meetings identified many areas of agreement: on the protection of Fijian interests in an upper house, on moving straight to dominion status without going through an interim period of internal self-government, and on citizenship. The idea of an upper house and a move straight into independence within the Commonwealth may have originated with the Federation Party. The outstanding issue remained the method of election. By October Mara was telling the governor that the existing 1966 constitution 'was now outlived and we should proceed as soon as possible to full independence'. But while talking amicably to Indian leaders, Mara was not averse to playing the nationalist card with an eye to extracting as many concessions from Britain as possible. It was the UK which had brought Indians to Fiji, he said on one occasion, and their fate was London's responsibility, not that of the Fijian people. The United Kingdom 'had better see that arrangements reached left Fijians in control or there would be real trouble in the country' (141).

Sir Leslie Monson, deputy under-secretary of state at the FCO whose departmental responsibilities included the Pacific and Indian Ocean, visited Fiji on what was officially presented as a familiarisation tour in October 1969. Before leaving, he told

Lord Shepherd, the minister of state, that for moral and 'realistic' reasons, the UK should strive for a constitutional arrangement that left the Fijians in control. His justifications were almost identical to those of Julian Amery in 1960. The realistic argument was that the dominance of Fijians in the police and armed forces and their ability, if they were so minded, to create an 'intolerable security situation', could not be discounted in any political discussion. And the moral argument was the connection with the Deed of Cession. Disadvantaging the Indians in such an arrangement was potentially risky, but it was the lesser risk of the two (142). A draft about Fiji policy was also prepared for the Cabinet's Defence and Overseas Policy Committee. Here the options open to the UK were examined in detail. Independence on the basis of Fijian paramountcy was recommended. '[W]e will not in the end be able to justify, either in conscience, or in political terms, in our own country, a solution that does not ensure that independence will leave Fijians in control.' Indians would have to be content with strong constitutional protection of their basic human rights. But the pace towards independence was not to be forced. Time should be allowed for a possible reconciliation of Fijian and Indian differences (143). The draft did not go to the Committee, it being decided that Monson should visit Fiji first and then report back. But the recommendation in favour of independence on the basis of Fijian paramountcy had one significant consequence. Officials believed that the Indian government would in all probability resent this decision. They would see it as consigning Fiji's Indians to the status of second-class citizens. They might also think they had been misled, deliberately, by the UK. The FCO was confident the UK could manage any Indian protests but also decided now was the time to disengage from any further consultation with India about Fiji's affairs. From New Delhi, the UK high commissioner concurred. The Indian connection had outlived its usefulness to the UK.<sup>110</sup>

In Fiji, Monson held a series of meetings with representatives of both the Alliance and Federation parties (144), and heard a range of essentially entrenched views, with some exceptions. Perhaps the great change was the increased willingness of the Federation Party to compromise. The personal chemistry between Ratu Mara and Koya was an important factor in the new equation. Afraid that London might force some variation of a common roll on Fiji, Mara hinted that the country might 'go to independence on the present constitution'. The Federation Party had not abandoned its common roll platform, but the urgency was gone. In a secret discussion paper (147), the party proposed adopting Fijian customs and traditions as national traditions as a mark of respect for things indigenous, an upper house (made up of 13 hereditary seats occupied by the direct descendants of those who had ceded Fiji to Britain, and 15 others of whom 5 had to be indigenous Fijians), and an elected indigenous Fijian head of state.

Monson's report on his trip covered several themes. The Fijian economy was self-sustaining, with consequential reduction in the political temperature; there was greater rapport between the two main political parties and their leaders, and it was appropriate for the UK to step aside while political leaders sought mutually acceptable solutions to their problems. But Mara's personality was beginning to cause concern. He had a 'habit of evading discussions which run contrary to his pre-conceived and ill-tutored ideas' (147, 148, 149) and he seemed personally insecure. Fijian leaders growing impatient with his authoritarian style of leadership might in time contemplate 'ditching' him 'for a less complex and more self-confident Fijian'.

And he seemed to be turning against the UK because the FCO would not contemplate a defence agreement with Fiji to maintain internal security (151).

To FCO officials Mara's behaviour was becoming erratic, in contrast to his earlier amiability (56, 71, 110). They commented on his moodiness, and his deeply held grievances against real and imaginary wrongs. But his more recent confidence and assertion of independence were the result of his steadily growing stature, and a sense of personal indispensability to ongoing dialogue about Fiji's future. His warming relations with Indian leaders lessened (though did not completely remove) the need for outside mediation. With Federation concessions coming unexpectedly and all his main fears allayed, particularly in regard to a common roll, Mara needed the UK less now than in the past. His growing confidence in his own authority—he was opposed to his fellow Alliance ministers meeting Monson—and his warm relations with the opposition were reflected in his call (it was not heeded) for the penultimate constitutional conference to be held in Fiji itself, not London.

Over the early months of 1970 the inter-party talks produced a large measure of consensus among the leaders. On the most contentious issue which had long divided the two parties, the electoral system, the Federation agreed it would present its case in London, but would not wreck the conference over it by suggesting that between independence and the next elections, an independent commission might be appointed to examine the subject and make recommendations for the future. This was postponing the problem, Koya admitted, but he would be the 'last one to destroy his bi-partisan attitude towards the inception of common roll'.<sup>111</sup> Other Federation concessions were in the offing, initiated by them, Mara told Sir Robert Foster, rather than demanded by the Alliance (150). Fiji should proceed to dominion status (153) soon after the constitutional conference in London, with the office of chief minister and the Council of Ministers replaced by the office of prime minister and Cabinet. The question of electoral boundaries and method of election would be settled after independence.

Fiji would go into independence without holding an election. 'It is fully appreciated by the Opposition that this proposal gives a position of advantage to the Government of the day', Mara informed Sir Robert Foster. 'They accept this and have said they will fully support a Prime Minister during the period when final details are being worked out, particularly with regard to elections' (150). This was the outcome that the Fijian leaders and the UK had long wanted: Fijian leaders, in control, taking Fiji into independence. When a surprised governor probed him about the concessions he had made, Koya explained that he proposed the idea of an election after independence because he did not want the prevailing cordial atmosphere disrupted, that he wanted a completely successful conference (unlike 1965), that he 'thoroughly trusted' Mara, and that he preferred to go into independence with him rather than someone else an election might throw up. As for a common roll, Koya said he understood the Alliance leader's position and would be happy if 'Mara would say that although it is not possible to have it now, it is not ruled out for all time and in 5, 10, or 15 years it will probably be possible'.

London was satisfied with the outcome of the intra-party talks (152) and accepted Mara's proposal. Issues which had provoked much discussion in the past few years—some form of associated statehood, a Bahamas-style constitution, a defence arrangement with the UK, external defence or internal security of an independent Fiji—could now be resolved. And to address concerns voiced in the Defence and

Oversea Policy Committee about constitutional arrangements which might lead to racial troubles at some future date, steps were taken to ascertain whether the agreement between the two parties was guaranteed. Mara's and Koya's invitation for a UK minister to visit Fiji was accepted, and Lord Shepherd went out in late January 1970 to obtain 'clear, firm and public statements of their agreement' about independence (153). Shepherd left with instructions about Britain's refusal to engage in any defence or internal security arrangement with Fiji, and an expectation that the UK and Fiji governments would share equally in the compensation scheme which would be needed for pensionable expatriate officers in the public service (154). The FCO was also of the view that Fiji did not require budgetary aid, that development aid would continue on a renegotiated basis, and that there would be no question of a special 'dowry' at independence.<sup>112</sup>

Shepherd met with a wide cross-section of the community, especially members of the Council of Chiefs (155) who reiterated to him familiar and perennial fears and concerns. As expected, the minister found out that the sticking point between the two parties was the method of election. The Alliance was adamantly opposed to the introduction of any form of common roll. The Federation Party presented its case, but Koya had already informed the governor where he stood on the issue. It proposed to Shepherd that more time was needed to study the various proposals the two parties had produced on the composition of the legislature and the method of election. If they were unable to agree on a mutually acceptable formula at the conference, Fiji should contest the first election after independence on a formula approved and settled by the British government. The Alliance agreed, as did Shepherd.

But Shepherd wanted to ensure, in advance, that both the Alliance and the Federation parties understood clearly what that formula would be. If 'no agreement was reached and circumstances remained as at present,' Shepherd told the leaders, elections would take place under the provisions of the existing constitution (156). This of course was the same constitution which the Federation Party had rejected and had staged a walkout against in 1967. The death of Patel, Shepherd noted, was a major factor in the Federation's changed stance. Patel was steadfast in his commitment to a common roll, and would not have accepted a constitution which did not make at least a token movement towards that goal.

The final constitutional conference was held in London in April 1970. Before the leaders gathered, the FCO prepared a series of briefs on issues which still needed to be resolved, such as the status of Rotuman and Banaban people in an independent Fiji, the Commonwealth Sugar Agreement, a general compensation scheme for pensionable expatriate officers, defence arrangements, and membership of the Commonwealth (158–166). The words spoken at the opening session at Marlborough House by both parties alluded to racial harmony, nation-building, common future, gratitude to the UK and close links to the Crown, trust, mutual understanding, and good will (167). 1965 seemed a distant, faded memory, along with the political turbulence which had accompanied the enactment of the 1966 constitution and marred race relations in the country. Shepherd queried the over-representation of the General voters in Mara's proposal for the composition of the House of Representatives (168). Their over-representation, Mara said, was a reflection of their preponderant contribution to the economy. He did not mention that General Electors nearly always sided with the Fijians.

On a common roll, Mara resumed his old tune: common roll was a ruse for Indian domination of Fiji, Fijians would never accept it. 'These fears are like the devil. Many people can prove that there is no devil, yet people are fearful of devils', he had said on another occasion.<sup>113</sup> The Federation Party presented its case for a common roll, and expected Shepherd, who chaired the conference proceedings, to impress upon the Alliance the need to make at least some token gesture towards accepting it. The Alliance refused, as it had always said it would, and Shepherd, seeking the middle path, proposed that everyone accept a common roll as a long-term objective. The Federation Party, in particular its general secretary K C Ramrakha, protested about being misrepresented. The introduction of a common roll was their immediate, not long-term, objective. For them to sign a document to that effect would be a betrayal of their party's founding principle (169).

But protest was symbolic, although Ramrakha was one of the very few in his party who genuinely believed in the common roll cause. Both London and Suva knew where the party leader stood. To break the impasse, Shepherd resurrected the idea of a Royal Commission to look into the method of election after independence. Mara and Koya endorsed the proposal, the latter on the understanding, he later claimed, that the recommendations of the Commission would be binding.

Despite the warm words spoken at the opening session, the conference turned out to be difficult in other ways. On defence, internal security and development aid, Mara and Koya believed Fiji was entitled to more assistance than the UK was initially prepared to give. In justification they argued that Fiji had no experience of internal self-government. The country was progressing immediately to independence, with no intermediate stage. Differences over the constitution impinged on defence and development questions. Shepherd described the overall atmosphere at the conference as 'delicate and brittle' in appealing to Judith Hart, minister for overseas development, to be more flexible over Britain's offer of capital aid for development purposes (170, 171). Negotiations over defence aid—financial assistance for Fiji's security forces—were more protracted, and extended beyond independence in October 1970 (177). The possibility that the UN Committee of 24 might want to satisfy itself about the independence settlement by sending a Visiting Mission to Fiji, did not in the event materialise (172, 174, 176). Abroad, New Zealand, closely involved with Fiji because of a long-standing agreement to train the local armed forces, expressed itself generally satisfied with the result of the independence conference, and gratified that London had not forced the pace. Wellington, though, appeared to share UK disappointment that Australia seemed little interested in Fiji (175). Fiji's other post-conference concern, especially after June 1970 when a Conservative government returned to power in the UK, was with the implications for the sugar industry of another round of negotiations for Britain to join the EEC (178, 179). The US had a nuclear test monitoring station in Fiji. Its existence was known to Fiji ministers but not to the general public. The UK thought it prudent to leave future discussions about it to Fiji and the US (180).

Two days before Fiji became independent on 10 October 1970—exactly ninety-six years from the date when it had become a British Crown colony—Foster penned his last despatch as governor. In it, he tried to capture the mood of the moment, the sometimes tumultuous events which had led to it, embroiled it in conflict and tension, and offered his prognosis on what the future held for the young nation (181). 'Seldom can a country have prepared for independence with such aplomb,' he

told London. However, the diverse people of Fiji 'do not yet seem to think of themselves as a nation', and Julian Amery's words about the difference between the two main communities, written a decade ago, still retained some salience. Foster commented on those aspects which had facilitated the smooth transition to independence: the sobering effects of the 1968 by-elections, the compromising posture of Siddiq Koya and his amicable relations with Mara, a keen appreciation of the realities on the ground—about who controlled the army and the police force, and the 'fluffing' of the electoral issue. The future looked reasonably bright: the civil service was professional and apolitical, the security forces efficient and in good morale, and industrial relations were stable.

But there were hints of dark clouds over the horizon as well. The land problem—not ownership but leasing arrangements—remained as intractable as ever. And the second major problem, unresolved at the conference, shelved, to be confronted after independence, was the electoral system. 'One is therefore bound to regret that in effect a time bomb will lie buried in the new Constitution, and to pray that it may be defused before exploding. The two parties have however publicly committed themselves to an act of faith which must give reasonable ground for hope.'

Reasonable hope: that was all that could be hoped for as Fiji took its first tentative steps into an independent future.

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### V. *Postscript*

It is customary for country volumes in the BDEEP series to end at independence. This volume on Fiji follows convention in that the final document is Foster's eve-of-independence despatch. But in Fiji's case also, it seems not inappropriate to say a few words about the wider significance of the constitutional settlement at independence.

In 1975, a Royal Commission was appointed with Professor Harry Street as chairman, and recommended moving away from a communal roll to a system of proportional representation using the STV (Single Transferable Vote).<sup>114</sup> But the Alliance, now firmly in control, refused to consider the report, refused even to have it discussed in parliament. The National Federation Party cried foul, but it appears the Federation leaders, with a few exceptions, did not mind Alliance's about-face on its commitment given at Marlborough House. They now accepted the argument that, in view of the declining Indian numbers,<sup>115</sup> guaranteed racial representation was in their long-term interest. And it seems they were encouraged to accept this view by India.

The final constitution was in its most fundamental aspects an extension of the principles and interests which underpinned the 1966 constitution. It preserved the status quo: paramountcy for Fijians, privilege for Europeans and parity for Indians. The constitution provided for a bi-cameral legislature. The Upper House (called Senate) explicitly recognised the principle of paramountcy. Of its 22 seats, 8 were occupied by the nominees of the Council of Chiefs, 7 by the nominees of the prime minister, 6 by the nominees of the leader of the opposition and 1 for the Council of Rotuma. Given that both the prime minister and the leader of the opposition both included indigenous Fijians among their nominees, Fijians comprised more than half the Senate at any given time.

More important than numbers, the nominees of the Council of Chiefs were given the power of veto over all legislation affecting Fijian interests. Section 68 of the

independence constitution required the consent of the Council of Chiefs' nominees for the passage of any legislation covering the Fijian Affairs Ordinance, the Native Land Trust Ordinance, the Fijian Development Ordinance, the Rotuma Ordinance, the Agricultural Landlord and Tenant Ordinance, the Banaban Land and Settlement Ordinance and the Rotuma Land Ordinance. Fijian interests were given such watertight protection that no one apart from Fijian chiefs could alter or amend legislation pertaining to them.

The lower house, called the House of Representatives, comprised 52 seats, with 22 each for Fijians and Indians and eight for General Electors (Europeans, Part-Europeans, Chinese and 'Others'). The principle of parity between Fijians and Indians was maintained even though, at the time, Indians comprised 50 per cent of the population and Fijians 44 per cent. So was the principle of European privilege. Comprising only 4 per cent of the population, the General Electors were allocated 15.4 per cent of the seats in the House of Representatives. General Elector over-representation was a concern for the UK which wanted it substantially reduced, but Mara objected, and threatened to resign from public life after returning to Fiji from the London conference if the UK persisted. Given their historical association with the Fijians, and the record of their political alignment, the Fijians could always count on the General Electors for support.

Of the 22 seats reserved each for Fijians and Indians, 12 were to be contested on communal roll and ten on national roll, the new name for the old cross-voting seats following the Tanganyika model. The General Electors had 8 seats, 5 national and 3 communal. The national seats gave advantage to the Fijian and General Electors—the Federation Party had not won a single cross-voting seat in the 1966 elections. The logic of the electoral arrangements was clear. If a political party was able to keep its ethnic base intact and split the opposition's, its victory was assured. In this, the Alliance was consistently more successful than the Federation Party.

The logic of the electoral system adopted at independence was that the voters of Fiji would continue to vote on racial lines. A racially-based electoral system engendered racial voting, inevitably at the expense of the greater national good. Fiji after independence was not a 'nation' of diverse peoples with common hopes and aspirations but a coalition of competing ethnicities with their own communal agendas. Elections came to be seen not as contests between political parties with competing ideologies, but as zero-sum racial contests. An election lost was thus seen as a loss for a 'race'. But despite the constitutional obstacles, Fiji experienced social and economic changes in the post-independence era that threatened its political edifice constructed on the pillars of racial separation. Modern education broadened horizons across the racial divide. Urbanisation and the gradual penetration of the market economy into the hinterland of the country wrought changes in values and expectations. The demands of modern multi-racial living in the country's urban centres, and the pressures of increasing unemployment and a rising cost of living in a fragile economy dependent on global forces, were producing new outlooks and habits of thought. Race may have been a fact of life, as Mara said so often, but for many, it was one among many facts of life.

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Brij V Lal

### Notes to Introduction

- 1 *Fiji: Report for the Year 1961* (London, 1962) p 5.
- 2 For an account of the strike, see Noel Rutherford, 'The 1959 strike', in Noel Rutherford and Peter Hempenstall, eds, *Protest and dissent in the colonial Pacific* (Suva, 1984) pp 73–86. Also, *Report of Commission of Inquiry into the Disturbances in Suva, December 1959* (Fiji Legislative Council Paper No 10/1960).
- 3 For more details, see Brij V Lal, *Broken waves: a history of the Fiji islands in the 20th century* (Honolulu, 1992) pp 164–169. Ratu Mara was widely reported to have said after the 1959 disturbances that if Suva burned to the ground, the only thing the Fijian community would lose would be the record of their debts. *Report of Commission of Inquiry into the Disturbances in Suva, December 1959*, Fiji Legislative Council Paper 10/1960.
- 4 An account of this strike is in Brij V Lal, *A vision for change: A D Patel and the politics of Fiji* (Canberra, 1997) pp 133–158. The strike split the Indian community between the majority who wanted to continue it and the powerful minority who wanted it ended.
- 5 *Report of the Commission of Enquiry into the Natural Resources and Population Trends of the Colony of Fiji, 1959* (Fiji Legislative Council Paper No 1/1960).
- 6 There is no satisfactory account of this subject, but see W E H Stanner, *The South Seas in transition: a study of post-war rehabilitation and reconstruction in three British Pacific dependencies* (Sydney, 1953).
- 7 The subject has spawned a vast literature. BDEEP volumes (listed at the beginning of this volume) include bibliographies of the principal secondary sources.
- 8 The three Fiji's concept was developed by E K Fisk, *The political economy of independent Fiji* (Canberra, 1970).
- 9 The word 'Indian' is used here because that was the term used in the official UK records. A more accurate word in the present context would be 'Indo-Fijian.'
- 10 The Committee of 24 was a 'Special Committee on Colonialism', originally established with 17 members in 1961. The original members were the UK, US, Italy, Australia, Tanganyika, India, Uruguay, Venezuela, USSR, Poland, Yugoslavia, Cambodia, Ethiopia, Madagascar, Mali, Syria, and Tunisia. Seven new members were added in 1962: Ivory Coast, Sierra Leone, Iraq, Iran, Chile, Bulgaria, and Denmark. See Ronald Hyam and Wm Roger Louis, eds, *The Conservative Government and the End of Empire 1957–1964* (London, BDEEP, 1) part II, documents 404–430.

- 11 See J W Davidson, 'Current developments in the Pacific: the decolonisation of Oceania', in *Journal of Pacific History* vol 6 (1971) pp 133–150. Also Peter Larmour, 'The decolonisation of the Pacific,' in Ron Crocombe, *et al*, eds, *Foreign forces in Pacific politics* (Suva, 1983) pp 1–25.
- 12 Roderic Alley, 'The emergence of party politics', in Brij V Lal, ed, *Politics in Fiji: studies in contemporary history* (Sydney, 1986) p 29.
- 13 An aspect not covered in the volume is Fiji's place as part of the Western Pacific High Commission, established in 1877 to control the activities of British subjects throughout the area, and then to co-ordinate the administration of Britain's Pacific territories. The office of Western Pacific high commissioner was held conjointly with the governorship of Fiji 1877–1952; in 1952 the offices were separated and the headquarters of the Commission transferred to Honiara in the British Solomon Islands (responsibility for Tonga and Pitcairn remaining in combination with the governorship of Fiji). Gradually the functions of the Commission were devolved to island governments and it was wound up in 1976.
- 14 For the background to which see D Goldsworthy, ed, *The Conservative Government and the End of Empire 1951–1957* (London, BDEEP, 1994), part I, documents 130–139.
- 15 See biographical notes for full career details.
- 16 For a summary of early history, see K R Howe, *Where the waves fall: a New South Sea Islands history from first settlement to colonial rule* (Honolulu, 1984). Also, R A Derrick, *A history of Fiji* (Suva, 1950).
- 17 See David Routledge, *Matanitu: struggle for power in early Fiji* (Suva, 1985) and Deryck Scarr, *The majesty of colour vol 1 The very bayonet* (Canberra, 1973).
- 18 See J D Legge, *Britain in Fiji, 1858–1880* (London, 1958).
- 19 See eg Fiji Legislative Council Debates, Dec 1961. 'Paramouncy of Fijian interests' was an echo of the concept of paramouncy of African interests which was set down in a 1923 declaration by the secretary of state for the colonies, Lord Devonshire, in an African, specifically Kenya, context. S R Ashton & S E Stockwell, eds, *Imperial policy and colonial practice 1925–1945* (London, BDEEP, 1996) document 65, page 328.
- 20 See William E H Tagupa, 'The unanticipated Republic of Fiji: Deed of Cession as the constitutional basis of legitimacy', in William Renwick, ed, *Sovereignty and indigenous rights: the treaty of Waitangi in international contexts* (Wellington, 1991) p 137.
- 21 The editor has been told, but not able to verify it, that there was a rough translation of the Deed in Fijian prepared around the time of Cession, but it was never accorded any formal status, and it has never featured in public discourse.
- 22 The full text is in the Appendix to Derrick, *A history of Fiji*.
- 23 The only one available biography of Gordon remains J K Chapman, *The career of Arthur Hamilton Gordon: first Lord Stanmore, 1829–1912* (Toronto, 1964).
- 24 For a detailed description of the original system of indirect rule, see Legge, *Britain in Fiji*.
- 25 Peter France, *The charter of the land: custom and colonisation in Fiji* (Melbourne, 1969).
- 26 For more on Fijian land tenure and related issues, see Josefata Kamikamica, 'Fiji native land: issues and challenges,' in Brij V Lal and Tomasi Rayalu Vakatora, eds, *Fiji in transition: papers of the Fiji Constitution Review Commission vol 1* (Suva, 1997) pp 259–290.
- 27 See Colin Newbury, *Patrons, clients & empire: chieftaincy and over-rule in Asia, Africa, and the Pacific* (Oxford, 2003) pp 216–239.

- 28 See Michael Moynagh, *Brown or white? a history of the Fiji sugar industry, 1873–1973* (Canberra, 1978).
- 29 See K L Gillion, *Fiji's Indian migrants: a history to the end of indenture in 1920* (Melbourne 1962, 2nd rep, 1973) and Brij V Lal, *Girmitiyas: the origins of the Fiji Indians* (Canberra, 1983).
- 30 Gillion, *Fiji's Indian migrants* pp 21–22. Salisbury's despatch did not refer to Fiji specifically but to all colonies with Indian migrant populations. It was intended to serve notice that discriminatory legislation over civil rights, such as the pass laws in Mauritius and the West Indies, would be a thing of the past. The despatch signalled the intention of the UK government that Indians who went to the colonies should be allowed to settle permanently and treated as full citizens. Whether, in Fiji's case, the pledge made could be extended to such matters as political representation or land tenure was more open to question. *Ibid.*, pp 26–27.
- 31 See Lal, *Vision for change* p 6, quoting the words the Crewe Commission (1910) : 'The present [Fiji] administration itself fully recognises the value of the Indians as permanent settlers and is willing to concede them the enjoyment of equal civil rights. The whole tenor of the correspondence between India and the colony shows that it was on this condition that indentured immigration in Fiji has been allowed in the past, and any measures leading towards lowering the political status of the immigrants or reducing their economic freedom would, in our opinion, involve a breach of faith with those affected.'
- 32 A study of early European settlers is John Young, *Adventurous spirits: Australian migrant society in pre-cession Fiji* (St Lucia, 1984).
- 33 The European community used its position of privilege to attain parity of representation. In turn this helped consolidate paramountcy by facilitating what later emerged as a de facto alliance of European and Fijian interests to block Indian aspirations.
- 34 See Ahmed Ali, 'Political change: from colony to independence, in his *Plantation to politics: studies on Fiji Indians* (Suva, 1980) pp 130–166.
- 35 See K L Gillion, *Fiji Indians: challenge to European dominance, 1920–1946* (Canberra, 1977) pp 130–156.
- 36 Ali, 'Political change', and Lal, *Broken waves* pp 60–102.
- 37 Norman Meller and James Anthony, *Fiji goes to the polls: the crucial Legislative Council elections of 1963* (Honolulu, 1968) p 16.
- 38 See Lal, *Broken waves* pp 108–158.
- 39 A discussion is in Brij V Lal, 'The decolonisation of Fiji: debate on constitutional change, 1943–1963', in Donald Denoon, ed, *Emerging from empire? decolonisation in the Pacific* (Canberra, 1997) pp 26–39.
- 40 In 1956, Fijians numbered 148,134 and Indians 169,403 in a total population of 345, 737. At the end of 1967, the total population was 502, 956 with Fijians 41.5 per cent and Indians 49.81 per cent. *Fiji: Annual Report for 1967* (London: HMSO, 1968) p 8.
- 41 CO 83/245/5, minute by J B Sidebottom, 9 Sept 1947.
- 42 *Ibid.*, minute by Sir Charles Jeffries of 18 Sept 1947.
- 43 The editor is indebted to Dr Satya Srivastava for her research on population and Indian women in Fiji. See also, Rajesh Chandra and Keith Mason, *An atlas of Fiji* (Suva, 1998).
- 44 These figures are extracted from *Fiji Annual Reports*.

- 45 O H K Spate, *The Fijian people: economic problems and prospects* (Fiji Legislative Council Paper no 13/1959).
- 46 Other academic observers in the 1960s tended to confirm Spate's findings. Among them were R F Watters, *Koro: economic development and social change in Fiji* (London, 1969), and Cyril S Belshaw, *Under the Ivi Tree: society and economic growth in rural Fiji* (London, 1964).
- 47 Sir Alan Burns, *et al*, *Report of the Commission of Enquiry into the Natural Resources and Population Trends of the Colony of Fiji, 1959* (Fiji Legislative Council Paper no 1/1960).
- 48 See, for example, Ahmed Ali, 'Political change, 1874–1960,' in Brij V Lal, ed, *Politics in Fiji* pp 24–25.
- 49 *Colonial Reports: Fiji* (London, 1952) p 85.
- 50 A summary of the correspondence is in CO 1036/307, no 18, 3 Oct 1958.
- 51 See Lal, 'The decolonisation of Fiji', p 33.
- 52 CO 83/245/7, no 4, Freeston to Sidebottom, 12 Feb 1949.
- 53 *Fiji Times*, 15 Oct 1957, quoted in Brij V Lal, *Broken waves* pp 148–149.
- 54 CO 1036/307, no 18, 3 Oct 1958.
- 55 On which see Martin Lynn, ed, *Nigeria* (London, BDEEP, 2001), part I, 147, 173.
- 56 A biography of Sukuna is Deryck Scarr, *Ratu Sukuna: soldier, statesman, man of two worlds* (London, 1980).
- 57 Lal, *Broken waves* pp 108–125. Also, Asesela Ravuvu, *Fijians at war* (Suva: Institute of Pacific Studies, 1974).
- 58 Amery's characterisation of Fiji's divided society was echoed repeatedly in official correspondence. See, eg, CO 1036/74, no 8, Maddocks despatch to Macleod, 14 April 1961.
- 59 Robert Norton, 'Accommodating indigenous privilege: Britain's dilemma in decolonising Fiji', in *Journal of Pacific History* vol 38 (2002) p 135.
- 60 Scarr, *Ratu Sukuna*.
- 61 Norton, 'Accommodating indigenous privilege' p 135.
- 62 Mara's account of his career is in Ratu Kamise Mara, *The Pacific way: a memoir* (Honolulu, 1997).
- 63 The UK was concerned in this respect about New Zealand's success in 1962 in gaining acceptance at the UN of Western Samoa's independence (New Zealand lending assistance in defence and external affairs). The UK wanted to concert policy with other colonial powers in the region, especially the US and Australia. Both were wary about moving too quickly. To the extent the UK wanted to quicken the political momentum in Fiji, this was still on the basis that a link of some sort should be retained with Britain (see document 66; also document 59, note 2).
- 64 CO 1036/618, minute by I S Wheatley, 4 Dec 1962.
- 65 Ibid.
- 66 CO 1036/775, minutes by J E Marnham, 6 Dec 1962, & A R Thomas, 11 Dec 1962.
- 67 CO 1036/1214, no 5, Maddocks despatch to Sandys, 13 Mar 1963, enclosing report by Fiji Intelligence Committee on, *inter alia*, the Fijian reaction to Fisher's visit.

- 68 CO 1036/1067, no 15, Marnham to Jakeway, 13 Apr 1964.
- 69 Meller and Anthony, *Fiji goes to the polls*.
- 70 Lal, *A vision for change*.
- 71 CO 1036/1067, no 13, Marnham to Macdonald, 2 Mar 1964, on procedural arrangements for members and permanent secretaries.
- 72 The editor is grateful to Rod Alley for background information on Patel's difficulties with his own community over his role as member for social services.
- 73 CO 1036/1263, no 26, Jakeway to Trafford Smith, 7 May 1965.
- 74 CO 1036/1263, no 27, Trafford Smith to Jakeway, 17 May 1965.
- 75 CO 1036/1216, E/91, Fiji Intelligence Report, Sept 1965, where Koya is reported to have called Jakeway anti-Indian.
- 76 CO 1036/1551, annex D, Jakeway's statement about 'An immigrant community' in CO brief for Mrs White's visit to Fiji, Apr 1965.
- 77 CO 1036/1218, no 1, Jakeway to Greenwood, 27 Apr 1965, forwarding report of Fiji Intelligence Committee.
- 78 CO 1036/1459, no 8, CO note for constitutional conference on land tenancy, July 1965.
- 79 L G Usher, editor of the *Fiji Times* was widely suspected of being the leaker. He was in London to report on the constitutional conference. Acting governor P D Macdonald criticised Usher's role, saying that in his reports, Usher 'slyly hints at the unreasonableness of the attitude of the Federation group, and the rightness of the stand taken by the other groups; he stresses the difficulties and the deadlocks at the conference, hinting that these are the fault of the Federation group, rather than encouraging the hope that statesmanship and compromise will prevail' (CO 1036/1216, no 83, Macdonald to Greenwood, 6 Aug 1965).
- 80 Lal, *Broken waves*, p 197.
- 81 CO 1036/1054, no 12, Jakeway to Trafford Smith, enclosing draft address to Legislative Council, 16 Nov 1965.
- 82 The editor is grateful to Rod Alley for the reference to the war effort.
- 83 The term General Elector referred to anyone who was not designated Indian, European or Pacific islander. It included among others Europeans, Part-Europeans and Chinese, though the Europeans exercised the dominant influence.
- 84 Lal, *Broken waves*, p 199.
- 85 Deoki, who made the proposal, was strongly critical of Patel.
- 86 CO 1036/1054, no 12, Jakeway to Trafford Smith, enclosing draft address to Legislative Council, 16 Nov 1965.
- 87 CO 1036/1721, no 33, Suva broadcast by Lee during his Pacific tour, 22 Aug 1966.
- 88 FCO 32/23, no 124, letter from Fiji civil servants to Thomson, 25 Apr 1968.
- 89 CO 1036/1721, notes of meeting in Suva between Lee and Fiji Senior Civil Servants Association, 22 Aug 1966.

- 90 On Nauru's independence, see document 108, note 1.
- 91 FCO 32/36, no 79, broadcast by Bowden in Fiji, 13 Feb 1967.
- 92 FCO 32/151, no 2, Commonwealth Office talking points for Bowden's visit to Fiji, Feb 1967.
- 93 Patel's letter to Greenwood, 12 Aug 1965, from Patel's private papers available on microfilm at the Pacific Manuscript Bureau, Australian national Library. See also Lal, *A vision for change* pp 209–211.
- 94 Lal, *Broken waves* p 201.
- 95 Fiji Legislative Council Debate, 1 Sept 1967, p 12; also Lal, *A vision for change* p 229.
- 96 FCO 32/59, no 6, Fairclough to Jakeway, 29 June 1967, enclosing record by O G Foster of meeting between Bowden and Mara.
- 97 J M Anthony, 'The 1968 by-elections', in *Journal of Pacific History* vol 4 (1969) pp 132–135.
- 98 FCO 32/31, no 8, J D B Shaw (UK Mission to UN, New York) to A M Warburton (FO), 24 June 1968.
- 99 Robert Norton, 'Seldom a transition with such aplomb: from confrontation to conciliation on Fiji's path to independence', *Journal of Pacific History* vol 2 (2004) p 171.
- 100 Norton, 'Seldom a transition with such aplomb', pp 170–171.
- 101 FCO 32/401, no 8, report by Fiji Special Branch on 1968 by-elections, 26 Nov 1968.
- 102 FCO 32/31, J H Lambert to J D B Shaw, 19 July 1968, on Fiji and Committee of 24.
- 103 Among them Dr Rusiate Nayacakalou, who was reported by Ratu David Taganivalu to have told Mara that if the Alliance Party did not lead Fiji to independence, the National Federation Party would. FCO 32/402, Foster to Galsworthy, 2 June 1969.
- 104 CO 1036/1216, no E/91 Fiji Intelligence Report, Sept 1965.
- 105 CO 1036/1216, no E 2/88, Fiji Intelligence Report, Sept 1965.
- 106 Quoted in *Fiji Annual Report* (1968) p 7. Subsequent Indian high commissioners in Fiji urged the Federation Party to abandon their demand for a common roll and opt instead for a communal roll and guaranteed racial representation, especially as the Indian population was declining.
- 107 FCO 32/401, no 81, G T P Marshall to E J Emery, 1 May 1969.
- 108 A full set of the transcripts are in possession of the editor.
- 109 See Mara, *The Pacific way*, p 97, where he describes Patel as 'a brilliant lawyer, an eloquent speaker, a charismatic leader of his party, and doughty opponent', but with whom political negotiation had 'proved difficult, and on occasion impossible'.
- 110 FCO 32/430, no 74, tel from Sir M James (New Delhi) to FCO, repeated to Foster, 6 Nov 1969.
- 111 Transcript of the inter-party talks, p 17, Mar 1970, 304.
- 112 FCO 32/569, FCO brief for secretary of state in Defence and Oversea Policy Committee, 15 Jan 1970.
- 113 Transcript of the inter-party talks, 23 Jan 1970, p 94.
- 114 *Report of a Royal Commission Appointed for the Purpose of Considering and Making Recommendations as to the Most Appropriate Method of Electing Members to, and Representing the People of Fiji in the House of Representatives Fiji*, Parliamentary Paper No 24/1975.

115 After 1956 the growth rate of the Indian population of Fiji began to slow perceptibly. A decrease in Indian fertility was explained by levels of social and economic development and an increase in the average age of marriage. Also, the rate of emigration of those of Indian origin increased. Fijian fertility, by contrast, was now significantly higher than that of the Indian population. The net effect was a forecast that by the late 1980s, the Fijians would overtake the Fijian citizens of Indian origin as the largest racial group in Fiji's population.





## Summary of Documents

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Chapter 1  
The political and economic background and a cautious approach  
to Fiji's constitutional evolution  
Jan 1955 – Nov 1960

NUMBER	SUBJECT	PAGE
<i>1955</i>		
1	Sir R Garvey to Mr Lennox-Boyd	6 Jan Despatch, 'General survey', on the origin of Fiji as a colony & the general situation 1
<i>1956</i>		
2	Sir R Garvey to Sir T Lloyd	11 Feb Letter recommending 'mild steps forward' in constitutional development 6
3	Sir T Lloyd to Sir Garvey	20 Mar Letter (reply to 2), urging caution 7
4	Sir R Garvey to Mr Lennox-Boyd	1 Apr Despatch on industrial associations and local politics 9
5	Sir R Garvey to Sir J Macpherson	14 Oct Letter (reply to 3), + <i>Enclosure</i> : memo, 'Broad lines on which constitutional development in Fiji might proceed' 14
<i>1957</i>		
6	P Rogers to Sir R Garvey	16 Jan Letter on the need for gradual constitutional advance to avoid racial conflict 19
<i>1959</i>		
7	Sir K Maddocks to P Rogers	24 June Letter on possibility of adapting Tanganyika electoral system to Fiji's circumstances 23
8	P Rogers to Sir K Maddocks	14 Aug Letter (reply to 7) explaining why in Fiji's case giving non-officials experience of administrative responsibility is a greater priority than the extension of the electoral system, + <i>Enclosure</i> : 'Note on Tanganyika elections' 24

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9	CO	21 Apr Note of meeting between A R Thomas (CO) & R W Robson ( <i>Fiji Times</i> ) on constitutional reform & economic development	28
10	Lord Perth to Sir K Maddocks	7 Sept Despatch on Fiji's development plan	30
11	P D Macdonald to A R Thomas	20 Sept Govt of Fiji brief on constitutional reform, sent in preparation for Mr Amery's visit	33
12	Sir K Maddocks to H P Hall	4 Nov Letter on racial balance in civil service	35

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13	Mr Amery	8 Nov Note, 'Policy towards Fiji', written after his visit	37
14	H P Hall	8 Nov Minute on recommendations of Burns Commission & Mr Amery's assessment of the political situation	39
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16	Sir H Poynton	10 Nov Minute, 'Future of Fiji', questioning assumptions in 13	44
17	H P Hall & I S Wheatley	14 Nov Minute and note on proposals in 13	45
18	Mr Fraser to Mr Macleod	15 Nov Minute on need in future for clearer policy statements in relation to Fiji	48
19	Sir H Poynton to Sir K Maddocks	17 Nov Letter requesting governor's views in light of recommendations in 13	48
20	H P Hall to Sir K Maddocks	20 Dec Letter on introduction of a member system	51

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21	Sir K Maddocks to H P Hall	17 Jan	Letter (reply to 20) on the introduction of a member system & the composition of the Legislative Council	52
22	E R Bevington to H P Hall	17 Jan	Letter on allegations of monopoly practices by foreign companies in Fiji	56
23	F W Atwell (CO) to D W Overington (Treasury)	20 Jan	Letter on interim financial support for Fijian scholarships	59
24	Sir K Maddocks to Mr Macleod	20 Jan	Savingram applying for a scholarships grant, + <i>Annex</i>	59
25	H P Hall to Sir K Maddocks	6 Feb	Letter (reply to 21) on the changes proposed & a government statement	62
26	Sir K Maddocks to Mr Macleod	13 Feb	Despatch on structure of the civil service & retention of a racial balance	63
27	Sir K Maddocks to Mr Macleod	15 Feb	Letter on resolution of Fijian Affairs Board to extend franchise to women	66
28	Sir K Maddocks	27 Feb	Statement on Fiji government's proposals for constitutional reform	67
29	Sir K Maddocks to Mr Macleod	28 Feb	Letter, 'Fiji: review of affairs', on current position & future policy	69
30	H P Hall to Sir K Maddocks	3 Mar	Letter (reply to 27) welcoming extension of franchise to women	85
31	H P Hall to Sir K Maddocks	17 Mar	Letter on question of universal adult suffrage	85
32	Mr Macleod to officer administering Fiji government	21 Mar	Savingram on a CD&W award for Fijian scholarships	87
33	Sir K Maddocks to H P Hall	7 Apr	Letter (reply to 31) on universal adult suffrage & the apparent lack of enthusiasm for constitutional reform by all except the Indians	88
34	A R Thomas to Sir K Maddocks	11 Apr	Letter on racial balance in civil service	89
35	H P Hall to Sir K Maddocks	17 Apr	Letter (reply to 22) on monopoly companies, suggesting tighter accounting procedures	92

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43	Sir K Maddocks to Mr Maudling	28 Oct Letter on Fijian opposition to membership system & divisions over composition of Legislative Council	125
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47	A C Reid to I S Wheatley	10 May Letter on Fijian paramountcy	134
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51	J E Marnham to Sir K Maddocks	19 July Letter on introduction of provisions for human rights in Fiji constitution	149
52	Mr Sandys to Sir K Maddocks	31 July Letter on future of Fiji, arguing that indefinite recognition of Fijian paramourncy is impracticable	151

### Chapter 3

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63	M M Narsey & K J Patel	16 Jan Memo, 'Suva Indian Chamber of Commerce', presented to Mr Fisher during his visit by president and secretary of Chamber	176
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65	CO for Cabinet (Official Committee on Future Policy in Pacific	18 Jan Note, 'Strategic importance and security of the Pacific Islands Region', on a note by the US State Dept, + <i>Annex</i> : Islands of strategic importance	179
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77	Trafford Smith to Sir D Jakeway	27 Apr Tel (reply to 76)	213
78	Sir D Jakeway to Mr Patel & Mr Madhavan	27 Apr Letter on 76, + <i>Annex</i> : Fiji government press release	214
79	CO for Mr Greenwood	28 Apr Minute on 76	215
80	CO for Mrs White	Apr Brief A, 'General economic and constitutional background', in preparation for Mrs White's visit to Fiji	216
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Chapter 4  
The London constitutional conference  
and its aftermath  
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**1** CO 1036/91, no 7

6 Jan 1955

**'General survey': despatch from Sir R Garvey to Mr Lennox-Boyd on the origin of Fiji as a colony and the general situation**

I have the honour to address to you this despatch on the affairs of Fiji in pursuance of the proposal that Governors should write periodic despatches on their territories for circulation among other Colonial Governors, Ministers, and Her Majesty's Ambassadors and High Commissioners, referred to in Sir Thomas Lloyd's personal and confidential letter INF 90/151/02 of the 24th June.<sup>1</sup> As this is my first despatch of this kind, I am limiting it to a brief survey of the historical origin of Fiji as a Colony and the general situation as it exists now because, without this background, it will be difficult to appreciate the salient features of our particular problems.

2. Fiji is small and remote; and I am sometimes surprised how little is known about her situation and affairs outside the South-West Pacific. She became a Colony in 1874, when ceded to Queen Victoria by Ratu Cakobau and the leading Fijian Chiefs of that time, and since has enjoyed peace and prosperity without any of those exhibitions of political unrest which, incongruously, is the best way for a Colony to advertise its existence to the world to-day.

3. Sometimes Fiji is thought to be a single island. In fact it is a group of over 300 islands, about 100 of which are inhabited. The majority of inhabited islands are small, supporting a predominantly Fijian population in an environment not greatly different from that before Cession. There are two islands, however, named Viti Levu and Vanua Levu, where the Fijian way of life is rapidly being replaced by European and Indian influence. These two islands are the largest in the group and together form 87 per cent. of the total land mass.

4. In numbers the European population has remained fairly stable, between 4,000 and 7,000 during the past 50 years. Permanent European settlement is small and, apart from officials, the majority are engaged in commerce and leave the country during or at the end of their working lives. Indian settlement originated with the indenture system at the end of the nineteenth century when they were introduced as a remedy for the labour problems resulting from the lethargy of the Fijians. The Indians realised the potentialities of Fiji, and most of them preferred to remain here at the end of their indenture rather than return to the conditions of squalor and the repressive caste system of India whence they came. They multiplied and now number 154,000 compared to 139,000 Fijians. It is probable that the numerical disparity between the two races will become much more marked with the passage of years because it is only recently that the sex ratio between Indian males and females has been equalised. Also the percentage of young Indian females is larger

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<sup>1</sup> Governors were asked in this despatch to submit periodic despatches 'in a colloquial style' for circulation to Cabinet ministers and, in certain cases, among high commissioners and ambassadors. Colonial questions were said to be attracting increasing attention both at home and abroad and mild complaints had been expressed by other departments, especially the Foreign Office, about the lack of regular information concerning developments in colonial territories. Governors were not asked to attempt surveys of the entire political or economic field at any one time. Instead they were asked to submit appreciations of a particular situation of current interest. These appreciations were requested 'not oftener than one every three months or more seldom than one every six months' (CO 554/1162, no 1). See also Richard Rathbone, ed, *Ghana* part II (BDEEP, 1992) 152.

than the Fijians, and Indians marry earlier and are more productive. Fiji's prosperity is largely the result of their efforts, and they are acquiring an ever increasing proportion of the Colony's wealth for themselves. Evidence of this is becoming more conspicuous every day.

5. The Indian rise to prominence in the affairs of the Colony, and the prospect that they may soon occupy a position of dominance, is beginning to disturb the Europeans and Fijians. This disquiet has been most apparent amongst a certain section of the Europeans<sup>2</sup> who find in the Deed of Cession an obligation on Her Majesty's Government to preserve Fiji for the Fijians to the exclusion of other races—with the exception of the Europeans whose presence is justified, in their own eyes, by their mission to educate the Fijians to assimilate their own civilised ways. In practice their venom is solely directed against the Indians whom they consider should be compulsorily repatriated to India without delay. They interpret the Deed of Cession as a trust reposed in the Crown to 'rule Fiji justly and affectionately, that the Fijians may continue to live in peace and prosperity' in a very narrow sense. As I have told Mr. A. A. Ragg,<sup>3</sup> the principal and rather muddled-headed protagonist of Fijian rights, the result of ridding the islands of the Indians would be an immediate disruption of the peace, and probably a final farewell to prosperity; but I do not deny that a problem exists in adjusting the relationship between the two races in order to ensure that each has its proper share of the country's prosperity.

6. One of the reasons that Fiji's short history as a Colony has been so peaceful is probably because the spirit of the Deed of Cession has remained as an influence of primary importance in the administration of Fijian affairs, and this has cemented into a firm loyalty the natural respect which the Fijians have for the Crown as a feature akin to their own chiefly system. The act for which they are most grateful is that which, shortly after Cession, secured them in the ownership of their land by prohibiting further alienation at a time when they still owned about three quarters of the five million acres of which the country consists. The administration of this land is now vested in a Board<sup>4</sup> which leases areas outside native reserves, which are being demarcated to members of other races, chiefly Indians. The Fijians attach very great importance to their rights of land ownership; and I am sure that it is largely because of the respect with which their rights have been treated in the past that their confidence in the Crown remains so firm. Finally the Fijians have been allowed to develop very much according to their own bent: their customs and traditions have been respected and the system of government which they themselves enjoy and which is the only developed system of rural local government in the Colony, is constructed around foundations with which they are familiar.

7. By nature the Fijian is a hedonist. He is frequently condemned as physically lethargic and politically inept and, judged by the severe standards of modern times, he is both. His environment, however, has never demanded sustained effort for a merely comfortable existence, let alone survival; and his traditional social system—with its chiefly hierarchy and communal living—has provided stability and security without having to resort to the ballot box. Unfortunately such standards can only be

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<sup>2</sup> This disquiet was expressed in a movement to have Fiji federated to New Zealand in the early 1900s.

<sup>3</sup> European member of the Legislative Council.

<sup>4</sup> The Native Land Trust Board established in 1940.

retained in isolation, and the isolation of the Fijians has now been destroyed irrevocably by the Indians. The significance of this fact is only now being generally realised because, although the Indians have been in Fiji for many years, they have only recently begun to assert themselves. Previously they have remained subdued, which has given the Fijians the illusion that their own way of life could be preserved in spite of Indian penetration. But the numerical and economic superiority of the Indians are now too conspicuous to be ignored: they have worked themselves into a position where the political passiveness and natural subjugation of the first generation, which arose from their humble origin as coolies, has been abandoned. The new generation is slowly but surely emerging with a core of wealthy, well educated, ambitious leaders; while the whole race is hard working and progressive. Their chief weakness is their disunity; but for this, their insistence for more political power would be more formidable than it has yet become.

8. I hope this review give some idea of the main tensions in Fiji; their focal point is likely to be land. The past indifference of the Fijian to the Indian, now being replaced by concern, resulted from the absence of any reason apparent to him why he should not be indifferent. He retains the ownership of most of the land in the Colony, and the possession of all that he wants counts good. He derives considerable pecuniary benefits from the Indian and finds the various services the Indians provide convenient. But while the Fijians use their lands extravagantly and, by modern standards, inefficiently, the Indians use any land they can acquire to the best advantage. So far there has been enough to go round but with a rapidly increasing population the pinch will come. Thus the problem of paramount importance in Fiji to-day is to persuade and, if necessary, to adjust the social organisation of the Fijians so that they can justify the retention of the land which is being put aside for them, at a time when there is no longer a sufficient surplus to satisfy a growing Indian land hunger.

9. We have been trying to do this in various ways, none of which have been entirely successful. There was much enthusiasm amongst the Fijians to form co-operative societies when the movement started in 1948, but those which were started tended to be short lived or to have little effect on the productive efforts of their members. Careful planning of production at a village and district level was also tried; and so long as strong leadership was available, results were good, but it was apparent that the foundations of such schemes were shallow. We have finally settled on the idea of Development Officers who will be selected from the best material that the Fijians can offer, which means men who—in ability and balance—compare favourably with the members of any other race. I hope that these men, by their prestige and leadership, will be able to co-ordinate, cajole and, if necessary, bully their people into productive activity.

10. The weakness, however, lies deeper than the individual personality of the Fijian. The best of them—as persons—could probably compete with anyone if free to do so; but the trouble is that their customs, social organisation and the whole tenor of their communal existence are opposed to the success of the individual, which would be regarded as being to the detriment of the tribe, because such success throws the communal system out of equilibrium. The apparent solution to such a dilemma is to abolish the communal system and to make individualists of them all, but such a course ignores the intimate relationship between the Fijians and the system which has nourished them and their forefathers: the system in fact is in their

blood and cannot be abolished by ukase. It must be a long treatment, performed with their consent all the way.

11. These reflections may appear academic, but the problem with which they deal is one which is having a definite effect on the development of Fiji, and with which most other subsidiary problems are connected. For instance Fiji has been guaranteed a market in New Zealand for bananas up to 750,000 cases a year for a period of five years, with the prospect of an equally favourable market when that period has passed. Banana production, at present, is entirely in the hands of Fijians and it shows no prospect of being able to fulfil either the quota or the quality of bananas which New Zealand requires. The communal system has been blamed for this failure and it is claimed that the energies of the growers are always being diverted by the Fijian Provincial Authorities to other work when they should be planting and maintaining their banana groves. Indians want to enter the banana trade and, if they do, will probably make a success of it by mechanised production, for which they have the capital. The Fijians, however, at present occupy most of the areas where banana planting is practicable and, unless this possession is to be encroached upon (which would certainly have political repercussions) or their own system of production is adjusted to make it more compatible with economic conditions—which taken to its logical conclusion means replacing the communal system by one in which individualism predominates—there will be difficulty in fulfilling the New Zealand quota. Our immediate compromise solution is Development Officers, and we hope to stimulate production considerably through their efforts.

12. Quality is another thing which suffers from Fijians' indifference. This is especially noticeable with copra. Copra production in Fiji is approximately divided between Fijian and non-Fijian producers. That produced by the Fijians is usually of poor quality and, since all copra is marketed together, this has deterred non-Fijians, in this case mostly Europeans and part-Europeans, from improving their product because they feel there is no point in their doing so unless a similar improvement is made by the Fijians.

13. The same problem retards the establishment of Fijian industries, both primary and secondary. There are, for instance, good prospects in Fiji for cocoa, coffee, and beef production. The land is available in quantity, but it is in the hands of the Fijians. But as I have shown, Fijian manpower is already fully stretched, as at present organised, and although I have hopes, again through the efforts of Development Officers, to establish cocoa in the near future I fear that production will be restricted so long as it is confined to Fijians. The position will be eased considerably when the demarcation of Fijian reserves is completed, because this will mean that large areas of land whose future awaits a decision as to whether they are to be included in reserves, will be available for leasing. Nevertheless the reserves themselves will constitute large areas, and the problem of developing them economically will remain. Secondary industries are also affected because continuity of supply is essential for the processing of raw materials; and this continuity is not yet provided by Fijian producers.

14. The number of Europeans who are settled permanently in the country is very small, probably between 300 and 400. Their activities are divided between farming (mostly dairying or copra planting) and commerce. Their influence in the political life of the Colony is considerable because of the relatively large areas of land which

they own or occupy, and their having been traditionally associated with the promotion of the interests of the Fijians. It is probable that the influence of the settled European will decline with the passing of the older generation. The more ambitious of the new generation tend to seek employment overseas where the prospects are better and they are not faced with Indian competition, while the less ambitious tend to inter-marry locally and achieve little of significance apart from swelling the part-European population which now numbers about 7,000.

15. While the influence of the settled European may be in decline, European influence as a whole is firmly established and the ties of the Colony are especially close with New Zealand which, with its Maori population and strategic interest in Fiji, is sympathetic and closely associated with the affairs of the Colony.

16. The only remaining racial group of any significance is the Chinese who number 4,000. In contrast to the Indians, they are not interested in constitutional politics, although there have been indications recently that a minority are attracted to communism. They are mostly engaged in trade or market gardening and are very successful at both occupations. As a race they keep to themselves and play little part in public life. A further distinction between them and the Indians is that, while the Indians seldom inter-marry with the Fijians, it is common for the Chinese to do so, especially those of humble origin who garden or keep stores in the country. Their natural affection for children appears to predominate over the abhorrence which they must naturally have for their Fijian wives' extravagance: the philosophical detachment with which the Chinese country storekeeper regards the pillaging of his store by his wife and her relations is characteristic of the inscrutability of the race. The attraction which communism has for the Chinese and their close relationship with the Fijians is potentially dangerous. At present, however, this relationship is physical rather than mental, and there is no reason why it should be otherwise unless the Chinese intentionally make it so in order to spread communism.

17. It has been said that the prosperity of Fiji has been built on a three cornered foundation, the Fijian providing the land; the European the money; and the Indian the labour. Historically this is a fair statement though it is an over-simplification when applied to present conditions, since in recent years the Indian community has been sufficiently prosperous to invest money on a useful scale, not only in agriculture, but also in secondary industries and such services as transport. It is an important fact that of the capital invested in Fiji, nearly all has come from Australasia, and of this much the greater part from Australia. It must be very many years since any capital investment came from the United Kingdom; and there are no indications that either private investors or public corporations in Britain are likely at present to invest in Fiji. There is, for instance, no project sponsored by the Colonial Development Corporation in the Colony.

18. As a result commercial practice and outlook in Fiji is far more influenced by Australasian ideas and conditions than by those of the United Kingdom and, when considering its financial and fiscal policies, the Government is wise to bear this in mind. It is necessary to provide conditions for capital which are reasonably competitive with those in the neighbouring dominions; and this applies both to such general matters as taxation of incomes and in such special fields as the treatment of gold mining enterprise.

**2 CO 1036/10, no 26****11 Feb 1956****[Constitutional development]: letter from Sir R Garvey to Sir T Lloyd recommending 'mild steps forward'**

For quite a long time I have been mulling over in my mind the question of constitutional development in Fiji; and I find that I have now come firmly to the conclusion that it should be tackled fairly soon.

When I first came here in 1952, I found little or no interest in constitutional advance; so I thought I would keep the matter in my own hands by taking the initiative when it seemed appropriate to do so. Thus I proposed the appointment of a Speaker and, a little later, suggested to the Great Council of Chiefs that they should consider electing some of their members to Legislative Council by direct vote.

Both these ploys have partly misfired so far. We have amended the constitution to permit the appointment of a Speaker, but owing to Sukuna's<sup>1</sup> ill-health he has not yet been able to take up the appointment. The Council of Chiefs did not look with favour on my suggestion, though the Fijian Press<sup>2</sup> made it fairly clear afterwards that the Fijian commoner was keenly attracted by the proposal.

The position now is that there is a slowly growing interest in constitutional matters, both on the part of the Fijians and the Indians. I should not be surprised, for instance, if the Fijian Chiefs change their mind about direct representation at the next Council of Chiefs, which will be held this year; and at the last meeting of Legislative Council the senior Indian elected member, Vishnu Deo, appealed to me to tackle the question of constitutional change before my term as Governor expires.

There are many other indications that interest from the Fijian and Indian directions is on the move. By and large the Europeans, with the exception of one or two oddities, are not showing the same interest; and one can assume that they are happy with the present state of affairs and would regard change as undesirable, and even retrogressive. But I do not think that we should take our *tempo* from the European attitude, which might well be dubbed reactionary.

As the Colony is situated at present the question of constitutional advance could be considered in a tranquil atmosphere. Fiji is peaceful and prosperous. If one can believe local talk, the different races of which our community is composed have seldom been on more friendly terms. Could one, therefore, have a better atmosphere in which to consider such a question? If we can consider changes in the constitution, now, deliberately and calmly should we not be wise to seize this golden opportunity? There is at present this healthy, if hesitant, trend; so should we not seize the growing interest and turn it to our advantage?

My own feeling is that the appropriate time to make an announcement would be at the opening Session of the new Legislative Council which will take place in about September this year.

If you agree that we should make a move; and you will see from what I have said above that I am emphatically of opinion that we should; then the question on which I should like your advice is how to go about it. On the last occasion a local Committee put forward recommendations which were debated and defeated in Legislative

<sup>1</sup> Ratu Sir Lala Sukuna (1888–1958).

<sup>2</sup> Fijian Press means in fact *The Fiji Times*.

Council in 1949. On this occasion I feel that it would be preferable to get a Commissioner from outside to do the preliminary job of putting forward proposals for consideration by Legislative Council. I would like a one man commission, myself, providing—of course—that we can find the right man. And I would like it distinctly understood that he should let me see his report in draft before its submission to Government, so that I could have the opportunity of deciding whether his proposals were too advanced for local application. This could, perhaps, be better achieved if there were constant consultation during the course of the preparation of the report so that neither the Commissioner, nor I, were faced with a position where I might feel bound to say that the report was one which I did not feel able to present to Legislative Council.

In concluding this letter there is, I think, another angle which should be mentioned. Supposing I am wrong in my assessment of the present position; supposing the crucible, which at the moment seems to me to be simmering gently, suddenly frothed over and we found ourselves stampeded into constitutional changes by pressure of events, rather than by a conviction that the appropriate time has come to make some progress. Would we not then have lost that golden opportunity about which I spoke earlier in this letter?

After completing the drafting of this letter my attention has been called to your confidential letter of the 1st February, 1955, which arrived here just after I had gone on leave and to which, I regret to note, you have received no reply.

As I see it there is now insufficient latitude of time to permit a study of electoral arrangements in Fiji independent of the general constitutional question. The memorandum is correct in saying that 'even should the questions of an unofficial majority in the Legislative Council, or of the election of all unofficial members be raised, it seems unlikely that a Common roll would be suggested, much less generally supported.'

With this in mind I suggest that any special sociological study related to electoral representation in Fiji should be held over until after we have taken the mild steps forward which, I hope, will result from the appointment of a Commissioner to consider constitutional development.

**3 CO 1036/10, no 27**

**20 Mar 1956**

**[Constitutional development]: letter (reply) from Sir T Lloyd to Sir R Garvey urging caution**

Thank you for your letter of the 11th February about constitutional development in Fiji.<sup>1</sup>

We are not entirely surprised by your reassessment of the situation as we had also noticed a growing interest in constitutional matters. While we share your view that it is better for Government to take the initiative in such matters, rather than to be forced to make changes by pressure of events, the way to set about the exercise will, of course, require careful consideration.

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<sup>1</sup> See 2.

As you yourself say, the interest, if growing, is growing slowly. It seems to us to be very unwise to do anything to encourage it to grow more quickly unless we have some fairly clear idea where we are going. In some respects Fiji is a very difficult proposition from the point of view of constitutional advance. We are all, very naturally, inclined to think of such advance in terms of British institutions, leading in the direction of an elected assembly, universal adult suffrage, the party system, the vesting of executive power in unofficial Ministers and so forth. Yet we are learning by experience elsewhere that the traditional British pattern, however suitable for places of a certain size, is difficult to work out in small territories, even where there is a homogeneous and relatively well advanced population; it is still more difficult to apply in such a place as Fiji, where race means more than party, and where a dilemma is created by the numerical preponderance of the Indians on the one hand and our obligations to the Fijians on the other. It may well be that what we ought to aim at in Fiji is some form of constitution which differs considerably from the traditional pattern. In this connection you may like to have a look at the enclosed document<sup>2</sup> about another of our problem places—Mauritius—not because the ideas which are being tried out there are necessarily at all applicable in themselves to the very different conditions of Fiji, but as an illustration of the fact that new ways are being sought to establish forms of democracy and of representative institutions in places where the conditions favourable to the ‘Westminster model’ do not exist.

As you know, it has been the accepted view hitherto that in the special local circumstances of Fiji, the retention of an official majority in the Legislative Council is essential. It may be that the ‘mild steps forward’ which you envisage do not involve departure from this principle. What troubles me, however, is the probability that once one starts upsetting the present position, one inevitably sets up pressure from various quarters, and it becomes very difficult to call a halt. To appoint a Commissioner would undoubtedly have a highly disturbing effect, and it is not a step which the Secretary of State could be advised to take unless and until it was clear that a position had been reached at which some action was necessary in order to retain the initiative and to forestall even less desirable developments.

In any case it is, I think, an illusion to suppose that any Commissioner strange to the country could be expected to produce, out of the blue, a solution for the very peculiar problem of Fiji. (And I must here interpolate a word of warning that no Commissioner would be likely to take kindly to the idea of having his proposals vetted in draft.) You will no doubt agree that any ultimate and lasting solution must depend upon the growth of a consciousness of Fijian citizenship overriding differences of race or religion; and that such a conception is scarcely likely to be realised for a very long time indeed. The immediate question, then, is, what kind of short-term political development is likely to promote (or to prejudice) the realisation of that long-term conception. It is hard to see how anyone from outside would be in a better position than yourself and your experienced advisers to provide the necessary basic assessment. When that assessment has been made and the broad lines of policy have been agreed upon, there may well then be room for the constitutional expert to advise upon the particular devices and forms of machinery best calculated to secure progress along the determined lines.

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<sup>2</sup> Not printed.



In short, our present view is that this is a matter to be approached with the greatest caution and circumspection; that, while we should certainly aim to keep the initiative, we should avoid doing anything, by way of appointing a Commissioner or even of making an announcement, to precipitate a demand for change unless and until it becomes clear that some action is necessary in order to forestall inconvenient pressure; and that, in the meantime, you and we should consult together in order that we may put before the Secretary of State as clear as possible a view, based upon your first-hand knowledge of the local situation, both of the long-term constitutional objective and of the limited objectives which might be considered at this juncture as stages on the way.

For example it can be argued that Central Government can be fully democratic only if supported by vigorous local government institutions and the first stage might be to divert interest in constitutional matters from central to local government. Local Government, whether urban or rural, is an essential part of the constitutional structure and affords the people an opportunity to identify themselves more closely with, and enables them to participate in, the actual processes of government.

It appears, however, from your despatch No. 543 of the 9th November, 1955, that the present unofficial members of Legislative Council are unlikely to agree to the expansion of local government in Fiji. As part of the educative process towards the assumption of greater responsibility would it not be as well to see if the various communities can work together at the local government level before embarking on any major changes at the central level?

I hope that you will feel able to let us have a basic assessment of the kind I have suggested.

#### **4 CO 1036/91, no 12**

**1 Apr 1956**

#### **[Industrial associations and local politics]: despatch from Sir R Garvey to Mr Lennox-Boyd**

I have the honour, in this, my second despatch on the general affairs of Fiji, to address you on the subject of politics as they are related to industrial associations in the Colony. The two matters are in many ways inseparable and defy prolonged discussion in isolation. As a general election is to be held here in August of this year and as, at the same time, one of the sugar-cane farmers associations holds out a threat of a general strike on June 1st on the issue of constitutional reform,\* the moment seems opportune to describe these aspects of the Fijian scene.

2. It is first important to explain what is meant by an 'Industrial Association' in Fiji; and from this it will be seen what is meant by a 'general strike' called by an association of small farmers. An Industrial Association is defined as any number of employees or employers, or other persons, in any particular industry who associate together for the purpose of regulating relations between themselves or with other persons or associations, and for protecting or furthering their interests and those of their associations. Thirty-one associations are thus registered. With a few exceptions these can be divided into three distant groups: the workers industrial associations

\* But, see footnote at the end of the despatch.

which are identical with Trade Unions; associations of persons for the purpose of protecting their business interests, *e.g.*, transport owners and small shop-keepers; and the sugar-cane farmers associations, the prime function of which is to negotiate cane harvest and harvesting conditions with the Colonial Sugar Refining Company Limited who are the sole mill owners in Fiji. The cane farmers associations<sup>1</sup> and their leaders have so far supplied the political inspirations and political controls for Indians in Fiji; and the present Indian Elected Members and, indeed nearly all the Indian Elected Members in the past, have had very close connection with the growth of cane-farmers associations. The ultimate strength and the most potent weapon of the cane-farmers associations is to order their members to refrain from planting or harvesting.

3. Until recently there was little or no preoccupation with politics by the other two groups of industrial associations. The workers associations were disinterested probably because none of them are exclusively Indian, although three—until recently four—are exclusively Fijian. Of the two races, it has been the Indian who has been concerned with politics—and then mainly with the idea of advancing the interests of the Indian people. The small commercial associations have confined their activities to narrow protective measures, and this group comprises members of various political allegiances. It is, however, an indication of trends that the Fiji Taxi Union entered into the Suva City Council elections at the end of 1955, with considerable zest, although the candidate they supported was unsuccessful.

4. The majority of the workers associations are members of the Fiji Industrial Workers Congress and, as this body is of considerable significance, it is necessary to look back to the time of the late Ami Chandra and describe its progress since then. Pandit Ami Chandra was Fiji's most distinguished Indian trade unionist, possessing high intelligence and a quiet but convincing personality. He strongly opposed any participation of the trade unions in politics; and he also used his powers of gentle persuasion to bring about multi-racial trade unionism. Despite his efforts, however, three of the Fijian unions (two of them were ineffective bodies) would not affiliate with the Congress, and the two unions which did so continued to limit their membership to Fijians. Nevertheless, under Ami Chandra's leadership the Fiji Industrial Workers Congress could claim to represent the great majority of workers in Fiji, only one union of consequence, the Fiji Stevedores Union remaining outside. The Congress and Pandit Ami Chandra were practically synonymous; but in April 1954, Ami Chandra was tragically killed in an aircraft accident at Singapore while on his way to the United Kingdom to attend a course in trade unionism. Trade unionism in Fiji suffered a great loss in his death; and although he did not leave the Congress leaderless, he did leave it morally rudderless.

5. Ami Chandra has been succeeded as President of the Congress by B. D. Lakshman, a Master of Arts of an Australian University<sup>2</sup> and, although Vice-President, a nonentity in the Congress until Ami Chandra died. Lakshman's reputation is generally poor and his chief characteristics are urbane smoothness and slickness, particularly the latter. He has been a schoolmaster, president of the Airport Workers Union, some sort of go-between for the Kisan Sangh, and a pearl button manufacturer. Recently he applied for and was given a licence to ship scrap-iron to

<sup>1</sup> In particular the Kisan Sangh and Maha Sangh, formed in the late 1930s and early 1940s.

<sup>2</sup> Lakshman was a graduate of the Benares Hindu University, Varanasi.

Japan. He is also an urban property owner. He is an unscrupulously ambitious Indian and a very hard worker.

6. Lakshman's reputation should have been sufficient to ensure that he did not succeed Ami Chandra, but there was no outstanding personality to compete with him except, perhaps, the European president of the Seamen's Union who was not prepared to accept the office. After some calculated delay and smart manoeuvring by vice-president Lakshman, a meeting was called one year after Chandra's death, which resulted in his election as president.

7. I have dealt at some length with the Fiji Industrial Workers Congress and its presidents, as it is probable that the irresponsible tactics of Lakshman were responsible for the unnecessary strike at the gold mines in June 1955, and for further minor strikes during the ensuing three months. He was greatly helped by a revision of civil service salaries in 1954, which gave excellent opportunity for whipping up resentment among wage-paid workers.

8. Basilio Mata, the Fijian secretary of the Mine Workers Union, has the type of mind which responds to the specious flattery and glib cajolery at which Lakshman is adept. Although he contrived to keep his allegiance for Lakshman hidden from members of his union, who were strongly anti-Indian, Lakshman's influence can be detected in the strike at Vatukoula minefield. Of the other minor strikes, Lakshman's son was the president of one of the unions concerned; and in another, a youthful protégé was also president. No trade unions were concerned in the other two strikes. It is significant that the two most intelligent of the union leaders in the Congress—Ramjan<sup>3</sup> of the Public Works Department's Employees Union and Nand Kishor of the Sugar Workers Union—did not involve their unions in what was, for Fiji, a spate of strikes.

9. This is the background to 1955. Since the turn of the year the industrial relations climate has changed radically for the better, and the attitude of Lakshman is, at the moment, that of an apostle of industrial peace. It may be that he decided that the substantial gains of 1955 were enough for the present: but it may also be that he required an atmosphere of calm in which to further his desire to be a nominee of the Industrial Workers Conference for an invitation to the Duke of Edinburgh's Conference in Oxford. In the event, and much to Lakshman's surprise and chagrin, Nand Kishor has been nominated by the Congress, Lakshman coming second in the voting and Ramjan third. Thus the initial and incongruous result of the proposal for a conference to better human relations in industry has had the effect of straining relations between union leaders in Fiji.

10. But there may be a further reason for the apparent hiatus in Lakshman's presidential activities. He has—in his time—been a member of Legislative Council and, with his achievements during 1955 behind him, he may well have the support of the workers if he stands for election later in the year. In support of this view is the fact that Lakshman refused to submit more than two names for a workers' panel for the purposes of the Essential Services (Arbitration) Ordinance, although he was urged strongly to supply more. The two names are his own and that of Mr. A. D. Patel, a former member of Legislative Council and probably the most brilliant lawyer in Fiji. In this way they can pose as the twin champions of the workers in Fiji.

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<sup>3</sup> Mohammed Ramjan.

11. Political battles are not, however, confined within each of the various groups of industrial associations. A bitter enemy of A. D. Patel is the Honourable Ayodhya Prasad, a cane farmer, transport operator, and politician who is general secretary of the Kisan Sangh, which is the largest of the cane-farmers unions. He is an emotional and, when the mood moves him, an irresponsible orator whose ability to sway Indian audiences is tremendous. He was closely connected with the cane-farmers strike during the war. He is self-centred and it is he who is morally responsible for having brought about the Commission of Inquiry into the allegations of bribery and corruption in the Police Force. It is noteworthy that he gave evidence before this Commission on the grounds that he was (and quite rightly) refused an application to run a bus service, and that he personally canvassed people to make charges of corruption against the police. A. D. Patel appeared for the police during this inquiry, and he had a battle royal with his arch political enemy, to the general disgust of the bewildered public. However, it is probable that Prasad was on sound ground, for whatever his motives, there is a strong emotional dislike of the police among Indians, particularly in the Western District from which both men operate.

12. As a matter of interest, however, Patel runs true to form in that he is closely connected with the Maha Sangh which is the second biggest cane-farmers union.

13. So far I have referred mainly to the island of Viti Levu. On Vanua Levu, which is much less industrialised, politics will remain cane-farming politics for some time. The Indian sitting member for the Eastern Division is J. Madhavan, and at the last election he had the support of the Maha Sangh, which had a substantial section in Vanua Levu. The Maha Sangh has, since, split into two bitterly opposed factions and Madhavan has now taken steps to form and register a new association called the Vanua Levu Farmers Union. He has not neglected other workers in his district; and his brother is Chairman of the Labasa branch of the Public Works Department Workers Union.

14. With the arrival of the election year the struggle for leadership has come out into the open in the person, oddly enough, of a European, N. S. Chalmers, President of the Kisan Sangh. Chalmers is a locally-born European who became a sub-inspector in the Police Force, many many years ago, and is now a solicitor practising in Ba, in the Western District. He came to prominence as a farmers' champion in 1949 when he threatened the Colonial Sugar Refining Company that a refusal to grant price increases would involve a refusal to cut and plant cane. His ideas on politics are confused and he is wrapped in some mystical admiration for Mr. Malcolm Macdonald,<sup>4</sup> whom he takes to be a saviour of all subject races. Apart from the

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<sup>4</sup> 1901–1981, son of J Ramsay MacDonald; MP (Lab) 1929–1931, (Nat Lab) 1931–1935, (Nat Govt) 1936–1945; parliamentary under-secretary of state for dominion affairs, 1931–1935; S of S for dominion affairs, 1935–1938 and 1938–1939; S of S for colonies, 1935 and 1938–1940; minister of health, 1940–1941; high commissioner, Canada, 1941–1946; governor-general, British territories in South-East Asia, 1946–1948; commissioner-general in South-East Asia, 1948–1955; high commissioner, India, 1955–1960; gov/govgen/high commissioner in Kenya, 1963–1965; special representative in East and Central Africa, 1966–1967, and in Africa, 1967–1969. In his various roles in the 1960s especially, MacDonald was an enthusiastic admirer of the Commonwealth, believing it to be a visible expression of how peoples of different race could come together for the common good. He was critical of the British government's policies over Rhodesia in the late 1960s.

routine desire to increase the number of elected members of all races, his ideas on political advancement are naïve to the point of childishness, being a mixture of misconceived liberalism and misunderstood communism. He has—for some time—periodically addressed Government on the state of the nation, making complaints and suggestions which for the most part have already been dealt with either in the Colony budget or in published reports. He is now elderly, but still a would-be demagogue; and his chief danger is that his political ignorance has rare flashes of horse-sense which are admired by the gullible. It is Chalmers, with the intriguingly silent support of his general secretary, Ayodhya Prasad, who has sought and obtained the permission of his association to call a general strike on the issue of constitutional reform. He makes the claim that he can count on the support of other cane-farmers and of other workers' industrial associations; but from the reactions shown in the local press, and from our general knowledge, it would appear that these claims have little foundation. The possibilities are that the threats will fade away before the vital day; but there is a possibility that Chalmers and Prasad, between them, can call out a number from their own association and cause inconvenience if not trouble. To a certain extent Chalmers has done this already by claiming to represent the ideals of the Fijians; and then to heap insults on the Fijians when his advances were swiftly rejected.

15. The result of the manoeuvrings of the traditional 'politicians' of Fiji has been to focus the political feelings of the Fijians and to bring about the birth of the Fijian Association. For some time many of the leading Fijians have been uneasy at the economic advancement of the Indians and increasingly concerned at what they consider to be similar advances in Indian political dominance. Chalmers' fulminations have had the effect of hardening this attitude. Fortunately the Association is going about its business of protecting Fijian interests with moderation and dignity. It has the approval of Ratu Sir Lala Sukuna, the former Secretary for Fijian Affairs, and probably the greatest Pacific Islander of our time, and has on its executive some of the best Fijians, both high chiefs and commoners. As its legal adviser it has the Honourable Maurice Scott, a European of a distinguished local family and the senior Unofficial Member of Legislative Council. With the firm but moderating influence of this Association and with the known willingness of the majority of people of all races in Fiji to live in harmony, it is to be hoped that the short-sighted political ambitions of the leaders of the industrial associations of Fiji will become re-orientated.

16. Generally speaking the situation is not without promise. Its most healthy angle is that it has brought the Fijian Association into being, with the intriguing possibility that the Fijian apathy towards constitutional development may be replaced by a quickening interest. You may remember the story of the two Irishmen discussing the question of voting in the election. One said to the other that he would not cross the road to register his vote. The other replied: 'Mik, I'd walk ten miles to register me apathy.' That, unfortunately, has been the attitude of the average Fijian to politics in general. But a change may be coming: a change which may be only just in time if he is not to lose his birthright in a land which is peculiarly his own.

*Footnote*

Since this despatch was drafted, a letter from N. S. Chalmers has appeared in the *Fiji Times and Herald* in which he calls off the general strike which he had fixed for the 1st June—*tant mieux!*

**5** CO 1036/10, no 33

14 Oct 1956

[Constitutional development]: letter (reply) from Sir R Garvey to Sir J Macpherson. *Enclosure*: memorandum, 'Broad lines on which constitutional development in Fiji might proceed'

I expect some one will be wondering when I shall reply to Lloyd's letter of the 20th March<sup>1</sup> about constitutional development in Fiji. Well, the file containing that letter has been my constant companion since the end of March; and I now have an opportunity, while travelling in the country, to answer it.

While I was a little disappointed I was not altogether surprised to find that the back room boys in the Colonial Office have the jitters about constitutional questions, even related to peaceful little Fiji, so I want to start off by saying that the fears expressed in the letter are groundless as far as we are concerned. In suggesting that we should seize—or perhaps it is more true to say retain—the initiative I am not playing with a scorpion's tail. An announcement, for instance, would not precipitate a demand for change though it would, I hope, result in some quickening of interest in a direction where we are failing to make progress even though we are far better equipped than many who have raced ahead of us. My own estimation of the effect of an announcement is that it would create a sense of relief that Government had decided to tackle the question at the right time, though some misguided people might now interpret it to be the result of a public meeting held a few days ago to welcome the Indian Members of the new Legislative Council. At this meeting a number of references were made to reform of the constitution and the desirability of early action, though most of the attack was directed against the system of nominated members. To this extent it might have been better had I made an announcement when I opened Legislative Council on the 14th September, for the sure way to vitiate any proposals in the eyes of Europeans would be if it were thought that Government were submitting to Indian pressure. But I dare say this meeting is only a flash in the pan.

Lloyd raises the question, in paragraphs 7 and 8 of his letter, of proceeding first with the advancement of local Government. While I agree that this is the logical way to develop the constitution I feel that we shall have to wait too long for progress in that direction. Apart from two new Indian nominated members the composition of the new Legislative Council is the same as the last; and so I doubt whether the next three years will show much change of heart there. I recently had a talk with the Indian Association about this question and they wanted me to take a plebiscite, which I told them I was not prepared to do, much as I desired to get on with local Government. They had to agree with me that there was little chance of an immediate change of climate in the legislature, though they undertook to try to educate Indian public opinion in the right direction.

So we seem to come back to my original plea for progress independent of local Government and independent of local pressure. And here I would like to say that I quite agree that whatever plan we decide upon it should be built upon the premise that a common citizenship should be our ultimate aim for Fiji. I agree, too, that we should not slavishly follow the Westminster pattern.

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<sup>1</sup> See 3.

I further agree that there is probably no one in a better position than myself, and my immediate advisers, to provide a basic assessment of the broad lines on which we should proceed; and I am attaching to this letter a memorandum giving an idea of the direction in which we might go.

When I suggested that a Commissioner should be appointed I did so because I wanted to avoid the sort of stalemate which occurred when the question was last debated in Legislative Council, and I thought that the right man could make his proposals acceptable. I was not thinking in terms of someone entirely divorced from Fiji. In fact, I was thinking of one of my illustrious predecessors, to wit Lord Milverton,<sup>2</sup> but knowing that noble ex-Governor's bull-dozing tactics, I sought to tie him up a bit from the start! However, your suggestion of a basic assessment is a better way of achieving the same result. Lloyd talks about a constitutional expert, but I am not sure that we should need anything as high powered as that, though you will be able to assess the position better after studying the memorandum; and I am quite prepared to tackle the whole thing myself if you so wish.

The idea of a multi-racial bench, composed of members-at-large, having no constituency, and voted for by a common vote on a proportional basis, is my own; but I should say here that it has not found much favour with the few official advisers whom I have consulted, though if we are aiming at a growth of a consciousness of Fijian citizenship over-riding differences of race and religion, I think it has considerable merit.

If you would like to get a local reaction to an agreed line of approach I could always consult Executive Council, enlarged—perhaps—by the attendance of the senior European elected member who is regarded as the unofficial leader of Legislative Council. The leaders of the other two benches are already members of Executive Council.

I had an interesting discussion with the Indian Association of Fiji a few weeks ago on constitutional matters, and from the exchange of views at that meeting it is pretty clear that the proposals I now put forward would meet with their general agreement.

## Enclosure to 5

### *General*

There is no evidence yet of the emergence of a party system in Fiji. At the present time we have the officials and the non-officials, the latter being inclined to place themselves in the position of the loyal opposition, since they are a minority in Legislative Council, though they bring to bear considerably less antagonism than the normal type of opposition. It would be much healthier if they identified themselves more closely with Government.

It is however plain that—for the present—any constitutional change which materially alters the balance, *inter se*, of the three races at present represented in the legislature is impracticable. No doubt in due course of time, though it is not in evidence yet, there will be pressure brought to achieve representation which is democratic in the popular sense, that is to say representation by majority vote from a common roll and, as I have said in my covering letter, our ultimate aim must be for a

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<sup>2</sup> Governor of Fiji as Sir Arthur Richards, 1936–1938.

common citizenship. In the general life of the community slow, but fairly steady, progress is being made in this direction. Both colour and social barriers are being broken down and the desirability and, indeed, inevitability of unity is taking shape. It is a policy which I constantly preach myself and it is having its imperceptible effect throughout the whole community. Even so, at present, all races would oppose a common roll: the Europeans because it would mean that their representation would vanish: the Fijians because they realize that European representation is a bulwark for them against any possibility of Indian domination; and the Indian because he is not prepared, at this stage, to force the issue.

While this may be an over-simplification it does serve its purpose for consideration of the present problem of constitutional progress. I should not like even to try to guess how long this phase will last, but I think that it is desirable, and essential, if our pledge in present circumstances to the Fijians is to be kept, that equal racial representation should be maintained for an indefinite period.

#### *Official majority*

About four years ago I said in a letter to Lloyd that I considered that it would be necessary to retain the official majority for many years to come, until indeed, the Fijian could stand on his own feet (see the sixth paragraph of my personal and confidential letter of the 7th April, 1953). I made that statement, however, before I had much experience of the working of the official majority in Fiji. Since I came here in 1952 I have never used the official majority to push a measure through, and the only occasion when I might have used it to good effect, when we debated the question of local Government, I did not—after consulting the Colonial Office—call upon it.

Having regard to our division into different racial benches on the unofficial side I do not think there is any danger in the Government being defeated if the official majority were removed, always provided the Governor were invested with reserved powers, and I consider that a healthier atmosphere would be created if it went. It would really be giving away nothing, provided the unofficial majority was made less than the number of any one unofficial bench, i.e. not greater than four—though I would suggest a lesser number for some years.

#### *Nominated members*

It is suggested that these should disappear altogether. Whatever may be said about nominated members they are always regarded as Government yes-men, even though they frequently are among Government's more trenchant critics, and this taint vitiates them in the public eye. The choice of them becomes more and more difficult, and their value just as difficult to assess, and little—if anything—would be lost if the system were discontinued. It would certainly be a very popular move.

#### *European elected members*

Increase the number of elected members to five. This would necessitate a redrawing of the present divisions, but the size of the Suva European population warrants one member for the city, and a further member could be justified on a redrawing of the country divisions.



*Indian elected members*

Increase the elected members to five. This increase is fully justified by the increase in the Indian population, for it is a fact that at least two of the elected Indian members cannot cope satisfactorily with the business of their present divisions—the Southern and the North Western, where the Indian populations are now about 48,000 and 89,000 respectively.

*Fijian (native) members*

Keep the number at five, but alter the system of selection in accordance with the proposals made at the recent Council of Chiefs, which read as follows:—

The Council requests that the present basis of election for the Native Membership of Legislative Council should be amended so as to authorise the Council of Chiefs to elect five Fijians who on election shall be the Native Members of the Legislative Council.

Reporting on this resolution the Secretary for Fijian Affairs says that several members of the Council expressed their strong preference for the basis of election to be that those selected to be Native Members of the Legislative Council should invariably be the first five names on the panel submitted to the Governor. The Council debated a motion that the panel should contain not fewer than five nor more than seven names, there being much difficulty at present in naming more than five or six suitable Fijian candidates for Native Membership of Legislative Council. By an amendment to the motion the resolution set out above was carried by 31 votes to 8. If accepted the resolution will, intentionally, abolish the present principle of selection by the Governor. That principle has enabled a Fijian lower in the panel than the fifth name to be selected when a casualty has occurred among the first five during the life of a Legislative Council. The Council of Chiefs would in future have to be recalled to elect a candidate if a vacancy occurred during that time but members saw no objection to such a step and stated that a vacancy for a European or an Indian elected member of Legislative Council was filled in the same way as is now proposed for a Native Member. If the request in this resolution is granted it will be desirable to specify the qualifications that must be held by a Fijian Elected Member so as to safeguard the election, by the Council of Chiefs, of suitable persons.

At the present time it would probably be unwise to proceed in advance of these recommendations. The time will come when a more direct form of Fijian representation will be demanded and, no doubt, conceded.

*Creation of new multi-racial bench*

I recommend the creation of a new multi-racial bench of four members, one European, one Fijian, one Indian and one representative of 'other races'—chiefly Chinese and other Pacific Islanders—elected by voters on a common roll whose votes would be proportionately weighted to maintain equality of racial influence on the election, e.g., if the roll contained 1,000 Indians, 1,000 Fijians, 100 Europeans and 100 other races, the votes cast by Indians and Fijians would each count one while the votes of Europeans and other races would each count ten. These members would not be tied to divisions, but would be members-at-large.

This rather revolutionary idea does not appeal to my immediate official advisers and in place of it they suggest a fourth bench composed of two elected members of other races, culled at large, but voted for by other races only.

Their opposition is not on the principle but on the expediency of the suggestion as a matter of politics. They fear that such a proposal would engender immediate opposition from Europeans and Fijians and might, on the part of Indians, stimulate demands for reform more far-reaching than we are at present prepared to give. This, in their view, might prejudice the present object which is to introduce quietly a measure of reform which will stand for some time to come.

In their view Europeans and Fijians will look on the multi-racial bench as the thin end of the wedge driving to a common roll. If adopted, they argue that it would show up, only too clearly, the fact that a vote given for the same candidate varied in weight according to the race of the voter who cast it. This, they feel, would provide an easy mark upon which the Indians could base agitation to have one man one vote on the roll. This would be opposed by the other races who would object that a European or Fijian who was, as would be the case, largely dependent on Indian votes would tend to vote Indian and thereby upset the balance of power.

#### *Muslim representation*

Apart from the Muslims themselves there is no support for separate Muslim representation, and I do not recommend that their repeated requests should be acceded to. The Indians wish them to identify themselves as Indians, and the Indian Association has informed me that if the number of Indian elected seats were increased a working arrangement would be come to whereby one seat would be reserved to Muslim candidates. It naturally remains to be seen whether the Association would be influential enough to ensure such an arrangement.

#### *Qualifications of candidates for election*

I have no strong views on this subject and see little objection to the existing qualifications which exclude the candidature of very few.

#### *Voters*

It is considered that the time has come when European and Indian men and women should be granted universal adult franchise, subject to a literacy qualification. If a multi-racial bench were created it would be necessary to extend this, as far as a common roll were concerned, to Fijians and other races, otherwise on a communal roll basis for other races if there is to be only a two man new bench.

#### *Speaker*

Make no change, the Governor remaining President of the Council and retaining in his own hands the appointment of a Speaker.

#### *Executive council*

At present each of the three unofficial benches proposes the name of one member for consideration by the Governor and he normally recommends their selection. It is suggested that each bench should elect one member to the Executive Council, and that the Governor should retain his right to nominate one or more unofficial members—without pre-selection by anyone.

*Committee system*

I have considered whether the time has not come to experiment with the Committee system, even on a small scale related to certain Government departments only, but I have come to the conclusion that this could be left for a later stage. I imagine that any change in the constitution now would stand for at least five years, and that there would be unlikely to be strong pressure during that period for any further advance, unless some unexpected demagogue arises.

*Allowance to unofficial members*

The time has come when there should probably be some upward revision of the allowance which, at present, is relatively small. At present an Unofficial Member of Legislative Council is eligible for the following allowances:—

- (a) Consolidated allowance at the rate of £150 per annum;
- (b) Travelling allowance at the rate of £25 per annum;
- (c) Attendance allowance for attending sessions of Legislative Council or meetings of Committees of Council (including one day's travelling each way where necessary) £2. 2. 0. a day. Unofficial Members who live more than 5 miles from the Council Chamber are eligible for an additional allowance of £1. 1. 0. while in attendance for sessions of Legislative Council or meetings of Committees of Council;
- (d) Members using their own cars are eligible for mileage allowance at Government mileage rates for journeys exceeding ten miles each way.

*Name of legislature*

I suggest that the title of Legislative Council should be retained for the time being. At a later stage the name Legislative Assembly might be adopted.

*Life of legislature*

After twelve years experience as President of Colonial Legislatures I have formed the firm opinion that three years is too short a period of life. The first year is taken up by the elected members looking back over their shoulders at their election promises, the second year is one of sound application, while the third year they are apprehensively craning their necks round the corner at the next election.

I would therefore advocate a life of five years, which would give a better chance of continuity of policy.

**6 CO 1036/10, no 36****16 Jan 1957****[Constitutional development]: letter from P Rogers to Sir R Garvey on the need for gradual advance to avoid racial conflict**

As promised in Macpherson's letter of the 13th November your proposals for constitutional development in Fiji have now been submitted to Ministers and what follows regarding our views has received their approval.

Our general attitude towards the problem is this. We all entirely agree with you that we should seek to keep the initiative in our hands and guide developments in the

way we think most suitable. Clearly that means that we must not wait until the pressure for constitutional change has been built up in a way which means that we are always behind with our reactions. On the other hand we do not feel it desirable to stimulate constitutional change purely for its own sake, for the possibilities of racial conflict in Fiji are obviously such that we should look to a gradual advance to find a solution for them, rather than possibly exacerbate them by being two steps, instead of the desirable one step, in advance of local opinion. All this is trite enough but what it boils down to is that before stimulating a demand by any form of public announcement, we would like you to confine your exploration of proposals in the first stage to personal and confidential consultation with your closest official and unofficial advisers. We should be grateful if you would let us know the outcome before anything is said publicly.

To turn now to the general policy, there is I think broad agreement between us here. We envisage it being necessary to maintain a parity of representation in the legislative Council between the three main races for a considerable time to come. We also agree that we should look to a time when elections will be on a common roll, rather than by communal electorates, and we agree with your view that, despite the doubts of your official advisors, we should at the next stage of constitutional advance in Fiji take an experimental step in that direction, though we have a slightly different view about the manner of taking it as is explained below.

I turn now to the main details of any change which might be made in the light of the above. The comments follow the specific proposals made in the memorandum<sup>1</sup> in your letter:—

(a) *Official majority*

I fear we differ from you in your view that the official majority should no longer be retained. You are, if I may say so, clearly right in thinking that in a Colony at the present stage of development of Fiji, the official majority might normally be expected to go. Our reasons for thinking that it should be retained are rather different from the usual ones, however. It is not that we fear that the result would be a possible failure on occasion to carry through important Government measures, for we recognise and accept the force of what you say on this aspect. Our objection is a different one and services from experience elsewhere in this field which on the face of it seems to be applicable to Fiji. That experience, for example in East Africa, suggests very strangely that the more elimination of the official majority may have an unsettling effect on racial groups within a Legislative Council and exacerbate the racial differences between them. Without the official majority there is inevitably a greater competition for power between the unofficial groups and since Government measures must perforce tend from time to time to be passed with the votes of one particular group, there are inevitably accusations that Government is adopting a policy of "divide and rule" with all the increase in racial bitterness to which that gives rise. In such a situation the use of the reserve powers by the Government is no adequate substitute. We recognise that this position has not yet been reached in Fiji: our point is that the abolition of the official majority is likely to give rise to it and we consider therefore that the official majority should be retained at the next stage.

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<sup>1</sup> See enclosure to 5.

(b) *Nominated members*

Again we recognise the force of your criticism about their role at the recent stage in Fiji, but looking further ahead and bearing in mind experience elsewhere, for example, even at the present advanced constitutional stage in the West Indies, we still think that the nominated members have an important role to play. Even in advanced constitutions they are frequently most useful, not in the role for which they were originally created but as advisers to the elected politicians themselves. This does not always work and clearly depends on personalities, but examples of the usefulness of nominated members in this role are sufficiently numerous to make us most reluctant to see them disappear at the present constitutional stage of which we are thinking in Fiji.

(c) *Elected members*

In the light of this we would prefer the number of elected members to be increased only on the basis of an experiment in a common roll on the general lines you suggest in what you say about a multi-racial bench. With very much the same end in view, we would ourselves prefer a slightly different arrangement as follows:—

- (i) We would, as explained above, propose to retain the three elected European and Indian members elected by the present communal electorates, with two nominated members for each.
- (ii) We would also suggest an additional elected member for each group, and for the Fijians (but not, for reasons explained in the later section of this letter for the 'other races'), elected on a common roll, to be balanced by an equivalent increase in the official members to retain the official majority, though we recognise that it may be difficult to find enough officials of suitable seniority to add to the Council, and that there are objections to tying them up in Council deliberations.
- (iii) We do not care for the system of weighting votes which you propose, largely because they would highlight the disparity in size of the electorates and lead to probably irresistible pressure for a, possibly gradual, whittling down of the relative weighting. We would prefer instead to try out an experiment rather on the lines proposed for Tanganyika with a relatively high electoral qualification.

I enclose a table setting out the proposed qualifications for electors and candidates in East African territories.<sup>2</sup> Tanganyika intend to go in for three-member constituencies in which one African, one Asian and one European will jointly represent the common interest of their constituency and in which each voter must record one vote for each of the three seats. The qualifications for vote are relatively high, so reducing to some extent the disparity in size of each racial section of the electorate. In order to ensure that a candidate has backing from his own race, and is not merely a stooge for another, he must be nominated by not less than 25 registered voters of whom not less than 15 must be the candidate's own race. We would like you to consider the possibility of adapting this idea to circumstances of Fiji with either a Colony-wide constituency or one more restricted constituency in the first instance. European and Indian candidates being nominated for election

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<sup>2</sup> Not printed.

on the Tanganyika model and Fijian candidates nominated for election by the Council of Chiefs. Alternatively you might possibly prefer, instead of having two different systems of election, to have all the present elected members and three Fijians elected on a common roll in this way with no increase in the total number of elected members or corresponding increase of the official side. The arguments in favour of such a step, if it were successful, are obvious. As against that you may feel that it is making too big an experiment initially and that it might not be acceptable locally. Moreover, there would be difficulty this way in laying down sufficiently high qualifications for the vote, something which may well be decisive in the success or otherwise of the experiment, since it would hardly be possible to disenfranchise existing voters. However, the possibility is something which you may care to think on.

(d) *Muslim representation and other races*

We would on the whole prefer to see the other races represented by nominations, at this stage, until there is experience of how the admitted experiment of a common roll would work for the others. Furthermore, we think that the Muslim should, if necessary, be represented by nomination rather than by the working arrangement referred to in paragraph 15 of your memorandum, by which one seat would be unofficially reserved for a Muslim representative. Despite the good intentions of the Indian Association there is always the risk that an independent Hindu might put his name forward as a candidate and be elected by the predominant Hindu Electorate. To reserve an Indian elected seat for a Muslim whether on a communal or a common roll would be contrary to our main aim of minimising racial and religious differences. In particular we do not think that Muslims could be included with the other races if it is decided to extend elections on a common roll to them, since on the basis of your own numerical proposal at any rate the others would be disenfranchised if a Muslim were elected and vice versa. The resolutions of the Muslim Conference forwarded with your despatch No. 551 show that the Muslims, or at any rate the more vocal who speak for them, would wish to remain separate from the Hindus. On balance we think, therefore, that the continued nomination of a Muslim member if a Muslim is not elected to one of the Indian seats would, despite Muslim objection to this course, be the best way out.

(e) *Fijian representation*

Your proposals for the selection of the Fijian (Native) members amount broadly to a public acceptance of the present position and we agree with them, subject to what is said above about the election of one Fijian on the common roll.

We accept your views on all the other points raised in your memorandum regarding the Speaker, the Executive Council, allowances to unofficial members and a period of five rather than three years for the life of the Legislature. In particular we think that it would be premature to adopt a Committee system at the next stage until there is experience of the outcome of the system of the common roll election.

In some ways these suggestions do not provide as big a change as your own proposals, but they do provide, in common with your own, a very important step toward a common roll and the basis for growth of a consciousness of Fijian citizenship, overriding differences of race and religion. In this field we think it

necessary to walk warily if we are not to heighten differences rather than minimise them and present conditions in Fiji suggest that there is still time to do so.

We should be grateful for your views on all this after whatever consultations you see fit to have in the light of what is said in the first part of this letter.

## **7** CO 1036/307, no 32

24 June 1959

### **[Constitutional models]: letter from Sir K Maddocks to P Rogers on the possibility of adapting the Tanganyika electoral system to Fiji's circumstances**

In your letter of the 16th January, 1957,<sup>1</sup> to Garvey about constitutional development in Fiji, you said that you would like consideration to be given to the possibility of adapting the Tanganyika electoral system<sup>2</sup> to the circumstances of Fiji. The suggestion was that we might have at any rate some elected members of each racial group elected on a common roll. We discussed the subject generally when I was in London and I expressed the fear then that this procedure would be likely to result in the election of the wrong type of European as the Indians would inevitably vote for the candidate who promised them the most support. It seems that my fears have been borne out by the results of the Tanganyika elections, where the nationalist party was returned with a thumping majority. In the circumstances of Tanganyika, which is clearly moving fairly rapidly towards self-government, this may have been no bad thing but I should be interested to learn whether the experiment is considered a success, and whether you still think that something along these lines could be of value here. Any form of common roll would certainly be bitterly opposed by the most influential sections of the European and Fijian communities, and I should like to know more about the effectiveness of the Tanganyika system before I go further into the possibilities here.

Another matter about which I should be grateful for information is whether in any of our Colonial territories there is, or has been, an unofficial majority in the Legislative Council and at the same time an official majority in the Executive Council; and if so, whether this arrangement was found workable. You will remember that Garvey was strongly in favour of having a small unofficial majority in our Legislative Council and my official advisers still feel that there would be much advantage in this. No-one, however, has suggested that we should have an unofficial majority in Executive Council at this stage, and I have considerable doubts whether it would be satisfactory to give the Legislative Council power without responsibility. But it may be that other territories have tried this experiment and it would be helpful to me to know whether or not it was successful.

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<sup>1</sup> See 6.

<sup>2</sup> The Tanganyika system provided for 30 unofficial members in the Legislative Council—10 each for the Africans, Asians and Europeans. In 27 of the constituencies members were elected by communal voting but in one constituency, 3 members were elected on a common roll with seats reserved, one for each ethnic group.

I have not yet got down to considering any detailed proposals for constitutional reform, but I should like to collect all relevant information as soon as possible.

## **8** CO 1036/307, no 34

14 Aug 1959

[Constitutional development]: letter (reply) from P Rogers to Sir K Maddocks explaining why in Fiji's case giving non-officials experience of administrative responsibility is a greater priority than the extension of electoral representation. *Enclosure*: 'Note on Tanganyika elections'

I am sorry not to have replied earlier to your letter of the 24th June about constitutional development in Fiji.<sup>1</sup> Although the factual answers to your questions are not in themselves difficult to provide, the interpretation of them in Fiji conditions and the best course to adopt is not easy and has given us much food for thought.

2. I enclose a copy of a note on the Tanganyika elections, which was prepared for use in the Office just after the first round of elections, and you will see that it confirms your fears that the Tanganyika African Nationalist Union (TANU)<sup>2</sup> African votes decisively influenced the election for European and Asian seats.

3. I think we must agree that in any common roll system where there is a great disparity in the voting strength of different communities, a majority community will inevitably have a decisive influence on the election of minority representatives, unless his franchise qualification was made very high indeed. In Fiji there might not be much difference between the numbers of Indian and Fijian voters but the European voters would probably be many less. A European candidate could not therefore hope to be successful only on winning a majority of the European votes and the Indian and Fijian votes would carry the day. It might happen that European votes could just tip the scale in favour of one of two European candidates—one supported by Indians and the other by Fijians—if the voting strength of these two races were nearly the same. The short answer is I think that under the Tanganyika system there is no guarantee whatsoever that a minority community would be in a position to return a candidate of their own choice, though it does of course ensure representation of members of all races.

4. The crux of the matter is whether representation is to be on a racial or a party basis. If the intention is that the Fijians, Indians and Europeans should have the opportunity to return candidates acceptable to the majority of their respective *racés*, thereby perpetuating communal divisions, then the Tanganyika system does not appear to be the solution.

5. If, however, some form of party system is to be built up, then the Tanganyika system is more likely to encourage this than a communal system of voting. In this case, however, although the Indians and Fijians, if reasonably well organised, may be

<sup>1</sup> See 7.

<sup>2</sup> Tanganyika was divided for electoral purposes into 10 constituencies. Elections in five were held in Sept 1958, and for the others in Feb 1959.



able to return candidates reflecting their first choices, the successful European will most likely be the candidate who has the support of the Indian or Fijian voters and not necessarily that of the European voters.

6. Your second request was for information about territories with an unofficial majority in Legislative Council and an official majority in Executive Council. This is the case in Aden Colony, Gibraltar, Tanganyika and Uganda. The Gold Coast, Nigeria, Northern Rhodesia, Gambia and Singapore went through this stage. In the light of experience generally we do not think such a system is likely to prove healthy, and if we were starting all over again (or afresh, as we have the chance to do in Fiji) I think we should take a different course. The method in question has tended to produce frustration and to strengthen premature unofficial demands for greater executive representation and authority. It would be necessary to give the Governor reserve legislative powers and the very existence of these might add to the feeling of frustration. My views on this question have already been given in detail in my letters of 6th January, 1957, 4th June, 1957, and 30th September, 1957, and our collective advice is that it would be most undesirable to introduce an unofficial majority in Legislative Council without at the same time associating unofficials with the work of some departments, i.e. a quasi-ministerial system.

7. Our own views now tend tentatively in the following direction. Very difficult problems beset any attempt at present to extend elected representation on other than a racial basis, and we would not be in favour of any large extension on such a racial basis. We think the important thing is to keep the way open for the development of non-racialism in Fiji politics and not to take any avoidable action which involves establishing or confirming institutional forms embodying the racial division. We should, on the contrary, seek constantly to edge the community in the way of non-racial attitudes and behaviour, political and social, and to afford it time to develop and adopt such attitudes and behaviour. On our reading of the situation extension of elected representation is not the really important thing for most of those who urge constitutional advance; the difficulties and implications of this in Fiji must be apparent. What is really wanted is the chance for unofficial representatives to have an effective say in administration and the opportunity of responsibility. This cannot be given by establishing an unofficial majority in the Legislative Council alone: it would be more valuable and acceptable that unofficial members be associated with the work of some of the departments of Government.

8. Our present feeling is, therefore, that when the time comes for a move forward in Fiji in the constitutional sphere it would probably be wiser to take the step of adopting a Ministerial or quasi-Ministerial system without necessarily establishing an unofficial majority in the Legislative Council (or the Executive Council) and without making any immediate change in the electoral boundaries. In referring to the absence of an unofficial majority in the Legislative Council, I should qualify that by saying that we would not see objection to a move by which the Unofficials as a whole were in the majority provided that there was also a Government majority, i.e. the Unofficial Members who were Ministers or quasi-Ministers would, together with the Official Members of the Council form a majority of it. If this were done it might be possible later in a few years time to experiment with a three-member constituency for say, Suva, with elections on a common roll.

9. These thoughts differ somewhat from those which we have put forward in earlier correspondence. It is not that our essential standpoint has been changed. This

still is that we do not wish to hasten the pace of constitutional change in Fiji for its own sake, but we certainly on the other hand do not wish to lag behind events and delay change until local feeling turns sour. In other words we want to keep one pace, but not two paces, in front of real local political feeling and we certainly want to avoid widespread feelings of frustration. We have, however, come to the view, based largely I admit, on experience elsewhere but related, I hope, to the circumstances of Fiji, that when the time comes for a move it would be better to make that move through the association of Unofficials with the processes of Government by the introduction of a quasi-Ministerial system rather than through the creation of an Unofficial majority in the Legislative Council.

10. We remain, as you will remember from your discussion in London, anxious to keep the initiative in this matter and we still feel that it is essential to keep the political temperature in Fiji as low as possible and to work out any constitutional changes most carefully before they are made public.

11. Apart from having given you our own tentative views—we felt to do less would be cowardly!—the only suggestion we can make is that you should, as you say, collect all relevant information and then if you consider some changes are necessary, set out your proposals in detail and see what they look like then. You might, as we have suggested, begin with Executive Council and examine how unofficials could be associated with the work of some of the departments. In so doing it would be most desirable not to produce portfolios on a racial basis though “Fijian affairs” is obviously a difficulty here. You might then consider what changes are required in Legislative Council and if you decide on an unofficial majority, whether this could be achieved by merely reducing the number of officials, rather than increasing the number of unofficials. The decision here will depend on the number of unofficials required to support a ministerial system e.g. 15 may be adequate if you only have 3 unofficial ministers but may not be enough if you have 6 or more. If you consider the number of unofficial members of Legislative Council should be increased, this could be done either by increasing the present number of European and Indian constituencies by one each and appointing an additional Fijian, or by experimenting with a three-member constituency in, say, Suva.

12. In the absence of political parties, the objective might be to encourage elected members of Legislative Council to regard themselves as representing the interests of the country as a whole and not any particular party or race and to try and establish a form of responsible coalition government and not a party or racial government.

13. These are only suggestions and it is for you and your advisers to work out what, if any, changes should be made, but we should of course like to be kept informed of your plans, and suggest they be cleared with us before any public discussion is invited.

## Enclosure to 8

Although the level of qualifications for the vote has been set fairly high in Tanganyika compared with other East African territories this has not prevented the emergence of a majority of African voters in all constituencies compared with European and Asians separately; in some constituencies the Europeans and Asians combined might number more than the Africans if all those eligible registered and

voted. This situation, combined with the compulsory cross-voting system, would appear to have produced the following effects in the recent elections:—

- (a) in contested seats organised African votes (i.e. T.A.N.U.) decisively influenced the elections for European and Asian seats;
- (b) support was given to the successful Asian and European candidates not so much on account of their individual merits but because of opposition to the U.T.P. candidates;
- (c) the European candidates for the Northern Southern Highlands and Tanga constituencies are not really representative of their respective communities; but the Asian candidates are more representative of theirs;
- (d) while the compulsory cross-vote did not in the event discourage Africans from voting, it may well have affected the size of the European vote since many of the latter, particularly in the Northern Province, may not have been prepared to vote for an African or an Asian.

2. In a note on the elections, Mr. Fletcher-Cooke<sup>3</sup> has taken the view that two important points emerged:—

- (a) that T.A.N.U. as an African nationalist movement is the only really strong political force to be reckoned with in Tanganyika;
- (b) that the steps which T.A.N.U. took to secure the registration of its supporters, to ensure that they knew how to vote properly and did in fact vote, clearly indicated the strength, efficiency and discipline of T.A.N.U. as a rapidly developing political machine.

Comment on this is that T.A.N.U.'s task in influencing and organising their supporters may have been simplified by the decision to hold elections in two parts and by the small number of voters involved. Elections in all constituencies at once and a lower level of qualifications producing a larger number of voters might throw a strain on the party organisation which it was unable to bear. This factor might be of importance if another party emerged in Tanganyika.

3. With regard to the future, the question has been posed whether the system of the common roll with reserved seats should be retained. Assuming for the moment that there is no serious political deterioration in the territory, there is probably a good deal to be said for making as few changes as possible in the present representational arrangements. In particular, there is much to be said for keeping the franchise fairly simple; it does not seem likely that the complicated systems which have been found suitable elsewhere would produce any appreciable benefit in Tanganyika so far as the representation of minorities is concerned and, with the representative side of the Legislative Council almost entirely elected, any proposals for a revision of the franchise which did not aim at a liberalisation of the existing provisions would certainly meet with strong opposition.

4. The Tanganyika Government is committed to remit the question of the continuation of the parity system to the Post Elections Committee and there seems little doubt that the end of the present equality of representation is in sight. An alternative which would still preserve a certain measure of Asian and European elected representation would be for Government to create a number of purely African

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<sup>3</sup> J Fletcher-Cooke, chief secretary, Tanganyika, 1959.

single seat constituencies in areas where there is a very small or non-existent non-African population, but to continue with tripartite representation and voting in areas where there are relatively substantial European and Asian populations. This idea was favoured by Lord Twining, and Sir Richard Turnbull,<sup>4</sup> as indicated in discussion that he is thinking along similar lines himself. It would, of course, entail an increase in African representation in the Legislative Council at the expense of the Asians and Europeans.

5. On the question whether the representation of these minority interests should be secured by nomination, it would seem better if at all possible for minority representatives to be elected. In that event they are more or less equal in status with the other elected representative members of the Council and not so open to the charge of being Government stooges. Under the present system of compulsory cross-voting, however, there is the disadvantage that the Asians and Europeans elected will almost certainly not be the persons who would be the first choice of the majority of their respective races; indeed there is the risk that, notwithstanding the requirement that candidates must have the support of 15 members of their own race when nominated, undesirable characters will be put up by T.A.N.U. with the object of keeping more representative candidates out. On the other hand, although the present system may produce T.A.N.U. sympathisers it would seem that provided they are reasonable people there is thus some measure of homogeneity on the representative side of the Council, and, in the absence of any outstanding Europeans or Asians who are likely to be kept out of the Council by the system, it may well be that no great harm is being done and that in fact some good may result.

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<sup>4</sup> Twining and Turnbull were governors of Tanganyika, 1949–1958 and 1958–1961, respectively.

## 9 CO 1936/811, no 52

21 Apr 1960

### [Constitutional reform and economic development]: CO note of a meeting between A R Thomas and R W Robson

Mr. R.W. Robson, a newspaper proprietor in the Pacific who publishes among other things ‘The Fiji Times and Herald’ (the main Fiji newspaper) and ‘The Pacific Islands Monthly’, called on the 21st April to see Mr. A.R. Thomas.<sup>1</sup> Mr. Abbott was also present.

2. After giving a brief outline of the basic problems in Fiji as he saw them—very much on the lines described in the Burns Commission Report<sup>2</sup>—and adding that he had been urging for twenty years or more that something should be done about them, Mr. Robson went on to express wholehearted support for the Burns

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<sup>1</sup> Robson was the highly influential publisher of Fiji’s only daily, *The Fiji Times*, and a conservative commentator on local and regional issues through his *Pacific Islands Monthly*.

<sup>2</sup> The Burns Commission, chaired by Sir Alan Burns, former governor of the Gold Coast (Ghana), to inquire into the natural resources and population trends of Fiji, made sweeping recommendations for change and reform in the administrative structures of Fijian society, for the promotion of greater individualism and personal freedom among Fijians, the introduction of multi-racial local government, and the gradual erosion of a separate system of Fijian administration (*Report of the Commission of Enquiry into the Natural Resources and Population Trends of the Colony of Fiji, 1959*, Fiji Legislative Council Paper No 1, 1960).

Commission's recommendations. In his view it was essential that the recommendations should be adopted in full, and that there should be no question of the Fijians opting out of recommendations which they did not like. He undertook to lend what influence he could in full support of the Report through his newspapers.

3. If he had one criticism of the Report it was that the Burns Commission, when dealing with constitutional matters, had omitted to give any lead about advance in the future towards self-government. He felt it would be a good thing if Government were to supplement the Commission's recommendations by making an official statement to the effect that although circumstances were not at present propitious for any constitutional changes apart from those recommended by the Burns Commission, the eventual aim, as in the case of other dependent territories, should be one of self-government for Fiji; and urging all races to work in harmony towards that end.

4. Mr. Robson expressed himself to be against a common roll, at least at this stage, and thought that representation should be on a communal basis. Mr. Thomas mentioned that in certain cases where representation on a communal basis had been tried elsewhere it had not worked out entirely satisfactorily and was being dropped in favour of a common roll; and he pointed out that the communal system was inclined to develop racial, rather than nationalistic, sentiment. Mr. Robson agreed that this was a disadvantage, but felt that the disadvantages of a common roll would be greater, at least until such time as it had become possible to develop greater unity among the races in Fiji.

5. In answer to a question from Mr. Thomas, Mr. Robson said that at present there was no sign of overt hostility between the races, but he warned that bad feeling could develop. The Fijians and the Indians did not merge socially; each held the other in a certain amount of contempt; and he had heard responsible Fijians say that if the Indian population continued to increase at the present rate an open clash would be inevitable.

6. In answer to a further question from Mr. Thomas, Mr. Robson said he fully supported the recommendation in the Burns Report that firms and organizations operating in Fiji should employ local personnel to a greater degree.

7. Mr. Robson said that he regarded the proposal to appoint a Development Commissioner as the Chairman of a Natural Resources Council, as one of the most important of the Burns Commission's recommendations. He could not over-stress in his view the importance of encouraging the Australian corporations with large interests in Fiji to increase their investment there, and he felt that the right man in the post of Development Commissioner could do invaluable work in that direction by co-ordinating development, by showing that Government was really tackling the problem, and by gaining the confidence of the business community. He felt it was essential that the person appointed as Development Commissioner should have a sound knowledge of Fiji and its particular racial problems, and he had himself given a lot of thought to the question of finding a suitable man. He had at first felt that Grainger Johnson, Managing Director of W. R. Carpenters, would be the man for the job; but on second thoughts decided that Johnson would be too closely under the thumb of Carpenters' interests and in any case he had heard that Johnson had decided to sell out his interests in Fiji following the December riots. In a conversation which Mr. Robson had recently had with Sir Ronald Garvey, the latter had suggested Mr. Sykes who had previously served in Fiji and was at present

Colonial Secretary, Bermuda, for the post of Development Commissioner, and Mr. Robson, who had recently visited Mr. Sykes in Bermuda, was most enthusiastic about this idea.

8. Mr. Thomas thanked Mr. Robson for his interesting views and suggestions, and for his offer to help through his newspapers in advocating acceptance of the Burns Commission Report. Mr. Thomas went on to explain, however, that at present the question of implementing the proposals in the Report was one for the Government of Fiji, who were actively considering the matter, and that the Secretary of State could not take action on any of the proposals until he had received the views and recommendations of the Governor of Fiji. Mr. Robson said that he fully understood that that was the position; that he had already written privately to the Governor; and that he hoped to be seeing the Governor in Suva in the latter part of May.

9. Finally, Mr. Robson drew attention to the other Western Pacific territories, i.e. the New Hebrides, the British Solomon Islands and the Gilbert and Ellice Islands, where, he said, 'nothing was being done and the people were starving'. He urged that consideration should be given to the possibility of getting Sir Alan Burns to do a similar job for those territories as the one he had recently done for Fiji. Mr. Robson added that in his view the best course would be to transfer our interests in the New Hebrides and the B.S.I.P. lock, stock and barrel, to the Australians, and to join the G.E.I.C. with the Fijian Administration.

## **10** CO 1036/865, no 12 7 Sept 1960 **[Development plan]: despatch from Lord Perth to Sir K Maddocks<sup>1</sup>**

I have the honour to refer to your despatch No. 448 of the 30th June forwarding for my consideration and approval a Draft Development Plan for the period 1961–70, based on the recommendations in the Report of the Burns Commission but containing also provision for other capital works which the Fiji Government considers it essential to undertake within the period.

2. The Draft Development Plan is being considered by my Advisers and I will inform you of their observations in due course. In the meantime, I note that your despatch does not directly discuss the technical merits, or political social or economic advantages of individual projects within the Plan, and I will confine my remarks in this despatch solely to the question of the provision of finance of the order of magnitude needed for the implementation of the Plan as a whole.

3. I would say at the outset that I am not in a position to undertake to provide any specific sums of money from United Kingdom funds beyond the period covered by the Colonial Development and Welfare Act, 1959, that is to say, the period ending on the 31st March, 1964. The Fiji Government can however undoubtedly count on sympathetic consideration by her majesty's Government of her needs for financial assistance towards the continuing development of the Colony after that date.

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<sup>1</sup> The Fiji government's ambitious and far-reaching development plan followed the Burns Commission's recommendations for rapid agricultural development of the colony and for a speedy upgrading of the public infrastructure such as expanding telecommunications, building bridges and wharves and improving rural transportation.

4. In the period up to the 31st March, 1964 (taking into account one-quarter of the sum estimated for 1964) the Draft Development Plan provides for capital expenditure of a little over £F10.1 million. This assumes a yearly rate of expenditure on capital development considerably in excess of what it has been possible to achieve so far. However, it is prepared that more than half the capital expenditure envisaged in the ten year plan should take place in the first three years. As you recognise in paragraph 10 of your despatch, such a pattern raises considerable doubts both as to the territory's capacity to achieve such a target and as to the wisdom of attempting to crowd so much into the first few years with the consequent danger of under-employment in the years to follow.

5. You will recognise that the calls on the funds available under the Colonial Development and Welfare Act are many and heavy, and I could not see my way to allocating to Fiji more than the territory could reasonably be expected to spend within the period concerned. With the above considerations in mind, and having regard to the levels of capital expenditure achieved in recent years, as set out in paragraph 3 to Appendix A to your despatch, I consider it reasonable to assume an average annual expenditure on capital development of £F2.5 million a year, totalling approximately £F8 million in the period up to the 31st March, 1964.

6. The estimated receipts set out at Table IX of the Draft Development Plan, when adjusted to cover the period up to the 31st March, 1964, appear to be as follows:—

	<i>SF million</i>
C.D.C. Finance	.280
Local loans for Agricultural and Industrial Loans Boards	.425
Local loans for other capital projects	1.080
Telecommunications loan	.325
Loan repayments	.130
Existing C.D.W. allocations	<u>.815</u>
<b><u>TOTAL:</u></b>	<b><u>3.055</u></b>

Assuming total expenditures of £F8 million, there is a gap of approximately £F5 million, and, subject to other resources not becoming available and to the qualification in paragraph 10 below I am prepared to undertake that Her Majesty's Government will ensure that the latter amount is made available from the Colonial Development and Welfare vote and external borrowing at then by way of Exchequer Loans, or otherwise.

7. I note that, as recommended by the Burns Commission, you have sought assistance from the United Kingdom in the form of grants only. From a persusal of the various projects set out in the Plan, however, many do not appear likely to qualify for grants under Colonial Development and Welfare Scheme and some, such as the renewal of the Suva wharf, in which reference is made in paragraph 8 below, do not appear to qualify for assistance under Section 1 of the Act at all. On the face of it, and subject to examination of detailed schemes, the element which can be regarded as 'C.D.W.-worthy' appears to total roughly £F4 million in the period up to the 31st March, 1964 (this includes items of recurrent as well as capital expenditure but excludes items that would be more suitably financed by loan). Bearing in mind that estimated expenditure of approximately £F0.8 million is already covered by provision from existing Colonial Development and Welfare grants, there remains a balance of

about £F3.2 million towards which a further Colonial Development and Welfare grant allocation might be made. That figure will itself require some further reduction, however, to allow for the deferment of sums of the expenditure planned in the first few years, as envisaged in paragraph 5 above, and to take account of the fact that it is not the normal practice to meet by means of Colonial Development and Welfare grants more than 90 per cent of the expenditure on any particular scheme. I should be grateful to receive your comments on these figures in due course and to have your own assessment of the amount of grant assistance needed so that the amount of the supplementary Colonial Development and Welfare allocation can be determined.

8. As mentioned above in assessing the likely 'C.D.W.-worthy' projects, no account has been taken of the Suva Wharf Scheme (which is a very large item on the Plan) since although you have indicated that the scheme will not be capable of bearing full loan charges, it is, I understand, largely a replacement project and, as such, ineligible for Colonial Development and Welfare assistance. It is conceivable, however, that the scheme will contain some improvement element which will enable it to be financed in part from Colonial Development and Welfare funds, and in that event I should be glad to receive in due course your assessment of what the improvement element might be.

9. As regards the balance of the proposed assistance of £F5 million, you will be aware that I presently announced in Parliament that it is Her Majesty's Government's intention to assist Colonial Governments in meeting the expenses of employing overseas staff, and the relief which this should afford to the Fiji budget should enable the Fiji Government to service additional loans over and above those at present contemplated in the Draft Development Plan. I hope that examination will show that it will be possible in that way for Fiji to finance by loans the difference between the amount which can be made available from the Colonial Development and Welfare Vote and the external finance of £F5 million referred to in paragraph 6 above.

10. Finally, it is clear from the Burns Report that expenditure under the Draft Development Plan will not in itself be sufficient to ensure the necessary expansion of the Colony's economy. The Commission expressed the view that unless their major recommendations were viewed as inter-dependent parts of an integrated plan the development of the Colony's economy as a whole would not be possible and the money which the Commission had proposed should be spent on development will largely be wasted. Before finally committing Her Majesty's Government to the provision of assistance of the substantial order envisaged, I should wish, therefore, to be assured that it is intended to implement those recommendations of the Burns Report, including the proposals for land reform, which the Commission considered essential to the development of the Colony's economy. With that qualification, I see no objection to your informing the Legislative Council that Her Majesty's Government will be prepared, subject to more detailed examination of individual projects in the usual way, to ensure that there is available to Fiji in the period up to the 31st March, 1964, external finance of up to £F5 million in the form of grants and loans and that Fiji can count on her needs for further assistance after that date being sympathetically considered by Her Majesty's Government.



**11** CO 1036/612, no 6

20 Sept 1960

**'Brief on constitutional reform': Fiji government note sent by P D Macdonald to A R Thomas in preparation for Mr Amery's visit<sup>1</sup>**

At the time of the general elections last year, the feeling in Fiji, except amongst a limited number of Indian politicians, and a few militant trade unionists, was that no major change in the constitution was yet wanted, and the Burns Commission in its report stated, 'we do not consider that any change in the general constitutional position is desired by more than a small minority of the population'. Since then, the greatly increased politics-industrial activity in the Colony, and the recent unrest and disturbances in the sugar industry, have clearly indicated that a more advanced form of Government is overdue. There are indications that politico-industrial unrest will continue unless local politicians are given greater responsibility and unless they are more closely associated with, and can be brought to appreciate the workings of, the administrative machine.

2. The present constitution provides for a Legislative Council, presided over by a Speaker, and consisting of 16 official members (of whom the Colonial Secretary, Attorney-General and Financial Secretary are *ex officio* members), and 15 unofficial members, of whom 5 are Europeans, 5 Indians and 5 Fijians. Both the European and Indian representation is made up of 3 elected members and 2 nominated members. The 5 Fijian members are elected by the Council of Chiefs.

With regard to the franchise, European electors are required to be sons of parents of European descent, British subjects, aged over 21 years and in receipt of an income of £75 per annum, or owning property of an annual value of not less than £20. Similar qualifications are required of Indian electors, except that they must be of Indian descent, and in receipt of an annual income of £75, or owning property of an annual value of not less than £5 a year, and they must be able to read and write either English or one of six specified Indian languages.

3. As indicated above, the desire for change comes almost exclusively from a small section of the Indian community, (generally speaking, the intelligensia), and militant trade unionists, mostly of the same race. The Fijian fears any advance lest it might lead to domination by the Indians. The vast majority of Europeans are also strongly opposed to change; although there are a few who now realise, and openly acknowledge, that change must come, it is significant that many intelligent Europeans refuse to face up to this fact.

4. Two solutions have been put forward at the official level. Mr. Weston, the Assistant Colonial Secretary, who has spent some 18 years in Fiji, believes that the opportunity should now be taken to introduce a constitution which recognises the direction in which politics in Fiji should develop, i.e. towards a multi-racial society. He feels that this should be done by introducing a few common roll constituencies on the Tanganyika model,<sup>2</sup> though he would retain elected representation on a racial basis in most areas. He recognises that the Fijians are strongly opposed to any move in the direction of a common roll but proposes that this opposition should be

<sup>1</sup> Amery visited Fiji between 13 and 28 Oct 1960 as part of a familiarisation tour of the UK's Pacific territories which began on 12 Sept.

<sup>2</sup> See 8.

placated by providing that 5 Fijians should be especially chosen by the Council of Chiefs for membership of the legislature, in addition to the present 5 Fijian members who are elected by the Council of Chiefs (it is now proposed that of the latter five, only two should be nominated by the Council of Chiefs, and that three should be properly elected). The effect of this proposal would be that the Fijians would have twice as many members as the Indians, although their population is already less, and becoming increasingly so. It is, of course, essential to protect Fijian interests, but this solution would inevitably lead to great difficulties later on, since, if Fijian representation were weighted in this way, it would be exceedingly difficult to reduce it later, and, in any case, it could hardly be regarded as a permanent feature of the constitution. Whilst such a solution might be acceptable to European public opinion now, it seems very dubious if it would be acceptable to Indian public opinion.

5. Mr. Weston would also like to see the present official majority changed into a large unofficial majority and official membership reduced to five. He believes that the reason for the present dissatisfaction with the present constitution is that the legislature has too many officials, too many Europeans, and an official majority. He further believes:—

(a) that the interests of the Fijians must remain paramount and that their paramountcy must be recognised, not merely cursorily, but effectively in the Legislature; and,

(b) that parity of European elected representation in the Legislature with that of Fijians and Indians should cease forthwith and that the number of Europeans therein from whatever source should be very substantially reduced.

6. As regards (a) above, he points out that the Deed of Cession is acknowledged as conferring a moral obligation to ensure that Fijian rights are protected, that the Fijians are the indigenous race, that they legally own 80% of the land, that they form an integrated race with deep roots in the country, and that they have been consistently loyal to the Crown.

7. The view of Mr. P.D. Macdonald, the Colonial Secretary, with which the Governor is in general agreement, is that, in the present political atmosphere, it would be impossible to gain acceptance by the Fijians or Europeans of the principle of the common roll (particularly in view of what has happened in Tanganyika), and that, whilst a multi-racial society must always be the aim, it is regrettably unavoidable to continue electing members from separate communal rolls, for the present. They consider that the official majority should be abolished forthwith, but that, until the stage of full ministerial responsibility is reached, there should be an appreciable unofficial majority, but that the elected majority should be a small one (with appropriate checks and balances in the constitution), and that for the life of the next Legislature, it will be necessary to maintain European parity of representation, both in order to protect the Fijian, and in order to ensure that the confidence of European businessmen and investors in Fiji, now already shaken, does not result in a flight of capital and the cessation of investment. The kind of constitution which they have in mind is on the following lines:—

(i) *Legislative Council:*

5 European elected members

5 Fijian elected members (or 3 elected and 2 nominated by the Council of Chiefs)

5 Indian elected members

3 Nominated members

11 Official members;

(ii) *Executive Council*: A 'member' system to be introduced. The Council to consist of 4 officials and 4 unofficials (the 'members'), the 'members' being elected by the whole body of the unofficial members of Legislative Council, and not by the racial benches, as at present. It would be provided that 1 European, 1 Fijian and 1 Indian should be elected but the fourth person might be of any race. Each member would have supervisory (but not executive) responsibility for a group of Departments;

(iii) *Franchise*: This has not yet been fully considered, but it is understood that the existing property franchise is, owing to the fall in the value of money, so liberal that comparatively few are excluded from voting. There might, therefore, be little objection to universal free adult franchise. They feel strongly that the time has now come for women to be given the vote.

8. These proposals have not yet been discussed other than between the Colonial Secretary, the Assistant Colonial Secretary and the Governor, but the matter will certainly be raised by the Indian Association, and possibly other bodies, during the visit of Mr. Amery.

**12** CO 1036/800, no 1

4 Nov 1960

[Racial balance in the civil service]: letter from Sir K Maddocks to  
H P Hall

[The preservation of a racial balance in the civil service between Fijians and Indians, always a sensitive issue, gained particular salience and urgency when talks about possible constitutional reform began. Both the CO and the Fiji government were concerned that unless appropriate measures were taken there would be an 'Indianisation' of the civil service because Fijians were fewer in number and under-prepared to compete.]

With reference to our discussions in Suva on the 26th October, concerning the question of retaining a balance in the Fiji Public Service between Fijians and Indians, we agreed that before making any announcement at the opening of the Budget Session on the 25th November, it would be necessary to ensure that the policy has the approval of the Secretary of State.

2. I attach a note<sup>1</sup> on the conversation, which has been made by Bevington, who made no notes at the time. I think, however, it is substantially correct.

3. I now propose that a statement along the following lines should be included in my address at the Budget session:—

'Members of Council are aware that in recent years Government has pressed forward with the appointment of local residents to the Fiji Civil Service wherever possible. Indeed, it has been the Government's aim to make the maximum possible use of, and to give every possible opening to local residents in the Civil Service. Not only is it right that the people of the Colony

<sup>1</sup> Not printed.

should be actively associated with Government on the executive side, but it is also a matter of plain economics. However, it is clear that if this policy is pursued without any limitation it will result in there being a serious imbalance in the Civil Service as between the two major races in the Colony.

After consultation with the Secretary of State, therefore, I have issued a directive to the Public Service Commission informing them that recommendations for appointments and promotions to posts in the Public Service should be made in such a way as to preserve, as far as possible, the balance between the two main races in the Colony. This will mean that for some time the number of posts available to the Indian community will be limited, while posts which we hope will, in due course, be filled by Fijians, will have to be held for the time being by European or expatriate officers.

A White Paper has recently been published in the United Kingdom outlining an offer of financial assistance to Colonial Governments designed materially to reduce the additional cost to them of employing overseas officers. I realise that there is some fear that this may result in the retention of expatriate officers to the detriment of the policy of creating a local service. While saying that this Government will certainly wish to take advantage of this generous offer, acceptance of it will not in any way retard the policy of localisation of the Civil Service: local residents will continue to be appointed wherever suitably qualified officers are available within the requirement of maintaining the balance between the major races to which I have already referred.

The slowing down of the recruitment and promotion of civil servants from the Indian community will, I fear, be a disappointment to many who have worked hard to equip themselves for senior posts in the Government service. I ask them to be patient and to understand that this qualification of the policy of localisation is, in present circumstances, essential to the healthy and harmonious development of the Civil Service and indeed of the Colony as a whole.

This measure of restriction imposes a responsibility on Government to do everything in its power to hasten the training of members of the Fijian community to enable them to take their rightful place in Government. To this end, I propose that a number of scholarships should be reserved for the Fijian people, as recommended by the Burns Commission, and I am hopeful that it will be possible to obtain a Colonial Development and Welfare grant for this purpose.'

4. I attach great importance to the proposal in the last paragraph that scholarships for Fijians should be paid for from Colonial Development and Welfare funds as this will deny the Indian community the opportunity of saying that Fijians are being granted preferential treatment at the expense of local taxpayers. The proposal to send Fijians to the United Kingdom was recommended at paragraph 671 of the Burns Commission Report. However, if approval of this point is likely to delay approval of the statement I would be prepared to omit it, although regretfully as I regard it as being of considerable importance in allaying the inevitable criticism.

5. I shall be grateful if the statement may be examined as a matter of urgency, and if I may have the Secretary of State's approval by telegraph at the earliest possible date, and in any event well before the opening of the Legislative Council session on the 25th of this month.

**13** CO 1036/612, no 11

8 Nov 1960

**'Policy in Fiji': note by Mr Amery arguing against multi-racialism and a common roll and in favour of a 'quasi-ministerial system'<sup>1</sup>**

The Fijians and Indians are more distinct as communities than Jews and Arabs in Palestine, Greeks and Turks in Cyprus or even Europeans and Bantu in South and Central Africa. Inter-marriage, business associations, even personal friendships are rare.

2. In the past, so long as we have held the undisputed power, relations between the communities have been good if distant. In the last few months this has changed. The December riots and the sugar dispute have made the Fijians fear that the Indians are out to bring the wind of change to Fiji and use it to establish Indian preponderance. Their fears have been further increased by the Burns report which they regard as an attempt to give the Indian community control of the land by breaking up traditional Fijian society. The resentment aroused by the Burns report has been to some degree extended to Government and for the first time for many years, has shaken Fijian confidence in British intentions. The point is crucial when it is remembered that the Fijians are the 'loyal' community providing 75% of the security forces. The islands could hardly be governed without them, let alone against them.

3. In this climate the Fijians have become increasingly communally minded. They have also become more resistant than before both to constitutional changes for the Colony as a whole and to the modification of their own traditional system. In the face of what they regard as the Indian threat, there has been an instinctive closing of the ranks around their traditional Chiefs.

4. The Indians on their side are sharply divided over the sugar issue and over the proper course to follow in their relations with the Fijians. The more moderate leaders among them realise that they have antagonised the Fijians and would like to heal the breach. At the same time they are subject to fairly strong pressures from within their own community; and the more extreme elements are thinking in terms of self-government on the basis of a common roll which would enable the Indians to rule the roost.

5. How then should we proceed in the constitutional field and in regard to the Burns recommendations about the Fijian administration?

6. To begin with, we must, I think, accept that it is impracticable to think in terms of a single Fijian nation or of a common roll at any rate for the foreseeable future. Any suggestion of this is bound to arouse Fijian suspicions that the Indians would dominate by counting heads. The moderate Indian leaders recognise this. This points to the conclusion that we shall have to recognise not just the equality of individuals before the law but the equality of the Indian and Fijian communities irrespective of their numbers. There is no other way of reconciling both the pledges in the Deed of Cession and those in Lord Salisbury's despatch, let alone the need to keep communal peace. We should, therefore, let it be known that any constitutional advance must be so designed as to preclude the domination of one of the two main communities by the other.

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<sup>1</sup> Amery addressed his note to Hall, Thomas, Fraser and Macleod.

7. The European Community (20,000) can hardly expect, in the long run, to maintain their position as a community equal in importance to Fijians and Indians. For the time being, however, the Fijians insist that they should be so regarded. The Indians for their part have not asked for any change in the status of the European Community.

*Leg. Co. and Ex. Co.*

8. The Indians have asked, but not pressed, for an unofficial majority on Leg. Co. and Ex. Co. while preserving the present communal composition of both. The Fijians are flatly opposed to any reduction in the Governor's powers.

9. After full discussion with the Governor and his advisers we came to the conclusion that the best way to proceed would be to reverse the traditional Colonial pattern and introduce a quasi-ministerial system while preserving the official majority in the Leg. Co. The 'Ministers', who would be bound by the ordinary doctrine of collective responsibility, would count as officials for the purpose of securing the official majority. They would of course be dismissed and replaced by others if they ceased to support the Governor. Leg. Co. itself would be somewhat expanded, though on a communal basis, to balance the expansion of Ex. Co. resulting from the introduction of the Ministerial system. The composition of Ex. Co. would not be laid down, so that, if all members of the Community refused in certain circumstances to serve, the Governor could still govern with the help of the other two Communities and his officials.

10. A change of this kind is likely to be criticised by Patel and those Indians who consider that their numbers entitle them to a predominant position. The Governor and his advisers, however, believe that the 'jobs' created by the introduction of a ministerial system will be popular with leading men in both communities and that there will be little difficulty in maintaining the official majority in Leg. Co. They consider that such a system might work for a number of years.

11. If this general principle is accepted, its implementation might be carried out in two phases. In the first, the Governor would simply invite existing members of Ex. Co. to assume ministerial functions on a basis of collective responsibility. In the second, and only after the next election, the number of seats in Leg. Co. would be increased.

12. *The Public Service.* Just as the Fijians will not accept a common roll, so they will not accept that recruitment for the public service should be solely on a basis of merit regardless of race. The Indians are probably abler and certainly have more graduates than the Fijians. On this basis they would soon dominate the Administration. This the Fijians will not accept. In the long run, it will probably be necessary to have some rule—as in Cyprus now or in India in the old days—under which government jobs would be divided in some such proportion as Indians 45%, Fijians 45%, Europeans and others 10% in each grade of each department. For the time being there is no need to be so precise and we can probably continue on the present basis of promotion according to merit subject to a public assurance that neither community will get more than 45% of the jobs in any grade or department. It will be some time before the Fijians can hope to provide suitable candidates to fill their quota and meanwhile Europeans will have to fill their places. Later on it will from time to time become necessary as good Fijians come forward to pass over Europeans who are marginally better qualified. This will raise problems of compensation and it is for consideration how far these could be covered under the terms of the new White Paper as applied to Fiji.

13. *The Fijian Administration*. I see no future in the Burns recommendation that the Fijian administration should be wound up as soon as possible. The Fijians are determined to resist any move in this direction. They realise that whatever its defects the tribal system does provide a leadership capable of defending the Fijian communal interest against what they regard as the Indian threat. Without their chiefs they would be leaderless. In many respects, of course, the Fijian administration is old fashioned and we should seek opportunities of modernising it. But rather than curtail its activities I would be inclined to give it more responsibilities particularly in the sphere of local government. It may still be possible to develop multiracial local government in the main towns; but much of the Colony is purely Fijian; and in the mixed rural areas we are unlikely to get multi-racial local government except in a second tier (i.e. delegations of Fijian and Indian local government bodies meeting in joint conference). In each case the Fijian Administration could play a valuable part.

14. I would personally be inclined to go further and encourage the development of some Indian counterpart to the Fijian Administration. This would offer Indians opportunities for public service which they both want and need. The existence of two communal organisations moreover would help us to overcome a major problem. At the present time, many necessary development or administrative projects tend by their nature to favour one community rather than the other. 'Fair shares for all' is a slogan which makes government hesitate to do anything for anybody. If roughly equal subsidies could be given to both communities to spend as each thought best there would be less cause for jealousy. Scholarships are a case in point. A number of Indian children are educated abroad at their parents expense. Few Fijians can afford this. The Fijians are thus keener on scholarships than the Indians. Yet at present scholarships which are centrally administered have to be given on a basis of merit; and the Indians—deservedly on this basis—tend to scoop the pool. If scholarships were a communal matter, the Fijians would probably spend more on them than would the Indians who could then spend the money on other projects of which they are in greater need.

15. Hitherto we have held up the concept of a single multi-racial community as the goal towards which Fijians and Indians alike should strive. The Fijians will no longer accept this; and the more we lay the emphasis on multi-racialism, the more suspicious they will become that we plan to sell them out to the Indians. The only way, in my view, to exorcise the fear of communal domination is to make it clear 'as of now' that we stand for equal rights for both communities as communities and that we shall not pull out until both ask us to do so.

**14** CO 1036/865

8 Nov 1960

[Burns Commission]: minute by H P Hall on Fijian reactions to the recommendations and Mr Amery's assessment of the political situation

The unfortunate fact is that for a number of reasons it is not now possible to persuade the Fijians to accept all the recommendations in the Burns Commission

Report. The Burns Mission were in Fiji in July to September 1959 and, unfortunately, since then relations between the Fijians and the Indians have deteriorated. This began with the riots in Suva in December and was further aggravated by the dispute in the sugar industry which is regarded by the Fijians as an Indian attempt to gain control of the sugar industry which is vital to Fiji's economy. These fears of the Indians have consolidated the Fijian ranks and made them most reluctant to give any concessions which they think would be to the advantage of the Indians. From their examination of the Burns Commission Report it seems to them that the Fijians have been asked to make all the concessions and the Indians would get all the benefits.

There is another factor also to be taken into account. Mr. Amery, as a result of meeting quite a large cross-section of Fijian opinion, has come to the conclusion that our present goal of a multiracial society in which all men and women would have equal and 'democratic' rights and in which the communities, as such, would have no official status, is an ideal which is unlikely to be achieved in the foreseeable future.<sup>1</sup> He came to the conclusion that the Fijian and Indian communities are as oil and water: much more so than Hindus and Muslims in the old India, Jews and Arabs in Palestine, or Greeks and Turks in Cyprus. In Mr. Amery's opinion, to proceed on the assumption of 'one man, one vote' seems likely to invite political division on racial lines, and as soon as the Indians are an absolute majority of the population to establish Indian domination over the other communities. In Mr. Amery's opinion the better course is to recognise the existence of the communities as communities, and in every step towards self-government to guarantee, at any rate to the two main ones, equal rights as communities irrespective of their numbers. This would involve each community equal representation in any central legislative or executive bodies, an equal number of appointments in all grades of the public service, and the delegation of as much administration as possible on a communal basis.

It follows from this that in Mr. Amery's opinion it would be a mistake to attempt to abolish the Fijian Administration. In his opinion, for the foreseeable future there will be a need for a department to look after specifically Fijian interests. The Fijians themselves are agreed that the Fijian Administration should be modified and brought up to date, and they hope that in so doing they will be able to streamline it by handing over to the central government responsibilities for health and education, and allow the Fijian Administration to concentrate on development.

The Fijian Affairs Board are anxious, and have been for a number of years, to make full use of Fijian land. The Council of Chiefs have already accepted the Burns recommendation to grant long leases which, in the present circumstances, is a considerable concession on their part. They are not prepared to accept that a penal tax should be payable in respect of unused native land. They point out that in paragraph 142 of the Burns Commission Report, the Burns Commission themselves have not attempted to lay down any criterion for a penal land tax and have suggested that this should be the subject of investigation by an independent expert. The Governor and his officials do not accept the Burns Mission conclusion that there is a shortage of land in Fiji. They admit that there are one or two isolated cases in which

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<sup>1</sup> See 13.



land which has gone into reserve is probably not now being as fully utilised as before—this also applies to one or two European estates—but in their opinion these are only isolated incidents and should not be taken as of common occurrence. They point out that there is land in Vanua Levu which is available for leasing but has not been taken up. The Indians are apparently only interested in cane land, and as Fiji is already now fulfilling its sugar quota, there is no possibility of further extension of sugarcane crops. The Fijians also point out that they cannot reasonably be penalised for not using land if they are unable to sell the produce, and before this particular recommendation can be implemented, they consider that the question of marketing additional crops should first be considered.

The Fiji Government intend to improve the utilisation of land by setting up organisations to assist in the cultivation of land within the reserves and land settlement schemes outside the reserves. The land within the reserves would of course be reserved for Fijian schemes, but that outside the reserves would be open to all races. They hope that the C.D.C. will be able to participate in these schemes, and the local representative of the C.D.C., Mr. Firmston-Williams, is anxious to help. This is being looked into separately.

As regards the major land recommendation therefore, the proposal is to review this in 5 years' time to see whether the proposed arrangements for better utilisation of land have been successful or not. If they have not been successful, then the question of a penal tax will be looked at again. On present information, the Governor and his advisers do not see how they could possibly implement this recommendation as most of the Fijian land is of poor quality and it would be an extremely difficult task to formulate a practical penal land tax code.

On the broad issue, the Fijians and the Fiji Government are agreed that assistance from the United Kingdom can only be provided if full use is made of local resources,<sup>2</sup> and this in fact is mentioned in the last sentence of the proposed announcement in paragraph 2 of (21) opposite. Mr. Amery felt that this was the right approach. His view was that any mission's report was in the nature of recommendations and it was up to the governments to take decisions on those recommendations. He felt at this stage, when the Burns Commission's recommendations were still under consideration by the Fiji Government and had still to be considered by the U.K. Government, it was premature to tie any assistance from H.M.G. to the Burns Commission Report as such. On the other hand, he fully agreed that one of the conditions should be that the fullest possible use is being made of all local resources.

In the light of this explanation I hope we can agree to something being said on the lines of the proposal in paragraph 2 of (21). The Government proposals mentioned in that are the decisions on the Burns Commission Report and the Development Plan. Incidentally, the Governor pointed out that even if the Burns Commission had not reported, the Fiji Development Plan would have been broadly as it is now being submitted. He thought it was therefore unfortunate that assistance towards this plan should be related directly to the Burns Mission as it was only coincidental that the two have come forward together at this stage.

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<sup>2</sup> cf 10, para 10.

**15** CO 1036/800

8–10 Nov 1960

**[Racial balance in the civil service]: minutes by M G Smith, W D Sweaney,<sup>1</sup> A R Thomas and Sir H Poynton on whether appointments or promotions of Indians should be delayed**

The question whether further appointments or promotions of Indians in the Fiji Civil Service should be delayed to ensure a proper distribution of posts in that Service as between Indians and Fijians is primarily a political one and if you consider that such an arrangement is essential then I do not think O.S.D. could question it.

But the statement proposed by the Governor is in general terms and I am not clear that he has taken all the difficulties fully into account. I note in the first place that Fijian public opinion seems, at least in some measure, to have been consulted. But there is no indication that either the general public opinion of the Indian community in Fiji or the opinion of any Association representing Indian officers in the Civil Service has been consulted. Subject to your guidance about the political difficulties of doing this I would have expected that the Governor would at least have consulted the Civil Service Associations before making this sort of statement.

The proposed directive to the Public Service Commission is also rather vague. It seems to me insufficient to tell them that 'the number of posts available to the Indian community will be limited . . .'. The Commission will not know as between one post and another where the limitation should fall and the proposed policy could only be understandable, and therefore effective, if there were some survey of Departments to enable the directive to be pretty specific about the future position of each Department. It is also not clear how long the limitation is to last. It may, for example, mean that some Indian officers who were recruited to the Public Service in the full expectation that the normal promotion criteria would be applied throughout their career may now be facing the possibility that, on racial grounds, any prospect of further promotion has come to an end. A fairly senior Indian officer cannot be expected to stay in his present post without further prospect waiting 10 or 15 years for a young Fijian to catch up with him and then to be measured against that young Fijian for further promotion. If the Government is going to freeze the careers of a good many officers each officer concerned is entitled to know that he has been selected for freezing so that he can consider what further steps to take.

While, therefore, if the proposed course of action is politically essential it should no doubt be taken I suggest that the statement should be somewhat amended and specific action should take place. I suggest that before the statement is made the Governor should consult the Staff Associations likely to be affected and that the statement should then include an undertaking that the position of the whole Service will be reviewed so that all officers likely to be affected by this promotion bar will be aware of their prospects. In the course of this review it may be apparent that a number of officers have no further prospect of promotion until retirement. It may be that the review will suggest that some form of compensation should be made available to these officers for this discrimination against them perhaps in the form of offering them retirement with abolition of office terms. The Governor's statement

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<sup>1</sup> Smith and Sweaney were CO assistant secretaries and the respective heads of Overseas Service Division Department 'A' (conditions of service) and Department 'B' (general recruitment policy).

should therefore say that the Reviewing Committee will be invited to advise whether any special steps should be taken to compensate any officer whose career may be seriously prejudiced by the new arrangements.

I am passing this through Mr. Sweaney who may wish to refer to the question of further overseas recruitment as a consequence of this restriction on the promotion of Indian officers.

You will no doubt be dealing separately with the question of a C.D. and W. grant for training purposes and will be having these papers registered in your Department.

M.G.S.  
8.11.60

It is one thing to restrict recruitment of Indians in order to build up the recruitment of Fijians, and meanwhile to step up the training of Fijians by special scholarship schemes. That is primarily a local political matter and I do not think that so far as O.S.D. is concerned there would be any objection.

It is another thing to restrict the promotion of Indians already in the Civil Service pending the availability of suitably qualified and experienced Fijian Officers who would then be promoted exceptionally over the heads of their Indian colleagues. It might even mean promoting serving European Officers over the heads of Indian Officers as a stop-gap arrangement to keep the posts warm for Fijians; or importing newly recruited Europeans on contract with the same object. Under Colonial Regulations the claims of officers for promotion are considered on the basis of experience, qualifications and merit. Any departure from these criteria would cut at the root of the career structure of the public service and the consequences would be widespread.

It does not seem to me advisable for the Governor to issue directions to the Public Service Commission on this matter or for him to make a statement on the lines he is proposing without a good deal more thought than has been given so far. I agree with Mr. Smith that the problem requires detailed examination locally.

Would it not suffice for the Governor to announce, after consultation with the Staff Associations, that the problem of 'imbalance' in the Civil Service as between the two major races is one which he feels should now be the subject of a detailed examination by an authoritative committee with the object of reviewing the subject and recommending what steps should be taken.

As regards recruitment from the United Kingdom to vacancies in Fiji, we have been handicapped by the unattractive salaries and so forth but if these are improved under the Overseas Service Aid Scheme it may ease our recruitment difficulties since the image of Fiji and the Pacific in the minds of candidates is not unattractive.

W.D.S.  
9.11.60

This is another of the particular recommendations, arising from Mr. Amery's visit to Fiji, on which I feel some difficulty in recommending action in isolation (as it were) of his proposals as a whole.

Taken on its own, this recommendation, with the proposed statement by the Governor in No. 1, obviously bristles with difficulties, notably such questions as what happens to Europeans when the places they are keeping warm for Fijians have to be surrendered? What happens to Indians who are held back from promotion until Fijians are available for it; what instructions are to be given to the Public Service

Commission etc? It seems to me to be a matter to which the most detailed and careful consideration needs to be given before it is launched as a scheme. I agree therefore with the O.S.D. comments and, with one important qualification, with the line of the draft reply.

My qualification is whether even the attenuated statement suggested in paragraph 5 of the draft does not go too far. My difficulty here arises not so much from the technical (though important) difficulties of a personnel character, so much as from the fact that the recommendation to have a balance of races in the Public Service is one facet of the wider recommendation by Mr. Amery that our policy in Fiji should be for the foreseeable future based on a communal system and not on the idea of an ultimate multi-racial nation. I would consequently myself prefer to see the draft attenuated still further by the pencilled amendments which I have suggested. If it were to go in this form it might be wise to accompany it by a separate telegram explaining that Mr. Amery has made a number of important recommendations with which we understand the Gov. to be broadly in agreement, of which this is one, and to which the Secretary of State needs to give careful consideration since they amount to a radical modification, if not change of policy, and indicating that, for this reason, he may find our replies on detailed proposals a little unforthcoming for the present etc.

I find loose opposite a number of comments by Mr. Amery which cover some of the most important recommendations. I shall probably wish to comment on these more generally but not delay to do so now since Fiji matters are to be discussed with Mr. Fraser at 10 a.m. tomorrow and I also understand that he has arranged with the Secretary of State to have a meeting next Wednesday at 3 p.m.

A.R.T.  
10.11.60

I share Mr. Thomas's reluctance to deal with these items piecemeal. I have minuted in general terms on the papers about the Fiji Development Plan which I sent forward earlier today. This particular recommendation about the Civil Service bristles with inherent difficulties—though not necessarily insuperable ones—but only arises, I suggest, if Mr. Amery's main contention is accepted—viz to abandon all hope of bringing the races together into a 'non-racial' community & instead to base all our future policy on a constitutional & administrative (though not geographical) partition. This is if I may say so a highly controversial proposition.

A.H.P.  
10.11.60

**16** CO 1036/865

10 Nov 1960

'Future of Fiji': minute by Sir H Poynton questioning the suggestions made by Mr Amery after his visit to Fiji

*Mr. Fraser*

I am afraid I shall not be able to be present at your meeting with the department tomorrow morning since, on present plans, I have to attend the Secretary of State's meeting with Baileys (Malta) Ltd. I have not had time to study these papers fully but on a cursory reading I must confess that I am a bit worried over the suggestions made by Mr. Amery as a result of his visit to Fiji and recorded in Mr. Hall's minute of

the 8th November.<sup>1</sup> The specific proposals which Mr. Amery has put forward and which in some respects differ fundamentally from the recommendations of the Burns Commission, all derive from his conclusion that our present goal of a multiracial society in Fiji (I would prefer to call it non-racial myself) is unlikely to be achieved in the foreseeable future. I recognise that it is obviously going to be a very difficult and very slow task. On the other hand, to decide now that we should abandon the attempt and base all our future policy on a constitutional and racial partition of Fiji (even though not a geographical one) seems to me to be a counsel of despair. It would mean, I suggest, that we should be left perpetually holding the ring between what in effect amounted to two separate administrations and communities in Fiji. This might be all right for a time and might get us out of some immediate political difficulties. But the time is bound to come when there is a demand for at least full internal self-government in Fiji and possibly even for national independence—especially when New Zealand grants Western Samoa independence next year. I should hate to find ourselves in the kind of position that we were faced with in Palestine between Jews and Arabs or in Cyprus between Greeks and Turks with the racial antagonism aggravated and, indeed, officially recognised in the constitution and ourselves unable to let go without leaving Civil War in our trail when we went. To abandon our policies for such a counsel of despair is a very big decision to take and I should have thought myself that the Secretary of State would have wished to consult his colleagues on the C.P.C. before we reverse the engines. If we do reverse them I doubt whether we would ever be able to re-reverse them again. The specific recommendations about parity in the Legislative Council or in the Executive Council or in the public service, and the question whether or not to abolish the Fijian Administration are really all subsidiary to this major issue of long term policy.

I should like to see comprehensive proposals in writing from the Governor for the whole political and economic policy in Fiji. I find it very difficult to deal with this problem on the basis of views expressed on particular recommendations here and there and I am not entirely convinced that the Governor and his local officials have really got a firm grip on this problem. In any case we have recently learned that the Governor is a sick man and will have to come home for medical examination while the Colonial Secretary is just coming on badly needed leave. These are the points which I should have made at the meeting had I been able to be present and I hope they will point the way to some comprehensive exercise about future policy in Fiji which can be properly worked over in this Office and submitted to Ministers.

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<sup>1</sup> See 13 & 14.

**17** CO 1036/612

14 Nov 1960

[Future of Fiji]: minute by H P Hall and note by I S Wheatley<sup>1</sup> on Mr Amery's proposals

Mr. Wheatley has prepared the note below in the light of the meeting in Mr. Fraser's room on Friday, 11th November.

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<sup>1</sup> Principal, Pacific and Indian Ocean Dept, CO.

I think the conclusions reached at the meeting were that although it was realistic to assume that for the foreseeable future Fiji should remain on a communal basis, it would be undesirable to state this publicly as a firm decision as it might lead to difficulty at some future date. It would however be realistic to make any constitutional changes on this basis but as modifications of the present constitution which recognises parity between the three races.

*The Public Service.* Here again the meeting thought that it would be undesirable to make any dogmatic statement at this stage. Recruitment on a racial basis was one thing but restriction of promotion of people already in the service was quite a different matter. On the other hand, it did appear from the Staff Lists that the majority of the more senior posts in all departments were still held by Europeans and it might well be possible to implement this policy without too much difficulty. It would however be desirable for the Governor to examine the implications of the change of policy more closely before a final decision was reached.

*Fijian Administration and Local Government.* The idea of extending the activities of the Fijian Administration and of setting up a separate Indian Administration was not attractive. An officer had been placed on special duty to examine the question of Local Government and it was considered that the best course would be to await his report before reaching any decision on this particular point. In any case the Fiji Government would be fully occupied over the next few months in dealing with the sugar dispute, the Burns Commission report and the proposed 'administrative' introduction of a Ministerial system, and the question of Local Government, which was not a live issue locally, could be left for a few months.

The Fijians should be encouraged in every possible way to progress economically and educationally. The Fiji Government should also be pressed to increase the number of multiracial schools in order to bring the races closer together. This should also apply to Staff Associations, Trade Unions and possibly an Economic Advisory Council.

Please see drafts on PAC100/335/04 and PAC 36/1/03 below.

H.P.H.  
14.11.60

*Comments on Mr. Amery's Fiji minute<sup>2</sup>*  
*Paragraphs 1 to 5*

The assessment of the separateness of the Fijian and Indian communities, and the present state of Fijian opinion, seem certainly right. It follows, in particular, that it is not now possible (if indeed it ever was, and even though 'in isolation' economically desirable) to implement the Burns proposals for land reform in entirety or those for the abolishment of the Fijian administration.

*Paragraphs 6 and 7*

It is also agreed that it is not practicable to think in terms of a common Fijian nation in the foreseeable future. But, despite this, it is felt that our long-term policy must be a non-racial Fiji. Otherwise it is feared that we should in effect be committing Her Majesty's Government to holding the ring indefinitely between the Fijians and the

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<sup>2</sup> See 13.

Indians, so that it would be impossible to quit Fiji without leaving civil war behind us. The time is bound to come when there is a demand for at least full internal self-government, and we would probably then be faced with the very Palestine or Cyprus situation which Mr. Amery is seeking to avoid. If we accept then that our long-term policy must be non-racial, we must tailor our short-term policy accordingly. Some of the implications of this are set out below; but it may be said here that, though in fact it will doubtless be necessary for a time to preserve the balance between the races, it would be wrong to make any firm announcement, as Mr. Amery seems to suggest, that constitutional advance must be designed so as to preclude the domination of one of the two communities. Such an announcement might be embarrassing in the long-term future, and in any case, fortunately, it seems unnecessary to go to such lengths publicly to reassure the Fijians or to 'challenge' the politically ambitious Indians.

*Paragraphs 8 to 11*

The recommendations for Executive Council seem exactly right. They will give members of all races some executive responsibility without altering the official majority in Legislative Council. There should however be no public commitment to expand Legislative Council only on a communal basis (even though in practice this is how it may for a time be done).

*Paragraph 12*

The Fijians are certainly very perturbed about the preponderance of Indians in the Civil Service, though they are still only in the executive and lower grades. Something must be done to restore the balance at least to some extent but again it is felt that it would be wrong publicly to announce anything nearly as definite as fixed percentages for the communities. Detailed proposals will have to be worked out both for recruitment and promotion, and directions given accordingly to the Public Service Commission. It will probably be sufficient to announce that Government is concerned with the present imbalance and will be consulting staff associations and responsible members of both communities about it.

*Paragraphs 13 and 14*

It is quite impossible to do away with the Fijian administration. But to extend its activities, and to promote a parallel Indian administration, would be working for, rather than against the separateness of the two races. There is in any case no local demand for it. The Fijian administration is inefficient, and the Fijians themselves have suggested that it should be streamlined and that the central administration should resume control over health and education services, leaving it with 'custom' and economic matters. This seems right for the present; our ultimate goal would probably be to remove economic matters also from it. It is possible that a parallel Indian administration covering the same limited field might be set up out of the existing Indian Advisory Councils. But it is suggested that no action should be taken on any aspect of this question until the local government commissioner (who is at present examining it) has reported.

*Paragraph 15*

It is agreed that there is no point at present, and probably harm, in plugging the multi-racial line. But it is felt that it might well be embarrassing for the future, and that there is in any case no need at present to make any firm commitment as suggested.

*Additional comments*

If the general thesis is accepted that we should go in the long run for a non-racial Fiji, this makes it even more essential that we should, in whatever time may be

available to us, do everything possible to bring the Fijians up to the level of the Indians, and encourage contacts between the two races. Thus:—

- (1) the Fijians must be taught to face up to modern economic realities, chiefly by a better use of their land.
- (2) the Fijians must be given every educational opportunity, including scholarships to this country:
- (3) attempts should be made to get the two races together 'functionally'—in schools, staff associations, trade unions, economic advisory council etc.

## **18** CO 1036/612

15 Nov 1960

**[Future of Fiji]: minute by Mr Fraser to Mr Macleod on the future need for clearer policy statements**

By all reports Fiji is the area most likely to cause trouble in the Pacific. Before I leave for the West Indies therefore I have suggested a short meeting. This I believe should discuss three points:—

- (1) The sugar dispute.
- (2) The question of temporary or permanent gubernatorial replacement in the event of the Governor being absent through ill health.
- (3) An interim discussion of policy. It is my belief that the position can be held temporarily by pursuing a middle course between what I might term the Burns non-racial line and the Amery communal approach. Whilst offering some constitutional advance the Governor has been instructed to mute his approach to these problems in his Budget speech. But I suspect that next year, once the sugar dispute is out of the way, and with decisions having to be taken on Burns' major recommendations, clearer policy statements will have to be made.

## **19** CO 1036/612, no 17

17 Nov 1960

**[Future of Fiji]: letter from Sir H Poynton to Sir K Maddocks requesting the governor's views in the light of Mr Amery's recommendations**

You will by now have received telegrams giving the Secretary of State's comments on your proposed statements in the Speech from The Throne at the Budget Session on

- (a) interim constitutional changes
- (b) the Fiji Civil Service
- (c) the terms on which H.M.G. will provide financial assistance towards the Development Plan.



Fiji affairs have been discussed with the Secretary of state and Hugh Fraser, and the Secretary of State would very much like to receive your views on future policy for Fiji in a comprehensive document so that the picture can be seen as a whole. The basis of the discussion with the Secretary of State was a note prepared by Julian Amery on 'Policy in Fiji' and I enclose a copy of this for your information.<sup>1</sup> I think it might be useful to you if I set out our preliminary views on this.

We accept Amery's assessment that for the foreseeable future Fiji should continue to develop on a communal basis but we still think that the long term objective should remain the ideal of what is usually called a multiracial state but what would perhaps better be termed a 'non-racial' state. We feel however that this should be accomplished by a 'withering away' rather than an overt extinction of the communal roots of society. It follows from this that we should avoid any statement which commits us forever to communal representation.

So far as constitutional changes are concerned, we understand that the Fijians, the Indians and the Europeans are all at present agreed that parity between the races should be retained. The introduction of a Ministerial system by administrative action will not of course affect the present constitution but we must be careful how any increase in membership of Legislative Council to take effect after the next elections is presented. At present it seems inevitable that this increase will be on a communal basis and parity between the three races will be maintained in the next Legislative Council. For presentation purposes, however, we think it should be made clear that this is purely a continuation of the present set-up, and not be drawn into any statement that this is to be the pattern for all time.

For the longer term the Secretary of State would also like to have your views on the method to be used for arriving at any changes in the constitution. Would you propose to put forward suggestions after discussion with the various groups in Fiji, or would you propose to ask for the appointment of a constitutional commissioner, or would you propose to hold some sort of constitutional conference either in Fiji or in London? We expect the answer to this will depend to some extent to the degree of change envisaged and whether this is likely to prove readily acceptable to all concerned or not.

The proposal which has caused us a certain amount of concern is the future of the Civil Service. We agree that unless some steps are taken to protect Fijian interests, the Civil Service might well become mainly Indianised. On the other hand, we think the problem should be examined in some detail before any definite pronouncements are made. There is a difference between such a scheme so far as recruitment is concerned and so far as it might affect the promotion prospects of serving officers. It would appear from the Staff List that it is probably early enough to introduce such a scheme without any serious repercussions on serving officers as most of the more senior appointments are still held by Europeans—although many of these are Australians and New Zealanders. When this examination is being carried out it will also be necessary to consider carefully what sort of instructions should be issued to the Public Service Commission.

The next point which was considered in some detail was the future of the Fijian Administration and its effect on Fijian political and economic development. We

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<sup>1</sup> See 13.

accept the fact that in present circumstances the abolition of the Fijian Administration is just not on. On the other hand, we do feel that something should be done to streamline and modernise it insofar as it affects the development of individualism amongst the Fijians. We consider that the Fijians must be taught to face up to modern economic realities, chiefly by the better use of their land. We know that you intend to do everything you possibly can on the question of the full use of the land, and the encouragement of *galala*.<sup>2</sup> We think that an increase in the number of *galala* would encourage enlightened self-interest amongst the Fijians and probably bring them into greater contact with the realities of life and possibly also with Indians and Europeans. This, in due course, should have some effect on their political outlook. We also hope that the Native Lands Trust Board will play their part by granting leases to *galala* and facilitating the exchange of such leases between *galala* if at any time this seems desirable. In short, we think the time has come to bring home to the Fijians that they must learn to stand on their own feet to a greater extent and to put their own house into order.

On the question of Local Government we are of the opinion that it would be as well to await the report by Seller<sup>3</sup> who is at present investigating this problem. As I have already said, we are not in favour of extending the activities of the Fijian Administration and we are not at all happy about the suggestion that a separate Indian Administration should be set up. On the other hand, the present Indian Advisory Councils are not regarded as satisfactory and it will be necessary before long to come to some conclusion about the future of Local Government.

Although, therefore, we are agreed that for the immediate future anyway development should be on communal lines, we do think that every effort should be made to bring the races together in other ways. We feel that non-racial schools, particularly at the Secondary level, is one way of doing this and that so far as possible all Staff Associations, Trade Unions, Chambers of Commerce and Advisory Councils of various sorts should be non-racial.

We note that a White Paper on the Burns Commission Report is to be debated in Legislative Council early in December. We are not sure just how wide a field this debate will cover but I hope that this letter will at least give you some idea of the lines on which we ourselves are thinking. We assume you will report to the Secretary of State the result of the debate and your views on the recommendations of the Burns mission. You might, of course, cover some of the points in this letter in that report but on the other hand, you may prefer to let me have your views on how you see the future of Fiji developing in a separate letter.

For your own information we shall be carrying out an interdepartmental study, in conjunction with the Foreign Office and Commonwealth Relations Office, to try and reach some conclusions about future developments in the Pacific area. This will of course take into account developments in Dutch and Australian New Guinea and Western Samoa as well as our own particular territories and of course the position in the area of the French, with whom we run the New Hebrides condominium. Your own views on the future of Fiji will be a very valuable contribution to this exercise.

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<sup>2</sup> *Galala* refers to an independent Fijian farmer who pays a commutation tax to be released from communal duties imposed by the village.

<sup>3</sup> C A Seller, Fiji administrative officer.

**20** CO 1036/612, no 27

20 Dec 1960

**[Member system]: letter from H P Hall to Sir K Maddocks on the introduction of a member system**

For the reasons given in my telegram No. 264 I am sorry it was not possible to give you clearance in time to make the statement on constitutional changes proposed in your letter of the 2nd December during the recent session of Legislative Council.

2. The Secretary of State has now seen your letter and although he is in general agreement with the terms of your draft statement, he would prefer to reserve the title of 'Minister' until the persons concerned are doing full-time work as such. Your letter makes it clear that in the interim period, anyway, the unofficial members of Executive Council will only be part-time and will not be required to give up their normal occupations. This, and the fact that they will not possess executive authority over their departments brings out clearly, as you yourself mention in your draft statement, that the first stage corresponds more to the old 'Member system' than to what is now accepted in most territories as a 'Ministerial system'.

3. The Secretary of State knows that in the conversations with Mr. Amery it was agreed that unofficial members of Executive Council should be referred to as 'Ministers' but unless you are already committed locally to the use of the title 'Minister' he would prefer to reserve this title till decisions have been taken about the second stage mentioned in paragraph 3 of your letter and in the first paragraph of the draft statement. It would be in keeping with respectable precedence elsewhere if in the first stage 'Member in charge of (subjects to be named)' were used.

4. The Secretary of State would prefer to omit the penultimate sentence of the draft statement 'that the number of Official Members attending Council should be reduced'. This is partly for the reasons given in paragraph 9 of your letter and also because this, too, is really more applicable to the second stage than to the first, which is being made by administrative measures without any amendments to the Constitutional Instruments.

5. The next point concerns guidance for members on their code of conduct. The usual practice is to set these out in a despatch in terms similar to despatch No. 52 of the 10th February, 1956, to Mauritius, of which I sent you a copy last month on my return from Fiji. At that stage in Mauritius some members were to be Ministers with Portfolio (i.e. full-time) and some were not, and this is brought out in paragraph 7 of the despatch to Mauritius. In the case of Fiji your draft statement proposes that although members will be paid an adequate remuneration 'they will not, at this stage, be required to forego their other profession or occupation'. Although they will serve part-time only, the Secretary of State considers that a Code of Conduct despatch would be desirable and perhaps something on the lines of the Mauritius despatch, with paragraph 7 modified to take account of the position in Fiji, would meet the case. If you agree, would you please produce a draft?

6. The Secretary of State would also like to see how you propose to group departments under the 'Members'. The position of Cayzer as Managing Director of the Emperor Gold Mines might cause some difficulty here.

7. Your telegram No.226 of the 13th December mentions that unofficial members of Legislative Council have asked for permission to consult their constituencies about the constitutional proposals. We are not clear just what is

involved in this or how they will go about it and in what detail. Are they, for example, limiting their consultations to the first stage of the introduction of a 'membership system' or will they also take into account the less immediate future referred to in paragraph 3 of your letter? On the assumption that the consultation will be on the basis of your proposed statement as amended in the light of the comments made in this letter, there would be no objection.

8. As it is now too late to make any statement in the current session of Legislative Council we are not sure how you propose to announce the changes. Whatever announcement is made now should, we think, in due course be followed by an exchange of despatches which could then be published. Perhaps you could let me have your views on this?

9. We note that you were hoping to send us draft amending instruments before going on leave next May. It should not however be necessary to submit the amending instruments providing for the main constitutional changes you propose to Her Majesty in Council until shortly before the elections take place, so that if the elections are to take place in August, 1962, it would be sufficient if the instruments were submitted in June or July, 1962. We appreciate that you will wish to put in hand preparations for the elections well before that date (i.e. registration of voters and the like) but this need not await the submission of the main instruments since it should be a fairly simple matter to submit a short preliminary Order in Council to cover these preparations some time next year, say, in June or July, 1961. Our legal advisers will have many heavy preoccupations during next year and while of course it is most desirable that the first drafts of the main instruments should be in our hands well in advance of the date proposed for their submission, we should be reluctant to ask them to deal with these drafts next year if, as appears to be the case, they need not be settled until the first half of 1962. In the circumstances you may care to send us a first draft of the preliminary Order by next May and defer sending us first drafts of the main instruments until later in 1961.

**21** CO 1036/612, no 29 17 Jan 1961  
 [Constitutional development]: letter (reply) from Sir K Maddocks to  
 H P Hall on the introduction of a member system and the  
 composition of the Legislative Council

I think it will be convenient if I reply to your letter of the 20th December<sup>1</sup> about constitutional changes, point by point.

2. *'Ministers' or 'Members'*. While I quite realise that the term 'Minister' would be unusual in the circumstances of our proposed first stage, the title 'Member' is a very colourless one and has little meaning here. Fiji inevitably relates its own affairs to those in Tonga and Samoa where there are Ministers and some of the Fijians left me in no doubt that the word 'Minister' has considerable attractions to them. I think that the period of transition may be longer in Fiji than has been usual elsewhere, and this may be all to the good: the use of 'ministers' might make it more acceptable and also inculcate a greater sense of responsibility. However I would not wish to stand on

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<sup>1</sup> See 20.

this point. In the light of our talks with Mr. Amery I explained in conversation with unofficial members that at the first stage members of Executive Council will be given *quasi* ministerial functions and would probably be referred to as 'Ministers'; but we are not wholly committed to this and I may be able to get acceptance to the word 'Member' if the Secretary of State feels that the use of 'Minister' would cause difficulties elsewhere. I will certainly try to do so but in the local context the latter term has distinct advantages and I would prefer to be given a free hand to adopt it if public opinion indicates a strong preference for it.

3. *Number of official members attending Council to be reduced* (para. 4 of your letter). I trust that there would be no objections to a *de facto* absence of some members. One of the attractions to those who seek constitutional change is that the procedure now proposed gives the appearance of an unofficial majority—an objective long sought in some quarters. Furthermore, if Government shows in practice that it is prepared to rely on collective responsibility and does not insist upon ensuring a strictly official majority, it is much more likely to impart a sense of genuine responsibility. Without this move the 'member' or 'minister' system seems little better than window-dressing. I consider it is wise to give responsibility and to demonstrate clearly in a manner that all can see, the binding nature of collective responsibility while we still have the official majority in the background. Under the system I propose official absenteeism would be under strict control.

4. *Code of Conduct* (your para. 5). I agree that an exchange of despatches will be necessary and I will send you drafts as soon as we have cleared up the points referred to in your letter.

5. *Groups of departments under Members or Ministers* (your para. 6). In the initial stage I would propose to group subjects and departments on the following lines:—

- C.S. The Public Service, Police and Prisons, Defence, Public Relations.
- F.S. Accountant-General, Audit, Customs, Inland Revenue, Supplies, Printing.
- A.G. Legal, Judicial, Registrar-General.
- S.F.A. Fijian Affairs.
- 1 Agriculture, Lands, Forestry, Geological Survey (Natural Resources)
- 2 Health and Education (Social Services)
- 3 Commerce & Industry, Cooperative and Labour (Commerce and Labour)
- 4 Works, Communications and P. & T (Works and Communications).

The question of Local Government will have to be considered in the light of developments.

6. *Consultation* (your para. 7). The normal procedure in most territories would be to canvass the views of the various political parties or their leaders. Here, because there are no parties and no truly representative political leaders—the European and Indian unofficial members of Legislative Council are for the most part independent opportunists with no coherent or sustained policy—it will be necessary for Government to give the lead and to tell the general public what is proposed and why. In effect, this would mean an open discussion with all members of the public concerning both the stages envisaged. Indeed to try to deal with the first stage without reference to the second would only give rise to numerous questions, and involve non-disclosure of the reason for stage 1, which is training for and a quiet transition to stage 2, instead of a sudden radical constitutional change.

Conversations I have had with unofficial members lead me to believe that stage 1 might well be unacceptable unless it was clearly understood that it is transitional and a training for stage 2.

7. Indeed, the idea of the unofficial side being only an opposition has become so entrenched by the unusually lengthy period of over 30 years without major constitutional change, that some European members of Legislative Council have gone so far as to say that it would be political suicide for them to 'join the Government'. Kermode<sup>2</sup> told me that he could not hope to be re-elected if he constantly supported Government and that Falvey took the same view. That is the measure of constitutional stagnation in Fiji and shows that we may not be able to go very far at this stage. I believe nevertheless, that we must try to break down this feeling.

8. I realise that what I am now proposing goes farther than the proposed statement in my letter of the 2nd December, but my discussion with members of Legislative Council leave me in no doubt that both stages must now be brought into the open. The alternative is a danger of stage 1 being unacceptable, and the continuation of constitutional stagnation which has tended so much towards irresponsibility on the part of unofficial members.

9. I therefore attach a revised statement which I should hope to issue.<sup>3</sup> It is worded as simply as possible as it will have to be translated into Fijian and Hindustani, and is intended for folk who have little or no knowledge of the processes of Government. It would be my intention to give this the widest publicity and, owing to the widespread lack of understanding of the functions and procedures of Government, to follow it up with question and answer broadcasts, meetings by Commissioners with the people, and use of all other media of information.

10. Unfortunately the time-table outlined in paragraph 10 of my letter of the 2nd December is now unattainable. It will take considerable time to ascertain public reaction, and even then it will be necessary to determine whether there should be five members from each race or six. The present constituency boundaries are unsatisfactory and I envisage one of the three following schemes (or variations thereof):—

- (a) 6 Fijians (4 elected by constituencies, 2 elected by the Council of Chiefs)  
6 Indians (4 elected and 2 nominated)  
6 Europeans (4 elected and 2 nominated)
- (b) 5 Fijians (3 elected by constituencies, 2 elected by the Council of Chiefs)  
5 Indians (4 elected, 1 nominated)  
5 Europeans (4 elected, 1 nominated)
- or
- (c) 5 Fijians (3 elected by constituencies, 2 elected by the Council of Chiefs)  
5 Indians (all elected)  
5 Europeans (all elected)  
up to 3 nominated (for minority groups).

Scheme (a) could be varied by reducing the nominations to 1 Indian and 1 European leaving 2 nominated seats available for Other Pacific Islanders, Chinese, or other minority groups or special interests. Official membership would comprise the

<sup>2</sup> Ronald Gordon Kermode, elected European member of the Legislative Council.

<sup>3</sup> Not printed. After revision (see 25) the statement was published on 27 Feb (see 28).

Colonial Secretary, Attorney-General, Financial Secretary and the Secretary for Fijian Affairs, plus a sufficient number to ensure, with Ministers, a voting majority.

11. This will involve new electoral boundaries, almost inevitably an extension of the existing limited franchise, and new electoral rolls. I must presume that before new electoral regulations can be made and new electoral rolls can be compiled (a process which I am advised will take not less than one year) the Letters Patent would require amendment and that such amendment should follow an exchange of despatches written for publication.

12. Taking a realistic view of the speed at which things move in Fiji, I would not now expect our proposals to be available much before September 1961 and if the Letters Patent can be amended by, say, July 1962, it would be necessary to extend the life of the present Legislative Council by a year. But even this procedure may not give adequate time.

13. For reasons given in paragraphs 12 to 15 of my despatch No. 943 of the 30th December, I consider that elections for Fijian members should be held as soon as possible. The Fijian Affairs Board are at present considering electoral boundaries (which will have to be different from the European and Indian boundaries for reasons of population distribution) and electoral qualifications, and I would hope to have a draft amendment to the Letters Patent ready in respect of the Fijians by July 1961. Thus, if the hoped for progress is not achieved, and elections have to be held in 1962, because constitutional amendments would not be ready for a delayed election in 1963, the Fijians at least would have a chance to start the election process. I regard it as of the utmost importance that Fijians should elect representatives on a constituency basis at the earliest possible opportunity.

14. Line 6 of paragraph 9 of your letter does not appear to take into account the major work involved in making new electoral rolls, and I suggest my assumption is correct that the Letters Patent would have to be amended before new electoral regulations and new electoral rolls could be prepared.

15. The changes I now propose are made in the light of conversations I have had with all unofficial members of Legislative Council. Even with the promise of full Ministerial responsibility in the foreseeable future it is not certain they will be accepted. There is an unthinking demand for nothing more than an unofficial majority which would only accentuate present irresponsibility. In my view, it is imperative that it should be clearly understood that there can be no constitutional advance without the acceptance of responsibility.

16. The situation is made the more difficult by racial division and the complete absence of any political party remotely able to form a government although there is considerable latent and individual ability available. The Europeans in particular are likely to drag their feet and in this they may well influence the Fijians. But the continuation of the present apathy can do no good and is particularly trying to the *ex officio* members of Legislative Council who have constantly to face criticism from persons who are at the same time reluctant to shoulder the responsibility officials at present carry. If after public discussion, these proposals are found to be unacceptable to both European and Fijian opinion and we are forced to maintain the constitutional *status quo* (except for the election of Fijian members), no great harm will have been done. We shall at least have taken the initiative and shown both to the peoples of Fiji and to the world at large our willingness to give greater responsibilities to the elected representatives of the public.

**22** CO 1036/988, no 1

17 Jan 1961

[Monopoly companies]: letter from E R Bevington to H P Hall on allegations of monopoly practices by foreign companies. *Annex*

We are getting more and more worried by the ever-increasing monopoly exercised by the Carpenter, Morris Hedstrom, Burns Philp group, and I am coming to the conclusion that their strangle-hold contributes to the high cost of living in Fiji and to the general distortion of our economy.<sup>1</sup>

2. This operates, of course, partly by way of stifling competition, and generally by inhibiting initiative. In addition to this, they have managed over the years to obtain the great majority of the worthwhile agencies so that virtually all proprietary brands of goods in every-day use go through their hands and result in a commission to themselves. If that were not enough, they are both wholesale and retail houses so they themselves sell the same proprietary brands at the full retail price in their stores, and also supply them to small local traders at wholesale prices for further retail. Over the years, there have been a number of small independent importers who, operating one-man businesses, have held a number of valuable agencies, but as these die out or the owners go elsewhere, the agencies have all too often fallen into the hands of the 'octopus', as it is so often called. Following the 1959 disturbances, one or two small businesses sold out, but instead of Morris Hedstrom's financing local people to carry on those businesses and giving them a chance to own the business themselves, they have been swept into the maw of the octopus.

3. It is possible to give numerous examples of the sort of thing which goes on: I can give you one or two off hand. The brewery which is a Carpenter subsidiary will not sell beer direct to the hotels because Morris Hedstrom, Carpenters and Burns Philp previously had a monopoly of the importation of beer. To keep them happy therefore hotels may only buy beer from Morris Hedstrom, Burns Philp or Carpenters, and although they may in fact carry the beer direct from the brewery, 3d a bottle is paid to the firms. The result of this is that there is a smaller profit margin on Fiji beer than there is on imported beer and publicans press the sale of the imported beer which admittedly is slightly more expensive.

4. The firms in question hold a virtual monopoly of the shipping of copra and in fact are the agents of Carpenters copra mill. They have been charging £4 per ton freight until the middle of last year when a pitiful letter came out saying that shipping was not paying and much as they regretted etc. etc. etc., freight rates would go up to £4.10. A local man then entered the business with small and inefficient vessels and started freighting at £3 per ton. Immediately the freight rates of the Big Three came down to the same figure.

5. Recently when Government decided to stop importing timber on its own account and called tenders, we were informed that the timber importers, Carpenters, Millers and Burns Philp, had formed a conference, and we could buy from the conference or any member, the price would be the same.

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<sup>1</sup> The government's concern about monopoly companies was aroused by the riots in Suva in 1959 and the strike in the sugar industry in 1960 against the Colonial Sugar Refining Company.



6. More recently, a firm called U.N.O. entered the copra-buying business and Carpenters told Government that they would raise their prices and in fact start a price war. They immediately raised prices at Levuka where U.N.O. are operating.

7. Were these firms using their large accumulated reserves for any worthwhile developments, one would have less to quarrel with, but with the exception of Carpenters who have ventured risk capital here in the oil mill, the margarine factory (failed), and the brewery, the others have largely stayed in the wholesale and retail business purveying what in America would be called drug-store lines: in other words, essential commodities in every-day use which are 'fast moving' and entail little or no risk. In this business they have accumulated large reserves. I attach a plan showing the holding structure between these companies.

8. Of course I have painted here only the black side of the picture, for many of their actions may have, no doubt, rational explanations which are not immediately apparent to the outside observer.

9. Many of the activities we complain about are fairly common-place in highly-developed countries, but there it is not so immediately apparent and is often done through trade associations, conferences, cartels, etc.

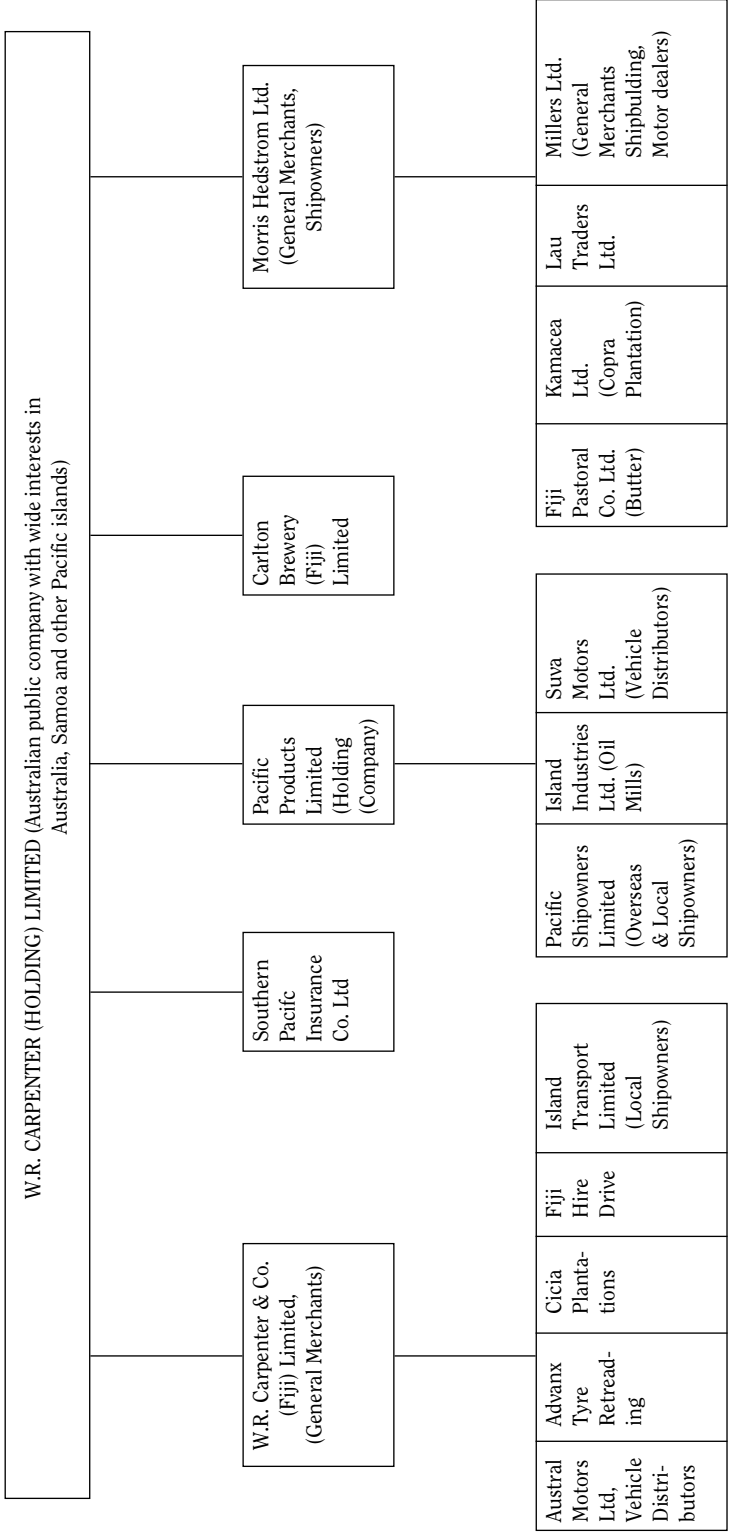
10. One of the major problems is that there is so little published information about the activities of our companies. This is either because the local capital structure is arranged so that it can register as a private company or because the local concern is simply a branch which does not publish separate figures for its Fiji business.

11. Their strangle-hold has resulted in the Asiatic community being unable to offer price competition such as is offered by Asiatics throughout the East. (I realise, of course, that Hong Kong and Aden are extreme examples, being duty-free ports and in no way comparable.)

12. Sir Kenneth Maddocks informs me that in West Africa the Unilever group had a similar monopolistic position and at one time were exceedingly unpopular. They overcame this by the formation of local companies, the appointment of local directors and by the training of local personnel for managerial positions. Sir Kenneth added that this was all done because the London directors read the political score correctly and in time. We here are doing our best with the educational process but it is rather slow and in the meantime there are sundry questions, such as taxation and our Company Law, which could well be discussed.

13. Parkinson, our Commerce and Industries Officer, is coming home on leave towards the end of May and I am wondering whether there is anyone amongst your trade experts with whom he could usefully have discussions. No doubt he will be calling at the Colonial Office quite early on his leave and I shall be grateful if you could arrange for him to meet somebody to discuss this problem.

**Annex to 22**



**23** CO 1036/752, no 8

20 Jan 1961

[Scholarships for Fijians]: letter F W Atwell (CO) to D W Overington (Treasury) on interim financial support

The Fiji Government's policy when appointing local residents to the Fiji Civil Service is to preserve a balance between Fijians and Indians and, to this end, the Governor proposes to submit an application for a C.D. and W. grant towards the cost of a Scholarships Scheme under which Fijian students will be trained overseas—either in the United Kingdom or Australasia. This proposal has the support of the Fijian Great Council of Chiefs and of the Burns Commission which conducted an enquiry into the natural resources and population trends of the Colony in 1959.

2. We have informed the Governor that his proposal for scholarships for Fijians is approved; that a scheme must be drawn up and approved here before any scholarships are awarded, that it must be financed from the Colony's territorial allocation and that the scholars concerned must undertake to return to Fiji after their course is completed and to accept appointments in the public service on their return.

3. The Governor has now informed us that he expects shortly to submit an application for C.D. and W. assistance. However, some immediate payments are necessary to scholars who are leaving soon for the commencement of the Australasian academic year and the Governor has therefore sought a telegraphic assurance that such payments will not be debarred from reimbursement from C.D. and W. funds if the application is subsequently approved.

4. We see no objection to the Governor's proposal and, subject to your agreement, we propose to inform him that such expenditure may be met from local funds in the first instance, subject to reimbursement from C.D. and W. funds if and when a C.D. and W. scheme is approved.

**24** CO 1036/752, no 9

20 Jan 1961

[Scholarships for Fijians]: inward savingram no 69 from Sir K Maddocks to Mr Macleod applying for a grant. *Annex*

Your saving telegram No. 511 of 24th November, 1960.

2. I forward herewith an application for a grant of £Stg. 13,212 (£F. 14,665) as a 90% grant from Colonial Development & Welfare funds towards the cost of financing scholarships for Fijians to enable them to undertake studies in the United Kingdom between 1st April, 1961 and 31st March, 1964. The scheme was not included in the draft Development Plan for 1961–1970, but will be included in the revised plan now being prepared. The scheme for 'United Kingdom Scholarships for Fijians' has been approved by all races in the Legislative Council and local funds cannot be found for it other than the 10% contribution proposed in the application.

3. I consider it of great importance that everything possible should be done to hasten the training of members place in Government, commerce, industry and in the running of their country generally. To this end the enclosed application proposes a scheme of awards to be known as the 'United Kingdom Scholarships for Fijians'

which provides for a number of scholarships to be reserved for the Fijian people as recommended by the Burns Commission.

4. The first need is undoubtedly to train Fijians so that they may be more fitted to fill senior posts in the Civil Service, but it is also very important that more of the senior openings in the professions and in commerce and industry should be filled by Fijians. For this reason the proposed scheme is for scholarships to Fijians to enable them to take up studies in the United Kingdom which will be of benefit to them and to the role to be played by Fijians as a whole in the administration of the Colony.

5. It is proposed that those Fijians, to whom scholarships under the scheme may be granted, should be required to enter into an agreement that they will on the completion of their studies return to work in Fiji for a period of at least three years. I would, however, mention that in the case of Fijians I consider that it would be unlikely that there would be any important wastage even if this requirement were not made.

6. I should be grateful for your support to this application for assistance from the supplementary allocation of Colonial Development & Welfare funds to Fiji, which was the subject of your despatch No. 384 of the 7th September, 1960. A request for Colonial Development & Welfare assistance towards scholarships in Australia, New Zealand and elsewhere is the subject of a separate savingram.

#### Annex to 24

The Report of the Burns Commission recommended (paragraph 671) that a group of Fijian students should be sent to a United Kingdom University. Fijians are anxious to strengthen existing ties between Fiji and the United Kingdom and there is little doubt that the higher education of selected Fijians in the United Kingdom would do much to achieve this end.

2. It is desired to establish a separate Scholarship Scheme to be known as the 'United Kingdom Scholarships for Fijians', financed with the aid of a 90% grant from Colonial Development & Welfare Funds. In the recent debate in the Fiji Legislative Council on the report of the Burns Commission, members of all races supported the recommendation that Fijians should receive preferential treatment in this respect in order to enable them to play a fuller part in the Government of their own country.

3. The recommendation of the Burns Commission that Fijian students should be sent to a 'United Kingdom University' could be taken to imply that the Commission was thinking solely in terms of the production of graduates. It is proposed, however, that the Scholarship Scheme should be open to any Fijian whose value to his country could be improved by a course of instruction or attachment in the United Kingdom even though this may not be up to full university level. It is also considered that while these proposed scholarships should be open to students leaving school, they should mainly be used for the further training of Fijians already employed either in the Civil Service or in some other approved profession or trade, in order that they might be better qualified for promotion or for transfer to other work. (Fijian school-leavers will, of course, be eligible for the award of scholarship under a general scholarships scheme in competition with applicants of all races.) While the majority of Fijians trained in the United Kingdom will doubtless join Government service, it is considered that these scholarships should also be open to those not in Government

service (e.g. Fiji Broadcasting Commission, Suva City Council, etc.) and to persons who seek non-Government employment.

4. In general, therefore, it is considered that the proposed 'United Kingdom Scholarships for Fijians' should be open to any Fijian for any course of instruction or attachment lasting at least one year which will be of value to Fiji.

5. As an indication of the need to give preferential treatment to Fijians, it is worthy of note that of 113 locally-born people known to have university degrees, only 11 are Fijians; and of 200 now known to be attending Universities overseas, only 18 are Fijians.

6. It is proposed that the selection of candidates for scholarships awarded under the scheme should be in the hands of the existing Scholarship Selection Committee under the chairmanship of the Director of Education which selects recipients for the bursaries awarded annually by the Government of Fiji to persons of all races for overseas study.

7. It is difficult to estimate approximate expenditure. What follows is based on the assumption that a tourist air-fare to United Kingdom costs about £F.320, that living expenses in the United Kingdom (based on information from the British Council) will amount to about £F.660 a year; that fees, etc. (of which full details are unavailable here) will average about £F.80 a year; and that a clothing allowance of about £F.50 will be paid in the first year of any award. On this basis, a one-year course in the United Kingdom (with return passage) would cost about £F.1,430, including return air-fare within twelve months; a two-year course would cost about £F.1,110 in the first year and about £F.1,060 (no clothing allowance) in the second year; and a three-year course would cost £F.1,110 in the first year, £F.1,060 in the third, and £F.740 (i.e. neither passage nor clothing allowance) in the second. It would, therefore, seem reasonable to estimate the cost of United Kingdom awards at a round figure of £F.1,110 or £STG.1,000, each a year. It has also been assumed in the calculations which follow that the number of holders of these awards will rise from 4 in the academic year 1961/62 to 6 in 1962/63, and to 8 in 1963/64.

8. In estimating the cost in each financial year, it has been assumed that awards would be tenable from September to August; that the value of each award would be approximately £STG.1,000 a year; that seven-twelfths of this amount (£STG.585) would fall in one financial year and that the remaining five-twelfths (£STG.415) would fall in the next. There is obviously considerable scope for variation in these assumptions, especially when it is impracticable to estimate in advance the length of the course which each holder would follow. But on this basis the cost of the Scheme in the next three financial years would be approximately as follows:—

	1.4.61–	1.4.62–	1.4.63–	TOTAL
	<u>31.3.62</u>	<u>31.3.63</u>	<u>31.3.64</u>	
	£STG.	£STG.	£STG.	£STG.
April–Aug.		4 × 415 = 1,660	6 × 415 = 2,490	
Sept.–Mar.	<u>4 × 585 = 2,340</u>	<u>6 × 585 = 3,510</u>	<u>8 × 585 = 4,680</u>	
	<u>2,340</u>	<u>5,170</u>	<u>7,170</u>	<u>14,680</u>

9. The usual Financial Summary (Appendix I) is attached.<sup>1</sup>

<sup>1</sup> Not printed.

**25** CO 1036/612, no 30

6 Feb 1961

**[Constitutional development]: letter (reply) from H P Hall to Sir K Maddocks on the changes proposed and a government statement**

Thank you for your letter of the 17th January about constitutional changes and the revised statement which you would like to issue.<sup>1</sup>

2. The Secretary of State has seen your proposals again and, subject to the points which follow, he approves them.

3. The Secretary of State would still prefer the title of 'Member' to be used in Stage 1. Your draft statement clearly brings out that this is a preliminary stage to give unofficials experience of working the ministerial system and to give the Civil Service experience of working with Ministers—in fact a training period for all before the introduction of a full ministerial system. You could say, however, that the title 'Minister' will be used, if and when Stage 2 is introduced. The Secretary of State agrees, however, that you should have discretion to decide this in the light of local reactions as proposed in the last sentence of paragraph 2 of your letter.

4. While it is clear from the penultimate sentence of paragraph 3 of your letter that you still intend to retain the official majority in the background, we assume you are satisfied that the last paragraph on page 2 of your draft statement will not cause you any difficulty if the need to use the official majority does in fact arise?<sup>2</sup> The usual practice is to give the Governor reserve legislative powers when an unofficial majority is introduced and at present the Governor of Fiji does not have this power. In Mauritius, for example, where there is an unofficial majority, the Governor has been given reserve powers; as you will see from section 43 of the Mauritius (Constitution) Order in Council 1958. As you say, so long as the 'Members' accept collective responsibility and vote the right way in Legislative Council, 8 official should ensure a government majority. Until, however, the constitutional instruments are amended to provide the Governor with reserve powers, it would be unwise to give the impression publicly that the official majority no longer exists for use if necessary. Some such provision will have to be written in to the Constitution when we come to Stage 2 proper.

5. I am sorry if paragraph 9 of my letter of the 20th December was not entirely clear to you. The purpose of the preliminary Order in Council is to enable all necessary preparations for the elections to be carried out, including the delimitation of new electoral boundaries and the drawing up of new electoral rolls. The preliminary Order in Council can be made as soon as decisions have been taken about the number of elected members of Legislative Council. Again this was done in the case of Mauritius and I enclose a copy of the Mauritius (Electoral Provisions) Order in Council 1958.<sup>3</sup> If a similar procedure is adopted in Fiji it will not be necessary to make the main Order in Council until shortly before the election.

6. There are arguments in principle against extending the lives of Legislative Councils and we suggest a decision on this should be postponed until you know

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<sup>1</sup> See 21.

<sup>2</sup> This is a reference to the point about collective responsibility in the statement as published, see 28, Stage 1, para beginning, 'On appointment members . . .'

<sup>3</sup> Enclosures not printed.

whether your proposals are likely to be readily accepted or not. In the case of Mauritius, the Mauritius (Legislative Council—Extension of Duration) Order in Council 1958 was only made a month or two before the Legislative Council was due to be dissolved. We suggest, therefore, that we see how matters develop before deciding whether or not the life of the present Legislative Council should be extended, and if so for how long.

7. Some time could be saved if consideration could be given now to first drafts of constitutional instruments and electoral regulations, leaving the actual numbers of elected members, etc., to be filled in at a later stage. Similarly as soon as the composition of the new Legislative Council has been decided, preliminary work could begin on electoral boundaries and rolls and a preliminary Order in Council could be made.

8. Incidentally, when your Legal Advisers come to draft the amendments to implement Stage 2, they might also wish to consider whether it might not be desirable to revoke and replace the present instruments in their entirety.

## **26** CO 1036/800, no 7

13 Feb 1961

### **[Fiji civil service]: despatch from Sir K Maddocks to Mr Macleod on the structure of the civil service and the retention of a racial balance**

I have the honour to refer to your confidential telegram No. 244 and to the paragraph in Sir Hilton Poynton's letter of the 17th November, 1960,<sup>1</sup> concerning the structure of the Fiji Civil Service and the retention of a balance in the Service as between Fijians and Indians. I have now given a great deal of thought to this somewhat intractable problem and, with the exception of the reserved posts mentioned at paragraph 7 below, have come to the conclusion that the question of promotion generally can be placed under no restriction.

2. Consideration has therefore been given to some form of control over entry into the Service. Before going into detail however, it may be as well to give the background which has given rise to the present somewhat urgent consideration of this matter.

3. As long ago as 1933, the Council of Chiefs passed the following resolution XVIII:—

'That this Council records its strong and unanimous opinion that Fiji, having been ceded to Her Majesty the Queen of Great Britain and Ireland, Her heirs and successors, the immigrant Indian population should neither directly nor indirectly have any part in the control or direction of matters affecting the interests of the Fijian race.'

In his address to that meeting of the Council of Chiefs, the Governor made the following statement:—

'The Government is also endeavouring to formulate a definite scheme to increase the number of Fijians in its employment, and all Heads of Department are being asked to state to what extent, bearing in mind the

<sup>1</sup> See 19.

claims of European and Indian candidates, they consider that it may be possible to increase the number of Fijians who serve in their Department.'

It appears that action on this Resolution yielded only minor results, but it must be borne in mind that at that time the number of Fijians and Indians offering for posts above the clerical grades could be numbered in mere ones and twos. However the Civil Service Staff Board of the period adopted a policy of trying to keep a rough balance between Fijians and Indians entering the Service. At times there were difficulties in obtaining sufficient Fijians, whereas the number of Indian applicants was always in excess of the requirements. Nevertheless, the Staff Board found itself able to follow a broad policy of maintaining a balance in the Service between the two main races.

4. In 1956, however, the Civil Service Staff Board was disbanded and Departmental Staff Boards were established, and with their establishment the policy of maintaining a balance in the Service lapsed. The result has been that the number of Indian entrants into the Service has increased, though even now there are still more Fijians than Indians in the Service. But the numerical superiority of the Fijians is in the lower ranks of the Service. As soon as any serious effort was made to localise the Service and reduce the number of expatriate officers, it became apparent that local candidates suitable for the middle and upper grades of the Service would be predominantly Indian. This point is clearly demonstrated in the enclosure to my saving telegram No. 69 of the 20th January, 1961, making application for a Colonial Development and Welfare grant for Fijian Scholarships: paragraph 5 of the memorandum shows that 113 locally born persons have university degrees, of whom only 11 are Fijian. Of 200 locally born persons now attending universities overseas only 18 are Fijian.

5. These factors have alarmed the Fijians and occasioned the rider which the 1960 Council of Chiefs added to its comment on Resolution III of the Burns Commission proposals. Their rider reads:—

'That the senior posts in the Government should continue to be filled from the United Kingdom until such time as they can be filled by Fijians.'

A pre-requisite of the implementation of this request is to ensure that adequate numbers of Fijians secure appointment to all grades in the Service and thus receive in-service training, and opportunity for promotion to the highest posts.

6. There is an unfortunate disparity in the ability of the two races for certain types of work: the Fijian is particularly weak in matters of accounting or in work such as engineering, surveying and radio technology, all of which require some knowledge of higher mathematics. Also the Indian, by and large, has a much greater application to study and a greater tenacity of purpose. On the administrative side, however, Fijians have shown themselves to have marked ability and considerable gifts of leadership, particularly if they are supported by loyal and able European officers: unfortunately, however, a large proportion of able Fijians has been drawn into the Fijian Administration, and have thereby been denied the experience of general administration which they would otherwise have gained. One of the purposes of the constitutional proposals outlined in my letter to Mr. H.P. Hall of the 17th January, 1961,<sup>2</sup> is to move Fijians forward into positions of responsibility and

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<sup>2</sup> See 21.



leadership. It is necessary also to ensure that they are brought forward in adequate numbers in the Civil Service and that a balance is maintained.

7. If, in accordance with the Resolution of the Council of Chiefs, a schedule of reserved posts were to be prepared, it would include the following:—

Chief Justice and Puisne Judge  
 Colonial Secretary, Financial Secretary  
 and Secretary for Fijian Affairs  
 Attorney-General and Solicitor-General  
 Class I Administrative Officer  
 Commissioner of Police and Deputy  
 Director of Medical Service and Deputy  
 Director of Education and Deputy  
 Director of Agriculture and Deputy  
 Director of Lands and Deputy  
 Director of Public Works and Deputy

But it will be noted that the Council of Chiefs wish these posts to be held by Europeans until such time as they can be held by Fijians. I consider that this position is not defensible and that the most Government should agree to is that they should be held by Europeans until such time as Fijians and Indians are available to take them on a basis of balance between races.

8. On the question of entry into the Service, the Chairman of the Public Service Commission has given it as his opinion that it would be unwise to have a fixed ratio as this cannot in practice be applied with uniformity to all departments without a significant lowering of standards. He considers that the Public Service Commission should be given a directive which might read as follows:—

‘In making its recommendations for the selection of candidates for entry into the Public Service, the Commission shall have regard to the need for securing a balanced distribution of posts as between Fijians and Indians.’

I attach a schedule<sup>3</sup> showing the composition of the Service at the time when the 1960 Civil List was prepared: there have been minor changes since then but there has been no marked change in the overall picture. This shows that it is by no means too late to bring in some form of control, that the great majority of senior posts are still held by Europeans and that so long as posts held by Europeans are considered to be in due course available to Fijians and Indians on a basis of parity, it should be possible to retain a balance within the Service.

9. In this connection I am given to understand that prior to independence there was a rigid ratio of no less than six to one maintained in the Federation of Malaya as between Malays and Chinese and while I do not think that any rigid ratio is applicable in the circumstances of Fiji, I consider that we have a responsibility to the Fijian people to do everything in our power to ensure that they have a voice commensurate with their position in the Legislature, in the Executive and in the Civil Service as a whole.

10. In my Budget speech on the 25th November, 1960, the following was included:—

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<sup>3</sup> Not printed.

'Honourable Members are aware that in recent years Government has pressed forward with the appointment of local residents to the Fiji Civil Service wherever possible. Not only is it right that the people of the Colony should be actively associated with Government on the Executive side, but it is also a matter of plain economics. However, because of the small number of Fijians who have received higher education there is a danger that unless special measures are taken there will soon be an undesirable imbalance in the higher grades of the Civil Service as between the two major races in the Colony. This is a problem which is receiving careful examination. It imposes a responsibility on Government to do everything in its power to hasten the training of members of the Fijian community to enable them to take their rightful place in Government. To this end, I propose that a number of overseas scholarships should be reserved for the Fijian people, as recommended by the Burns Commission, and the use of Colonial Development and Welfare funds for this purpose has been approved in principle by the Secretary of State.'

While this has naturally given satisfaction to the Fijian community, it has inevitably caused uncertainty amongst the Indian community and amongst Indian Civil Servants and I think it is important that Government should reach an early conclusion on this point and make its intentions known. I would therefore propose that an announcement should be made to the effect that the posts listed in paragraph 5 above will be reserved for members of Her Majesty's Overseas Civil Service appointed by the Secretary of State until such time as local residents are available for promotion to them in such a way as to maintain a balance between the races. I would further announce that instructions have been issued to the Public Service Commission that entry to the Civil Service should be controlled in such a way as to secure as far as possible, a balance between the number of Fijians and Indians within the Service.

**27** CO 1036/612, no 36 15 Feb 1961  
**[Franchise]: letter from Sir K Maddocks to H P Hall on a resolution  
of the Fijian Affairs Board to extend the franchise to women**

At the meeting of the Fijian Affairs Board held at the beginning of this month, the Board passed some interesting resolutions on constitutional matters. They had been considering the question of electoral boundaries in the light of the Burns recommendation and the resolution of the Council of Chiefs. A discussion of this subject inevitably led to the broader question of electoral qualifications and they came out with the strong recommendation that the franchise should be extended to women. The property qualifications required by the existing Letters Patent are so small as to be virtually meaningless and they have recommended that there should be universal adult franchise, the sole qualification being the ability to write in the vernacular. They further recommended that the qualifications for candidates for election should be the same as those required for electors except that a knowledge of English should be required. In other words they considered that women should be allowed to stand for election. This is, of course, already the case in Tonga but it is a

major step forward in the attitude hitherto prevalent in Fiji. It is true that they were considering only the Fijians but they recognise that the same rules would have to apply to all races.

2. You will remember that Amery was against the granting of votes for women though he did not make it at all clear why he took this view except on the general grounds that one should not progress faster than was necessary. My own view is that to give women the vote would be a thoroughly good thing. Fijian women in particular are far more stable than the men and they would be likely to exert a healthy influence. As Reid put it, one could not imagine Fijian women voting for Tora.<sup>1</sup> We should like to get this proposal before the public as rapidly as possible but in view of Amery's comments I should be grateful if you would confirm that the Secretary of State would not oppose an extension of the franchise of this kind if there is general support for it.

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<sup>1</sup> Mohammed Apisai Tora, a Fijian convert to Islam, a trade union leader and leader of the Fijian Western Democratic party in the Apr 1963 election. His party joined the Federation Party in 1969 to form the National Federation Party.

## **28** CO 1036/612, no 52

27 Feb 1961

### **[Constitutional reform]: statement published by Sir K Maddocks on the Fiji government's proposals**

In his Address to the Legislative Council at the opening of the Budget session, the Governor referred to the desirability of closer association of the elected representatives of the public with the framing and implementation of policy and said that he believed that the time had come to consider some modification of the present constitution, and to give more responsibility to unofficial members without making any radical alteration in the composition of the Legislative Council. There has been public discussion from time to time on the desirability of eliminating the official majority in the Council and there are those who would like to see an unofficial majority without any change in the composition or functions of the Executive Council. Any Government must, however, have the power to govern and it is clear that if unofficial members are to play a greater part in the administration of Fiji, they must be given and must accept greater responsibility for the formation and implementation of policy. They must be given an opportunity not merely to form an 'opposition' to Government, but to be members of the Government. Government therefore has in mind an advance towards a ministerial system. The proposals, which are in broad outline only and may well need modification in the light of public discussion, are in two stages:—

#### *Stage 1*

At a time to be agreed the Governor will invite unofficial members of the Executive Council to undertake supervisory functions over groups of Government departments. If they decline other Members of Legislative Council will be invited to serve. There might for instance be a Member for Natural Resources, a Member for Social Services, and so on. Such Members will be provided with offices in the

Government Buildings. At this stage they would have no executive authority, but all policy matters relating to their departments would be referred to them. They would have a large say in policy-making and would be expected to take an active interest in all aspects of the work of the departments in their portfolio. Policy questions coming from departments which are at present dealt with in the Secretariat would be referred to the Members. Where necessary Members would take policy matters to Executive Council. They would be expected to introduce Bills dealing with their departments in the Legislative Council and to take them through all stages of Council.

On appointment Members would be required to give an undertaking to accept collective responsibility: that means that when policy matters are considered in Executive Council, all members, both official and unofficial, would, as at present, be free to advise and express their views according to their conscience. Once a decision has been taken in Executive Council however then all would be bound by it, whether it represents their personal views or not. At present only the official side is so bound. If an unofficial member of the Executive Council should be irrevocably opposed to a decision of the Council on a matter of major policy he would have no alternative but to resign from the Council.

Given collective responsibility, Legislative Council would then normally consist of:—

- 8 officials
- 4 unofficial Members of the Government and
- 11 other unofficials.

During this stage the official majority would still be available but the other 8 officials would not normally be required to take their seats.

It is recognised that the work would take a substantial proportion of the time of Members and that a suitable salary would have to be paid in order to compensate them for loss of earnings.

The foregoing stage is intended purely as a preliminary stage to give unofficials experience of working the ministerial system and to give the Civil Service experience of working with ministers.

While it may be thought that unofficial members would thereby merely be joining the Government side this is by no means the way it works in practice. The Executive Council has at present equal numbers of officials and unofficials, and all advise the Governor according to their conscience and there is respect for every view expressed. Members of Legislative Council accepting Member status would therefore have a real say in Government at policy-making level: they would also receive that training in responsibility which is essential to a full ministerial system. Stage 2 cannot be operated unless there are persons willing to accept collective responsibility.

### *Stage 2*

The second stage which it is hoped would follow in due course after the introduction of the first stage would be for a full ministerial system with executive responsibility.

In this stage, Ministers will receive salaries in keeping with their position, and full responsibility for one or more departments. Government would retain the present *ex officio* posts of Colonial Secretary, Attorney-General and Financial Secretary and they would rank as Ministers. The number of Ministers from the unofficial side could

be either four, five or six. On the basis of six, Executive Council would then consist of:—

The Governor  
 3 *ex officio* Ministers  
 1 official Minister  
 6 unofficial Ministers

Members of Executive Council would be selected by the Governor, from the elected members of Legislative Council, and would be required to accept collective responsibility for the decisions of the Council and vote accordingly in Legislative Council. The Legislative Council would then consist of:—

6 Fijians (4 elected, 2 elected by the Council of Chiefs)  
 6 Indians (4 elected and 2 nominated)  
 6 Europeans (4 elected and 2 nominated)  
 7 official members.

As six of the Legislative Council unofficials would be Ministers there would only need to be seven official members in the Legislative Council who, voting with the six unofficial Ministers, would form the Government majority. The remaining twelve unofficials would form the 'opposition'. The Governor would have reserve powers.

The figure of six for each group is put forward because it is becoming evident that the present electoral boundaries are not entirely satisfactory and some sort of boundary revision is necessary. The Western Division, in particular, is over-large.

A further alternative which can be considered is that the Europeans and Indians should have only 5 elected representatives each, and that there should be 3 nominated members to be selected from minority groups or others not represented in Council. These are points for consideration.

These proposals have already been outlined to all members of Legislative Council. Their purpose is to associate the people of the Colony more closely, not only with the Legislature, but with the Executive in its day to day functions. It is considered that the time has come when the Government of the Colony should be slowly transferred from the hands of senior civil servants to the representatives of the people.

The object is to ensure that this process is undertaken in an orderly manner and in a manner which places true responsibility upon the elected representatives of the people.

**29** CO 1036/74, no 8

28 Feb 1961

**'Fiji: review of affairs': despatch from Sir K Maddocks to Mr Macleod on the current position and future policy**

During the last 15 months Fiji has been passing through a somewhat difficult period in which industrial disputes and the forthright report of the Burns Commission have combined to increase racial feeling and in consequence to draw attention to the long-term problems of this complex group of islands and encourage speculation about its future. In this despatch I will describe the present situation in the Colony and outline my views on a future policy for Fiji.

*Part I.—The present*(a) *The peoples of Fiji*

2. The Fiji group of some 300 islands has a total land area of 7,055 square miles and a population which at the end of 1960 was estimated to be 401,018, made up as follows:

	<i>Number</i>	<i>Approximate Percentage of Whole</i>
Fijians	167,473	41·7
Indians	197,952	49·4
Europeans	10,667	2·7
Part-Europeans	8,696	2·1
Chinese	4,943	1·2
Other Pacific races	<u>11,285</u>	2·8
Total	<u>401,018</u>	

3. At the time of Cession in 1874 Fiji was populated almost entirely by Fijians whose estimated number was 200,000. This number was subsequently reduced by epidemics until in 1905 it was only 87,000. It then remained constant until 1919, when it was again reduced by the influenza epidemic to its lowest point of 83,000. Since 1919 it has increased steadily and the vital statistics of the Fijians now compare favourably with those of similar races. Their gross reproduction rate is 2·31.

4. Indians first came to Fiji in 1879 as indentured labourers, and continued to do so until 1916 when this form of immigration ceased. By 1916, 50,000 Indians had been introduced into the Colony. These Indian immigrants arrived with few women and at first reproduced slowly. Now, however, the Indian population is increasing more rapidly than the Fijian: their gross reproduction rate is 3·24. In the short space of 75 years, the Indian population has risen from a mere fraction to almost half of the total population. During the last decade, it has increased by nearly 50,000, the same increase in the Fijian population taking 20 years. The main reasons for the present more rapid increase in the Indian population are:

- (a) the fertility rate of Indians is higher than that of the Fijians;
- (b) Indian women bear children at an earlier age; and
- (c) Indian women have apparently given birth to a high, and Fijian women to a low, proportion of female children.

5. It is estimated that, if conditions remain as they were in 1959, the Indian population should exceed a quarter of a million by 1966; the Fijian population reaching that figure by about 1976. By 1968 the total population of the Colony should exceed half a million, and by the end of this century it is likely to be between 1·2 and 1·4 million.

6. Fijians are an integrated, united people, subject to a social organisation which remains deeply influenced by custom. Until recently, they have been encouraged to preserve their traditions, which have enabled them to remain united, but at the expense of the growth of individual initiative. It is now recognised that their traditional way of life places them at a serious disadvantage in the modern and materialistic environment of Fiji, particularly in comparison with Indians. Although the Fijians are aware of this disadvantage, they realise also that the strength of the

Fijian race rests upon its unity which offers the best chance of retaining the privileged treatment to which they feel entitled by the Deed of Cession, and the undertakings arising from the Deed which were subsequently given to them. They are loyal, courageous and capable of very hard work for short periods, but they are not good at sustained effort or at looking ahead and making provision for the future. Individual responsibility, and the progress of the individual at the expense of the group, is a new and alien concept in Fijian society which is improperly understood and seldom followed. This continued dependence of the individual on the group, and the reluctance of the individual to offend public opinion by prospering in advance of the group, has retarded the progress of the Fijians, which lags seriously behind that of the Indians. Nature prompts them to attach more importance to the happy carefree life than to one burdened with the anxiety and responsibility of a monetary economy. In this, their attitude is in direct contrast to that of most Indians.

7. The Indian indentured labourers who migrated to Fiji between 1879 and 1916 came from depressed circumstances in India; they also came from various parts of India and represented various castes. However unsatisfactory the conditions under which they were required to work during the period of their indenture in Fiji, these conditions were superior to what they had been used to in India and, at the conclusion of their indenture, when they were offered the opportunity of settling in Fiji as free citizens, they were confronted with prospects for progress and prosperity more favourable than anything they could have thought possible. The Fijians, at that time, did not regard the Indians as a threat to their own position and were indifferent to their progress. Land was leased to Indians in areas where the most economic and remunerative crops could be grown, chiefly sugar cane on the rich alluvial soils of the coastal plains and river valleys, particularly in the Western Division. The Indians, for centuries prevented by caste and other factors from improving their condition, took full advantage of their emancipation from these traditional restraints and seized the opportunities presented to them in Fiji. Their prosperity and their numbers increased accordingly.

8. However, the nature of their origins is reflected in their social and political organisation, the predominant characteristic of which is disunity. While the unity of the Fijians is the source of their strength, the disunity of the Indians is their weakness. It is seldom that an Indian leader can command the support of a majority of Indians, or retain it for long if he does. Sectional bickerings are endemic in Indian social, political and religious life in Fiji; a tendency which has diverted men of quality from entering Indian politics, and which largely explains the dearth of able and respected Indian leaders. The quality of Indian leadership is therefore poor and it also changes frequently; this is accentuated by the total absence of political parties.

9. On the whole Indians are good and hardworking citizens. They are anxious to get on well with Fijians and usually succeed in doing so. They are thrifty: consider the welfare of their children; are usually restrained in their behaviour and are moderate in their habits. In these respects they are more mature than the Fijians, whose domestic behaviour is frequently irresponsible, whose addiction to alcohol is becoming serious and whose general behaviour, particularly when it concerns money, is too often irresponsible. Of the two races, therefore, the Indians are more advanced and, with their increasing numerical superiority and other attributes, they can hardly fail to succeed eventually in becoming the dominant race in Fiji. Unfortunately there is virtually no inter-marriage between Indians and Fijians.

10. The fact that so many Indians have been highly successful in commerce and the law, while Fijians have turned mostly to clerical and administrative posts in the Civil Service and Fijian Administration, has resulted in the building up of a strong, independent and influential Indian middle class while there is no comparable body amongst the Fijians.

11. There are very few pure Europeans permanently domiciled in Fiji, probably not more than 300 including women and children. The remaining 10,300 are temporary residents, many for substantial periods: these look upon Fiji as a pleasant place in which to live and earn their living but they regard it only as a temporary home. Their roots are elsewhere, and their children seldom remain in Fiji, even to complete their education. Their knowledge of the country is confined to those aspects which affect their own interests and they support policies which favour these interests. On the whole, they are not much concerned with the ultimate good of the Colony, being content to support the maintenance of the *status quo* as providing the best chance of retaining a favourable environment for the pursuit of their own interests. In doing this, their attitude, for different reasons, conforms to that of the Fijians, who suspect any disturbance of the *status quo* as a possible move towards strengthening the Indian cause at the expense of their own.

12. The Europeans have an important part to play as a balancing influence between the Fijians and Indians, as the providers of capital and as a source of business, organising and technical acumen; but the feeling is prevalent amongst the Indians, and is spreading amongst other races domiciled in the Colony, including the Fijians, that the grip of European vested interests, mostly of overseas origin, on the Colony's economy is excessive. The future for Europeans in Fiji would be more secure if they recognised that the country must ultimately be controlled by those domiciled within it and if they accepted a subordinate but still influential part in maintaining harmony between the two dominant races and were less grasping in the measure of financial return they expect.

13. In addition to pure Europeans, there are about 8,500 'part-Europeans' who are domiciled in Fiji. They are particularly hostile to any increase in Indian influence, but they are not an articulate section of the community and their influence, except in association with European and Fijian policies, is negligible. A substantial proportion of them are more Fijian than European. They occupy very few senior positions of responsibility in the Colony and work mostly in agriculture or as artisans.

14. The Chinese form a small but strong minority of about 5,000 which exhibits no outward interest in politics and whose attentions are devoted almost entirely to making money, at which their success is much the same as that of the Indian population.

15. The remainder of the population is composed of a selection of Polynesians and Melanesians, or similar strains, originating from other Island Territories in the South-West Pacific; these include the Rotumans. These people are more vigorous and independent than the Fijians but their progress is hampered by having insufficient land at their disposal and no access to capital. They work mostly as artisans, or in clerical positions with the Government or commercial firms.

(b) *The land*

16. Not only are there marked differences in the characteristics and rate of increase of the two main races, but land tenure, educational standards and economic



factors accentuate the effect of these differences. All the land in Fiji other than Crown lands and those areas of land that had been alienated to foreigners at the time of Cession, is recognised as belonging to the Fijian people and it may not be sold to non-Fijians. It is held communally by extended family groups. Fijians own 83 per cent. of the Colony's land, though much of this is mountainous or of poor quality. The 10 per cent. of land held under freehold includes most of the alluvial plains and richer farm land. The Indians with half the population own only 1.7 per cent. of the land and hold under leases only 8 per cent., but it is, generally speaking, of good quality and accessible to markets. There is as yet no real shortage of land—it is estimated that in 1966 when the population should be over 500,000 there will be the equivalent of 10.8 acres of reasonably good land available for every adult male and 17.5 acres for each person engaged in agriculture—but the leasing of Fijian land has been delayed both by the long-drawn-out process of creating reserves to provide for Fijian needs and by the reluctance of Indians to settle anywhere but in the rich sugar areas. Meanwhile the Indians complain of inability to obtain leases while the Fijians, fearing the numerical preponderance and economic domination of the Indians, are more than ever determined to hold on to their one great asset—their land.

(c) *Education*

17. As regards education, the numbers of children attending primary schools is high in comparison with many dependent territories, being 95 per cent. in the case of Fijian children and between 80–85 per cent. for Indian children; but of the 14–17 age group only 14 per cent. of the Fijians and 16 per cent. of the Indians receive a secondary education. At higher levels the disparity between the two races is much greater. Only 13 Fijians have obtained university degrees compared with some 200 Indians; and there are 10 Indians on overseas courses to every one Fijian. This is due to the greater wealth of the Indian community which enables them to find or borrow money to finance their own higher education, while Fijians depend almost wholly on scholarships.

(d) *The economic position*

18. Despite efforts to diversify the economy and introduce alternative cash crops, sugar remains the staple export and for this reason the basis of the Colony's financial and economic structure remains vulnerable. The main exports are sugar (50 per cent.), coconut products (16 per cent.), and gold (8 per cent.). The only others of any significance are manganese and bananas. The average income is about £70 per annum, considerably above that of many Asian and African countries but very low in comparison with that of Fiji's Australasian neighbours.

19. Although Fiji is one of the more highly taxed of the dependent territories, expenditure on social services has for many years been at such a high level that the Colony's financial position progressively weakened from 1949 onwards and in 1958–59 stringent measures were necessary to build up reserves. Unhappily the sugar dispute of 1960 made it necessary to budget for a deficit in 1961 and expenditure on development is now largely dependent upon grants and loans from the United Kingdom. The Colony has reached what I regard as a direct taxation ceiling; and no material increase is possible in this field at present. It is probable that within a few years the Colony will have to be grant-aided.

20. The Colony is affected by two main streams of external influence. While its administrative structure is that of a developing British Crown Colony, the key Government posts in this respect being held by officers recruited to Her Majesty's Overseas Civil Service from the United Kingdom, there are large numbers of Australians, New Zealanders and locally-born Europeans in the professional and technical branches of the Service. External economic influences are predominantly Australasian. Apart from grants from the Colonial Development and Welfare fund to the Government, capital investment from abroad is mainly from Australia. Unfortunately the main Australian-based European commercial firms are becoming increasingly monopolistic in character and this tends to stifle natural competition and to inhibit initiative.

21. Industrial development in Fiji is hampered by the absence of a sufficiently large local market for many manufactured goods, and by the fact that the nearest major outlets are the American Continent to the north-east, Australia to the west, and New Zealand to the south, all of which are difficult markets to penetrate. Power supplies are limited to a few urban areas and in some cases costs per unit are sufficient to discourage the establishment of light industry.

22. Nevertheless, there has been substantial expansion of secondary industries. In recent years two cigarette factories, a brewery, a concrete products plant, a paint factory and a clothing factory have been established. A cement plant is in course of erection, one new hotel has recently been completed, two existing hotels have been extended, and another new hotel is under construction. Other ventures under investigation include saw milling, fish canning, flour and peanut oil milling. Construction is nearing completion on two slipways, the largest of which will take vessels up to 1,000 tons in order to provide facilities for the expansion of the small ship construction and ship repair industry based on Fiji.

23. There are marketing problems for primary products which remain to be solved. Sugar is tied to quota, and the Burns Commission drew attention to the need for stimulating co-operative marketing for other crops. The proximity of Fiji to Australia and New Zealand is, in this respect, of little help. Fijian bananas are limited by quota in New Zealand and are priced out of the market in Australia by freight charges and import duty. Fiji has a large (1:4) unfavourable balance of trade with Australia. Generally, visible imports continue to exceed exports, although this is to be expected in the early years of economic expansion of an underdeveloped country.

24. Although there are adequate ore beds remaining for exploitation, the lack of development capital raises doubts about the future of the gold mining industry. The surface deposits of manganese are of limited scope and the present price is poor. Copra production may decrease over the next few years until plans to stimulate replanting and new planting take effect. Rice production should increase but it is too early to say when the Colony may become self-sufficient in rice. Cocoa shows promise, but will take some time before it can become a substantial export crop.

25. The Colony's economic life therefore seems likely to continue for some time to be dominated by sugar. Employer-employee and miller-producer relationships in this industry will continue to have an important effect on the social and economic life of the Colony. The industry is vulnerable to political and social upheaval, industrial disputes and natural phenomena such as earthquake and hurricane. In this it is no different from any other important industry; but Fiji's present reliance on the £F.8 million per annum sugar industry is such that a serious upset in its

production would be a major setback to the Colony as a whole. Provided there is no large-scale disaster, there is no reason, however, why the Colony's economic future should not be regarded as reasonably good so long as capital for major works remains available from overseas.

(e) *The present system of local government*

26. The system of local administration is unusual. While there are multiracial councils in the urban areas (Fijians have not hitherto been eligible to election to these councils but this is shortly to be corrected), in the rural areas the administration of Fijians is quite separate from that of the other races. Originating from the policy of Sir Arthur Gordon immediately after Cession, that the Fijian way of life should be preserved, and that their administration should be based on existing Fijian institutions, work continued to be organised through the communal system, and land continued to be held communally through the extended family unit known as the *mataqali*. Individual interests continued to be subordinated to those of the group whose opinions, from the village, through the district and province to the Council of Chiefs, were formally recorded after *bose* or meetings had been held at these different levels. By this system, the wishes of the people were expressed, and they were given effect through what is now described as the Fijian Administration.

27. At the head of the Fijian Administration is the Secretary for Fijian Affairs who is President of the Council of Chiefs and Chairman of the Fijian Affairs Board, a body composed of the five Fijian Members of the Legislative Council and a Financial and a Legal Adviser. This Board, like the Council of Chiefs, submits to the Governor such recommendations and proposals as it considers to be for the benefit of the Fijian people, and it is empowered to make regulations for the peace, order, welfare and good government of the Fijians, and for the observance of Fijian customary rights, ceremonies, obligations and conduct.

28. Any bill introduced into the Legislative Council which affects any important rights or interests of the Fijians, must be referred to the Board for its consideration, and the Board may advise the Governor that any bill in this category should be referred to the Council of Chiefs, which may require that a memorandum expressing its views should be presented with the bill to the Legislative Council. This procedure provides the Fijians with a very full opportunity for ventilating any objections which they may have to a bill affecting their interests.

29. The Fijian people are administered through officials known as *Rokos*, one of whom is placed in control of each of the fourteen Fijian Provinces, with *Bulis* in charge of districts; and Fijian magistrates preside over Fijian district and provincial courts. There are provincial councils which make by-laws and impose rates, and district councils, which may make orders for such purposes as house building, maintenance of village paths and bridges, and planting for food or profit.

30. As Professor Spate describes it in paragraph 184 of his report on the Fijian people:—

'The Fijian Administration, which is to a large extent a State within a State, is the organisational expression, at all levels from the *koro* (village) to the centre, of the "communal system"; each supports and is supported by the other. In the Fijian village, very little or nothing can be done in the way of social or economic activity—not even, in theory, the holding of a dance—

without the support or at least the tacit approval of the Fijian Administration, except by those—the *galala* or independent farmers—who contract out of the village system.<sup>1</sup>

31. Although the Fijian Administration is designed as a system of local government, and is usually regarded as such, it in fact provides little local government, as the provincial officers are largely controlled from headquarters and, where the population is mixed, the Administration is entirely racial, and not local, as it deals with Fijians only.

32. Whatever the scope of local government provided by the Fijian Administration, there is no other local government organisation except in the suburban and urban areas, where township boards and town councils operate respectively. Government of the widely scattered settlements of non-Fijians in the rural areas (Indians do not live in compact villages as Fijians do but on isolated farms) is conducted through the district administration with the assistance of a number of Indian advisory committees and of multi-racial 'rural local authorities', constituted under the Public Health Ordinance, whose authority is confined to administering and enforcing public health regulations.

(f) *The constitution*

33. Constitutionally Fiji is governed through an Executive Council and a Legislative Council both of which have official majorities. The Executive Council is presided over by the Governor and consists of the Colonial Secretary, the Attorney-General and the Financial Secretary as *ex officio* members. There are five other members, who are appointed by the Governor. These include three elected members of the Legislative Council, one of whom is a European, one a Fijian, and one an Indian. The Legislative Council is presided over by a Speaker and consists of sixteen official members and fifteen unofficial members. Five of the unofficial members are European, five are Indian and five are Fijian. The European and Indian representation respectively is made up of three elected members and two nominated members. The five Fijian members are indirectly elected by the Council of Chiefs: they include two commoners.

(g) *Race relations*

34. Before December 1959, when disturbances occurred in Suva, racial relations were a dormant issue. Fifteen years of post-war prosperity had given the impression that the economy of Fiji was capable of supporting all races at a reasonably high standard of living, and little attention was paid to the expanding population and to the fact that increased prices from primary products, rather than increased productivity, was responsible for the boom. The attitude of many Fijians was then probably as antipathetic to Europeans as it was anti-Indian, although, whatever their feelings about both these races, they were given little outward expression and the general opinion was that in Fiji a variety of races were capable of living together in harmony. Even at that time, however, racial relationships were not on a sound foundation. In all the sugar cane growing areas, the Colonial Sugar Refining Company continued its traditional policy of excluding coloured persons from

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<sup>1</sup> O H K Spate, *The Fijian people: economic problems and prospects* (Suva: Government Press, 1959).

working in a clerical, or more senior capacity, in any of the Company's offices, and they were also excluded from joining the Company's golf and tennis clubs, and from all social events. It was a policy of strict racial exclusiveness, which, since most amenities were usually provided by the Company in the sugar growing areas, was deeply resented. A somewhat similar attitude was adopted by all the big Australian companies which between them dominate both industry and commerce.

35. Fiji's prosperity started to decline in 1957 and, by 1959, although the local standard of living remained relatively high compared to that in other tropical countries, the economic effects were beginning to be felt by individuals, especially those living in urban areas. Dissatisfaction with current wages which was aggravated by brash trade union leaders, by poor employer–employee relationships, and anti-European and anti-colonial propaganda from overseas, culminated in the disturbances in Suva in December 1959. These disturbances, insignificant by world standards but portentous in the normally placid atmosphere of Fiji, were caused by a short-lived alliance between the Indians and the Fijians against the Europeans; the first time in the history of the colony that this had happened. Those taking part were predominantly urbanised Fijians; the property damaged, and the persons abused or assaulted, were almost exclusively European.

36. After order had been restored, it began to be popularly supposed that the disturbances had been initiated by Indians, who had made use of the Fijians to oppose the Europeans. This view was supported by the Fijian leaders, who did not wish to undermine the traditional Fijian–European alliance, and also by the Europeans, particularly through their main organ of expression *The Fiji Times*. Events during the past 12 months have provided material which has been used to substantiate this view. When, early in 1960, negotiations started between the Colonial Sugar Refining Company and the principal growers' associations over a new agreement for the purchase of sugar cane, the Fijians who produce only 7 per cent. of the crop were indifferent. Although they had cane growers' associations of their own, these were of recent growth and because of their keenness to increase the Fijian share of this remunerative crop they were ready to accept the Company's terms. As harvesting time came and passed a split occurred amongst the representatives of the Indian associations, some wishing to harvest and others not, and the 1960 crop was accordingly placed in jeopardy. It was apparent that the continuation of this dispute threatened the economy of the Colony, and no longer concerned the Indian community alone. At this point the Fijian leaders, encouraged by some Europeans, became violently anti-Indian, whose stand over the sugar negotiations they interpreted as an attempt to dominate the economy of the country and, through that, a means to dominate the Government. During this period, the report of the Burns Commission was also published, and certain of its recommendations were regarded by the Fijians as inherently likely to promote Indian interests at the expense of their own. The result was a further hardening of anti-Indian feeling. Within a year of the 1959 disturbances, the traditional Fijian-European alliance had been restored, and the attitude of both these races towards the Indian was that their presence was only tolerable if they were content to accept the continuation of the *status quo*. Most Indians now appear willing to do so, but only as an interim measure based on expediency.

37. The trenchant criticism of Fijian customs and institutions made by the Burns Commission led for a time to a noticeable loss of confidence by Fijians in British intentions and to a general closing of their ranks to resist innovations which might

weaken their position. Deferment of some of the most controversial recommendations and modification of others has largely restored the position but the Fijian leaders remain watchful. It would be wrong to imagine that they love the European. They are intensely loyal to the Crown and are likely to remain so as long as their interests are protected but the individual European is judged upon his merits and all too often he is found wanting—largely because of the grasping attitude, and the aloofness and colour consciousness of the representatives of Australian big business. The traditional alliance has become one of convenience—of mutual support against the Indian—rather than of affection. Beneath the friendly surface there is, particularly in the urban areas, a growing envy of the wealth and security of Europeans and if leading Fijians turned against Britain the spark that showed itself in December 1959 could quickly be fanned into flame. It should be noted here that 75 per cent. of the Colony's regular security forces and virtually all the Army's reservists are Fijian.

*Part II.—Future policy*

38. Any policy for the future of Fiji must be based on an assessment of the possibility of improving racial relations. Can the widely different components of this rapidly-growing population be welded into a cohesive body of people acknowledging common citizenship and working in close co-operation towards a common purpose—the development of the land and the maintenance of a reasonable standard of living? Or will relations between the two major races grow steadily worse with all the makings of another Cyprus? Genuine integration can be ruled out completely: as Mr. Julian Amery graphically put it—‘The Fijians and Indians are more distinct as communities than Jews and Arabs in Palestine, Greeks and Turks in Cyprus and some Europeans and Bantu in South and Central Africa. Inter-marriage, business associations, even personal friendships are rare.’<sup>2</sup> There are some who believe therefore that any talk of building up a non-racial community is unrealistic and that the only alternatives are complete political and economic domination of the Fijian population by the Indian, with the former becoming no more than hewers of wood and drawers of water for the latter; or, as they think more likely, a rising of the Fijians in desperation against the Indians before it is too late. While I certainly do not exclude the possibility of these alternatives, I do not believe that it is impossible, by promoting mutual understanding and removing the more potent causes of friction, to develop a society in which Fijian and Indian will live and work together in peace. That, without any doubt, must be our aim. We have clear obligations to the Fijians through the Deed of Cession. We also have obligations to the Indians who we brought here and to the Europeans who we encouraged to settle here. Our policy in Fiji must therefore be directed both at removing interracial fears and suspicions and at fostering interracial co-operation. Ways in which these objectives may be yet achieved will be discussed in succeeding paragraphs.

(a) *The development of Fijian initiative*

39. Perhaps the first essential is to develop among the Fijians the self-reliance and individual initiative which they at present lack and without which they can never hope to hold their own with the Indian. Fijians react well to strong leadership but too frequently relapse into apathy when this leadership is removed. It is for this reason

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<sup>2</sup> See 13.

that the many attempts which have been made in recent years to further their development by projects organised on group or communal lines, have either failed or have been only partially successful.

40. It is understandable that the Fijians, as a race, should lack individual initiative, particularly those within the communal system, because their social organisation has rested on the belief that the interests of the individual should be subordinated to those of the group. This view is deeply ingrained in the Fijian character so as to be almost instinctive. An abrupt change is therefore unlikely, and, it must be assumed that, however earnestly "individualism" is promoted, it will take a long time before the Fijians as a race exhibit those qualities of self-reliance, initiative and responsibility which are associated with the Western use of the term. To be successful, this process of changing the nature of the Fijians to enable them to fend for themselves in modern life, will have to be slow. Emancipation from communal obligations does not in itself make a successful individualist of the Fijian; it too often leads to mere aimlessness, of which there is ample evidence at present. Nevertheless many Fijians are already operating successfully as individual farmers and have done so for many years, in spite of difficulties arising from their status and background. The chief of these have been:—

- (i) Fijian individualists have been tolerated but not encouraged by the Fijian Administration;
- (ii) they have had difficulty in acquiring a secure title to the land which they cultivate;
- (iii) they have remained subject to the levelling influence of custom;
- (iv) they have lacked capital;
- (v) their release from communal obligations has been on an annual basis and subject to abrupt termination.

41. Prospects for these people are now better. The Council of Chiefs, at its meeting in 1960, recorded its support of the Burns recommendation 'that the independent farmer should be actively encouraged by Government'. Following Professor Spate's report on the Fijian people, Fijians may now commute their social services for an initial period of five years, after which they are eligible for a further extension of five years. It is true that this exemption remains subject to annual review, and may be cancelled if it appears that the farmer lacks the ability to fend for himself; but the old rule that a *galala* must produce a gross income of £100 per annum has been dropped. The grant of individual leases to Fijians is being made more easy and funds are being made available for the assistance of Fijian smallholders. It is proposed shortly to introduce large-scale land development schemes (it is hoped with assistance from the Colonial Development Corporation) which will provide substantial opportunities for eligible Fijians (as well as Indians) to establish themselves as independent farmers.

42. In addition to those Fijians who are becoming individualists as farmers, an increasing number are obtaining regular employment in commerce or with the Government. The recently introduced scheme for the training of apprentices, and the Technical Training Institute, will provide further opportunities for Fijians who want to get away from communal life and are capable of living independently.

43. Notwithstanding these opportunities, and the gradual increase amongst Fijians of responsible individualists, the majority of Fijians, if they are not to become

decadent, will require some form of control in addition to that provided for the ordinary citizen. At present, the restraints provided by the communal system and custom have become largely ineffective, especially in the more closely settled areas. Unhappily, the less commendable aspects of custom such as *kerekere* (the right to 'borrow') appear to remain vigorous, while the more healthy ones, such as respect of children for their parents, have lapsed. In fact, Fijian society, like so many others that have been exposed to alien customs, is losing one way of life, popularly called 'the Fijian way of life', without adequately acquiring another. In consequence, Fijians too often lack purpose, convictions, and confidence in themselves and in their race. Unless this situation is remedied, they are in danger of disintegrating, and becoming increasingly addicted to drink, aimlessness, hooliganism, and general irresponsibility. It will be very difficult for the spirit of the Deed of Cession to be fulfilled in these circumstances.

(b) *Local government*

44. For the foreseeable future, many Fijians will require a form of protection, guidance and control such as that which used to be effectively provided by the Fijian Administration, but which is at present lacking. A second method of rehabilitating Fijian society, therefore, appears to be to adapt the Fijian Administration so that it can function constructively in modern conditions, and not remain an expensive and largely ineffectual liability.

45. The Fijian Administration in its present form is ineffectual because it was designed to be based on the communal system. With the onset of disintegration in the communal system, and the movement towards individualism—both the responsible and irresponsible variety—the foundations on which the Fijian Administration rests are being eroded. To become an efficient instrument of local government, it will have to be recast and decentralised. If this is done, it can be either confined to Fijians alone, whatever their status, or its scope can be extended, even though only in a limited way, so as to include other races, and thereby form the basis for the growth of a system of multi-racial local government. It should be mentioned here that the Burns Commission recommended that the Fijian Administration should be replaced as soon as practicable by a system of multi-racial local government. The Fijians, conscious as they are of the faults of the present system, were almost unanimous in their firm rejection of this proposal and it was decided to take no action until an officer<sup>3</sup> who has been making a study of local government in the context of Fiji had reported. Present indications are that this officer will be unable to secure support for any major change that would involve the abandonment of the Fijian Administration. He is experimenting with a multi-racial advisory committee but even this is viewed with some misgiving by Fijians and he is having to tread warily. The suspicion created by the events of the past 12 months has for the time being made his task almost impossible. It may be therefore that the only possible line of advance will be to bring the Indian communities into a modernised Fijian Administration, at any rate in the predominantly Fijian areas. In areas where Indians are more numerous different arrangements may be necessary. These possibilities are now being explored.

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<sup>3</sup> See 19, note 3.



46. An alternative would be to develop local government on communal lines, with separate systems for the Fijians, and for the remainder of the community. This course might have some advantages on the grounds of expediency, but it would perpetuate existing differences, it would be unsatisfactory administratively, extravagant financially, and probably, ultimately, detrimental to Fijian interests because they should benefit from association with other races in matters of this kind, while too much isolation and protection will remove the incentive to progress, and might well result finally in indifference and stagnation.

(c) *Land*

47. With a population increasing at a rate that will double itself within 20 years, with growing unemployment and with little scope for a rapid expansion of secondary industry and paid employment, the need to settle the younger generation of all races on the land is already urgent. Many recommendations made by the Burns Commission to this end have been accepted and the legislation and other measures needed to put them into effect are being worked out as rapidly as can be expected with a small and hard-pressed staff. The Reserve Commissioners are concentrating their activities in areas best suited to development so that land may be made available for long-term leases at the earliest possible date. Proposals for a Land Development Authority are in draft and increased funds are being made available for agricultural loans. Our policy here must be, while assuring the Fijians of the continued ownership of their land, to ensure that the maximum use is made of it by both Fijians and Indians. The Burns solution of a penal land tax is not at present practicable. The carrot rather than the stick is likely to prove the more effective weapon. At the same time there is a growing need to facilitate the marketing of crops and to take constructive steps to improve the poorer land.

(d) *Education*

48. Most of the Colony's schools are at present run on racial lines, mainly because of language difficulties. Multi-racial education should obviously be adopted without delay if Fiji is to progress towards a harmonious multi-racial society but there is at present much opposition to it by Fijians. Nevertheless, useful progress is being made: of 325 Fijian primary schools, 83 have non-Fijians on their rolls; of 166 Indian schools, one-third have non-Indians; and nearly half the 20 European schools include pupils of other races. In many cases of course the schools could not be multi-racial because the local population is all of one race. Agreement has been reached that the use of English as the medium of instruction should be extended to the most junior classes as more trained teachers become available and it must clearly be the policy of this Government to attain as early as possible a position where language no longer makes it necessary to have separate racial schools.

49. At the higher levels the need to push on the more able Fijians to qualify them for senior posts both in Government and in commerce is such that it has been agreed that special scholarships should be awarded for this purpose.

(e) *The Civil Service*

50. The great preponderance of Indians amongst those who have received a higher education means inevitably that unless special steps are taken the higher ranks of the civil service will ultimately be filled almost exclusively by Indians. The

Fijians are acutely aware of this and in their view the undertakings which have been given that the United Kingdom Government would protect their rights, include the obligation of ensuring that the senior and influential posts in the service should be filled either by Europeans or by Fijians, and a Resolution to this effect was passed at the last meeting of the Council of Chiefs. I do not agree that these posts should be reserved indefinitely for Europeans or Fijians, but I consider it reasonable that they should be occupied by Europeans until a sufficient number of Fijians have acquired the qualifications and ability to fill them on a basis of parity. I have addressed you on this question in my secret despatch No. 171 of the 28th February, 1961.<sup>4</sup>

51. In regard to the remaining posts in the civil service as a whole, the Fijians are already in a slight preponderance although there are certain departments, such as Audit, Customs and that of the Accountant-General, where the nature of the work is more suited to the Indian temperament and abilities, and in which Indians are tending to monopolise the more senior posts. It would be very difficult in practice to maintain a balance between the Fijians and Indians in departments in this category, and my present view is that, apart from reserving the selected number of senior and influential posts to which I have referred, Fijian interests will be adequately protected if a direction is given to the Public Service Commission that, when considering the appointment of new entrants to the Service, an approximate balance between the two races should be maintained.

(f) *Constitutional reform*

52. The present constitution which gives no responsibility to local residents and excludes the Fijian from the ballot box, tends to accentuate racial differences. Probably the best way in which racial relations can be substantially improved in Fiji is to give the responsibility of the running of the country to those who are domiciled here.

53. You have recently approved proposals that unofficial members of Executive Council should be invited to undertake supervisory functions over groups of Government departments and that if this arrangement proves successful to progress to a Ministerial form of government with executive responsibility. It has also been agreed that some at least of the Fijian members should be directly elected in the same way as members of other races; and it seems probable that there will be a demand for a major extension of the franchise. (This is at present confined to males and there is a small property qualification.) Both Fijians and Europeans are adamantly opposed to any progress towards a common roll and the Fijians, fearful as always of Indian domination, are insistent upon the maintenance of parity in representation between the three main racial groups. Realising the strength of this feeling, the Indian delegation, which discussed constitutional reform with Mr. Julian Amery when he was in Fiji last October, accepted the position and agreed that numerical equality should remain. It will nevertheless be difficult for much longer to justify an equality of representation for Europeans and part-Europeans, who between them number only 4.8 per cent. of the population, with Indians who form 49 per cent. and Fijians who form 41 per cent. of the population, even allowing for the fact that such a high proportion of capital invested in Fiji is 'European', *i.e.*, Australasian. It is to be expected therefore that with the passage of time the number of European members will be reduced while maintaining parity between Indians and Fijians.

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<sup>4</sup> Not printed.

54. It is probably premature to consider the constitutional developments which should follow the introduction of these proposals but, bearing in mind the objective of the peaceful attainment of self-government, and the need to encourage the formation of political parties, it may before long prove desirable to introduce the principle of the multiple vote by which each elector would be entitled to cast three votes, one for a Fijian candidate, one for an Indian candidate, and one for a candidate representing other races in the Colony which, I suggest, might be grouped together and added to the Europeans. The number of Members of Legislative Council representing this multi-racial group should probably be less than those representing, respectively, the Indians and the Fijians. This would be a move towards the common role. It is, however, unrealistic to think on these lines in practical terms at the present time. The Fijians, with reason, remain highly suspicious of any move which will increase the influence of the Indians, and they feel that their strength rests upon their ability to remain an integrated racial group, to which the United Kingdom has particular obligations arising from the Deed of Cession.

*Part III.—Fiji and her neighbours*

55. Consideration of a policy for Fiji must take into account the future role of the Colony in the South Pacific. Fiji is historically the bridge between Melanesia and Polynesia. She was the eastward limit of Melanesia settlement in the South Pacific and she has had contact for centuries with Polynesia, particularly through the Kingdom of Tonga. Since the Cession of Fiji in 1874, various factors have reduced the significance of this natural geographical advantage.

56. A climate and topography that suited the large-scale development of a sugar industry, led not only to the introduction of Indian labour but, in conjunction with the copra and gold mining industries, gave Fiji an economy based on overseas investment mostly from Australia and operated in the executive and technical grades largely by Australians. Because of her geographical position Fiji has also maintained close associations with New Zealand from whom many officers in the civil service, especially in the medical and education departments, have been recruited. Fiji is in the New Zealand defence area and a Royal New Zealand Air Force squadron is based on Suva. The New Zealand Government also administers the Nadi airport on behalf of the South Pacific Air Transport Council. With Fiji's principal export markets in the United Kingdom, and a large proportion of her imports coming from the United Kingdom (29 per cent.), Australia (31 per cent.) and New Zealand (8 per cent.), a system of four-way trade has developed with the result that Fiji has tended to become identified with these countries rather than with her traditional neighbours in the South Pacific and for her to look outwards, especially towards New Zealand and Australia, rather than inwards towards Melanesia and Polynesia. This has affected wage and price structures, managerial methods and labour organisation, education and the evolution of social theory.

57. Because Fiji has developed an economy which is far in advance of that of most of her neighbours, her historic position as a bridge between Melanesia and Polynesia has undergone a change. The introduction of a large Indian community has complicated her racial pattern and indeed that of the Pacific and other territories are inclined to look askance at the price paid for her economic progress. At the same time this social and political disadvantage has given Fiji, by virtue of an export and re-export trade of nearly £1 million a year with her neighbours to the east and north,

the opportunity to be the economic hub of the eastern half of the South Pacific. The situation is, however, precarious, since reciprocal trade is almost totally lacking.

58. By her ability and willingness to offer educational facilities to students from other islands, Fiji has made a useful contribution to regional welfare. Schools and training institutions, particularly the Central Medical School, have drawn students from all over the South Pacific thereby earning for Fiji considerable goodwill and widening the limits of her influence. It must be recognised nevertheless that Fiji has in neighbouring islands a certain reputation for aloofness due in part to her preoccupation with her own intractable problems. This impression has been emphasised by the immigration restrictions imposed by Fiji which, although directed primarily at the immigration of persons from Asia, have been applied without discrimination and have therefore interfered with the free movement of South Sea islanders into Fiji.

59. With its scattered and small territories, administered by six metropolitan powers; its still imperfect system of 'internal' communications; its great distances and high cost of travel; and its diverse racial and cultural composition, it is by no means an easy task to develop closer association in the Pacific. The best instrument to hand at the moment is the South Pacific Commission in which all six administering Powers—Australia, France the Netherlands, New Zealand, the United Kingdom and the United States—participate and with which the territorial administrations are, in varying degrees, associated. Within the next 12 months the constitution of the Commission is to be reviewed, consequent upon an unexpected application for membership by Western Samoa when she becomes independent on 1st January, 1962, and it is probable that the opportunity will be taken to identify all territories, self-governing and dependent, with the administration of its regional programme of social welfare and economic development.

60. An opportunity may therefore be presented to Fiji to adopt a more positive approach to her position in the South Pacific, and for all territories to break through the barrier of parochialism that geography has forced upon them. It would be premature to forecast what part Fiji might actually play: there may be opportunities for furthering economic consultation and co-ordinating regional research; for developing sub-regional facilities for higher and technical education; and for improving cultural contacts. In all of these fields Fiji, with Papua-New Guinea, is well situated to provide leadership, and a positive approach should bring her benefits, among which not the least might be the gradual assimilation of her Indian community into the broader Pacific scene. The psychological effect of closer association upon both the Fijians and Indians might well be considerable; the former might feel their isolation less keenly, and the latter come to appreciate that their future lies wholly in a Pacific where native races predominate, and where the penalty of non-conformity may have adverse political and economic repercussions on them.

61. Speculation about the possibilities of ultimate federation of Pacific island territories would be premature. It must be remembered that distances here are vast—some 6,000 miles separate the eastern and western limits of the area of the South Pacific Commission—and the communications though improving rapidly with the development of air travel are still poor. Meanwhile I believe that our policy should be to work for closer understanding and closer contacts between the islands and that Fiji should play its part by continuing to provide all possible assistance in

the way of educational and training facilities of neighbouring territories and by endeavouring to promote inter-island trade which alone can lead to a true sense of common interest.<sup>5</sup>

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<sup>5</sup> Paras 62–63, summarising the review, not printed.

### **30** CO 1036/612, no 40

3 Mar 1961

[Franchise]: letter (reply) from H P Hall to Sir K Maddocks  
welcoming the extension of the franchise to women

Many thanks for your letter of the 15th February reporting on discussions at the meeting of the Fijian Affairs Board when they came out with a strong recommendation that the franchise should be extended to women.<sup>1</sup>

Office policy is to encourage the extension of the franchise to women and we therefore welcome these proposals. Paragraph 3 of the circular despatch 617/58 of the 28th May, 1958, expressed the hope that wherever possible the franchise should be extended to women and there are in fact now only one or two territories where there is still discrimination against women in the matter of the franchise.

I am not sure that Julian Amery meant some of his remarks about women's place being in the home, etc., to be taken seriously. On the question of votes for women his main point was that in the case of Fiji he did not think that the rate of constitutional advance should be very rapid. So far as he could ascertain at the time there was no real demand locally for votes for women—if you remember, it was only the Indians who had mentioned this—and he did not think therefore that Government should offer this at the present stage. He thought it might be kept in reserve to be given away as a 'further advance' when changes in the constitution were being made.

You may therefore take it that the Secretary of State will not oppose an extension of the franchise to women if there is general support for it. In fact, he would welcome it.

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<sup>1</sup> See 27.

### **31** CO 1036/612, no 47

17 Mar 1961

[Franchise]: letter from H P Hall to Sir K Maddocks on the question  
of universal adult suffrage

I am sorry if we misunderstood the purport of your letter of the 15th February<sup>1</sup> but from the terms of paragraph 2 we assumed you were only asking whether there would be any objection to the extension of the franchise to women and only this aspect was considered here. Incidentally if you refer to paragraph 4 of Macdonald's letter S.5/27 of the 22nd September, 1958, to Rogers you will see that it is not only in voting that there is discrimination against women in Fiji.

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<sup>1</sup> See 27.

We do not think Ministers will be prepared to give an answer about universal adult suffrage without considering a detailed submission. It was not raised in the recent correspondence leading up to the issue of your statement on 'Fiji Government Proposals for Constitutional Reform' which was only published on the 27th February<sup>2</sup> and there is only a passing reference to it in paragraph 53 of your despatch No. 175 of the 28th February. Paragraph 54 of that despatch mentions the possible need to introduce the multiple vote and a move towards the common roll.

Our impression, which I admit may be wrong, is that the earlier correspondence on constitutional reform might have been overlooked, if indeed your letter of the 15th February was intended to raise the question of electoral qualifications and universal adult franchise. Particularly if you are thinking also of multiple votes and common rolls. You might care to look at paragraph 4(c) (iii) of Rogers' letter of the 16th January, 1957, to Garvey which brought out the need for a relatively high electoral qualification.<sup>3</sup> That letter also enclosed a table setting out the proposed qualifications for the East African territories.

Again paragraph 3 of Rogers' letter of the 14th August, 1959<sup>4</sup> to you touches on this question of franchise qualifications as a method of reducing the disparity in voting strengths of the various communities.

Apart, however, from the need to approach this problem with caution in multiracial communities, in case at some future date you may wish to move over to some form of common roll, but not universal adult franchise, we here do not know whether the Fijian Affairs Board are correct in saying that the existing qualifications are 'virtually meaningless'.

Macdonald's letter 38/4 of the 22nd September, 1959, to me does mention that the percentage of *registered voters* who used their vote in the 1959 election showed a distinct improvement on the 1956 election figures. On the other hand the reports of the Returning Officers at the elections show that seemingly small numbers of people actually voted. For example, in the Southern Division only 645 votes were polled for the European seat and only 3,285 for the Indian. Similarly in the North-Western Division, the figures were 532 and 6,951 respectively and this, I believe, has the largest Indian population.

Although, as Macdonald says, the percentage of *registered voters* who used their vote might be high, we do not know how many people who were entitled to register did in fact take the trouble to register. On the other hand, unless large numbers did not register who were entitled to do so, the existing qualifications cannot be regarded as 'virtually meaningless'. Or the electorate are not particularly interested in exercising their right to vote?

Before we would feel able to recommend to Ministers that there should be any change in the present qualifications we would like an assessment of the present position on the basis of the 1959 election figures to show why the actual number of votes polled seem so small compared with the population figures. Perhaps this could be set out by races:—

- (a) estimated adult male population,
- (b) estimated number entitled to register,

<sup>2</sup> See 28.

<sup>3</sup> See 6.

<sup>4</sup> See 8.

- (c) number actually registered,
- (d) number who voted in 1959;

how these would be expected to change:—

- (e) by the extension of the present franchise to women,
- (f) the further increase if there is universal adult franchise, the sole qualification being the ability to write in the vernacular.

Again, if you are seriously contemplating a change to the multiple vote and common roll, there is, for the reasons set out in detail in the earlier correspondence, some advantage in retaining a higher qualification for candidates for election.

In the case of the Fijians who are to elect three members at the next election, there are of course advantages in ensuring as far as possible that the electoral qualifications are similar to those of the other races. On the other hand the Fijians have been out of step in the past, and will continue to remain out of step in that three will be elected and two 'selected' by the Council of Chiefs (and not nominated by the Governor as will the Europeans and Indians), and different qualifications for the Fijians could probably be defended.

I am sorry to have written at some length but our experience in multiracial territories has brought out the need to go into questions of franchise very carefully.

**32** CO 1036/752, no 13

21 Mar 1961

[Scholarships for Fijians]: outward savingram no 133 from Mr Macleod to the officer administering the Fiji government on a CD&W award

Your savingram No. 69 of the 20th January.<sup>1</sup>

United Kingdom Scholarships for Fijians.

I approve a grant of £Stg. 13,929 from the Fiji territorial allocation of Colonial Development and Welfare funds as a 90% contribution to the cost. The scheme number is D.4691. Copies of the scheme memorandum and financial summary are enclosed.<sup>2</sup>

You will note that the grant approved is slightly more than that sought in your savingram under reference and that detailed estimates have been compiled showing the costs on which the approved grant is based. You will note that the amount for fees has been increased to bring it more into line with United Kingdom costs and the maintenance allowance per student has been revised to the approved United Kingdom student rate per year.

In operating this scheme you will wish to hear in mind the numbers of students per annum on which the estimates are based and also that the approved United Kingdom outfit allowance is £Stg.40 for a one year course and £Stg.45 for a two year course.

Since the bulk of the expenditure will be disbursed in the United Kingdom I have, in accordance with normal practice for accounting convenience, arranged for the Scheme to be administered centrally. Arrangements generally will be those

<sup>1</sup> See 24.

<sup>2</sup> Not printed.

applicable to the £1,000,000 scholarship scheme (D.694) and salary in excess of local commitments should be credited to the scheme up to the amount of maintenance allowance issued. In order that credits of salary may be made to the scheme a statement of maintenance allowance issued will be sent to you at the end of each financial year and in this respect your attention is drawn to my predecessor's Circular Savingram No. 910/54 of September, 1954.

Disbursements in the United Kingdom will be made by my Accountant and in order that the Colonial Office may be aware of the amount of any advances made, and so that the question of adjustment can be followed up on the student's arrival, it is requested that in all cases the student, before leaving the Colony, may be furnished with a form of Last Pay Certificate duly signed by the responsible officer. This certificate should include details of any advances issued locally in respect of such items as Warm Clothing allowance and incidental travelling expenses.

Students should be told to report immediately on arrival in the United Kingdom to the Accounts Branch, Colonial Office, 3 Sanctuary Buildings, London S.W.1. where detailed information will be given to them and a cash payment made in respect of maintenance allowance and any other payments due.

The rates of maintenance allowance depend on the place of study but basically are as follows:—

Oxford and Cambridge	£552 per annum
London and Dublin	£468 per annum
Provinces	£444 per annum.

Nurses in training do not receive maintenance allowance but in certain circumstances are eligible for a supplementary allowance of £40 per annum to the pay received from the hospital where training is being undertaken.

Rates of allowance are subject to revision from time to time and any form of bond or undertaking signed by the scholar should avoid mention of any specific amount of allowance.

Reimbursement in respect of expenditure incurred locally should be the subject of a vouched claim submitted through the Crown Agents in the usual way.

As only 90% of expenditure is to be met from Colonial Development and Welfare funds a recovery of 10% of gross expenditure will be made quarterly from your funds in the hands of the Crown Agents under savingram advice to you.

**33** CO 1036/312, no 48 7 Apr 1961  
 [Franchise]: letter (reply) from Sir K Maddocks to H P Hall on  
 universal adult suffrage and the apparent lack of enthusiasm for  
 constitutional reform by all except the Indians

Thank you for your letter of the 17th March<sup>1</sup> about constitutional reform with special reference to electoral qualifications. My letter of the 15th February<sup>2</sup> was not of course intended as a definite recommendation in favour of universal adult suffrage; nor had I overlooked the earlier correspondence. I wished merely to know whether

<sup>1</sup> See 31.

<sup>2</sup> See 27.



the Secretary of State would have any objection to the giving of free rein to public discussion of the rather surprising resolutions of the Fijian Affairs Board.

2. I do not propose in this letter to take the constitutional discussion further. That must await the debate in the Legislative Council meeting which begins on the 18th April, the report on the debate, and my own return to the United Kingdom on leave in May. At this stage I may say that events which have occurred since December 1959 have given rise to much new thinking, and whereas a common roll previously seemed an attainable if distant objective, it must now be regarded as little better than an ideal to which we can work only in a negative manner, by not taking any step which would militate against its achievement should events take a favourable turn.

3. As regards electoral qualifications, the position is complicated by the fact that nearly all Fijians are property owners by virtue of their communal ownership of land and I have no doubt that unless the property qualification is dropped altogether it will be proposed that all Fijian adults appearing in the "*Vola ni Kawa*" or register of native owners, should have the vote. This would give almost universal adult suffrage to Fijians. In the case of Indians the present small property qualification, although comparatively insignificant in the case of men, would rule out nearly all the women. However, we can leave this point until I have had an analysis made of the last election as requested on page 2 of your letter.

4. Indications are that the debate on the Government statement will indicate that there is little enthusiasm for constitutional advance by any except the Indians. Big business has come down on the side of no change and the Fijians may well refuse to commit themselves without reference to the Council of Chiefs. This unwillingness to accept any responsibility is one of the regrettable facts of life in Fiji.

### **34** CO 1036/800, no 10

11 Apr 1961

[Fiji civil service]: letter from A R Thomas to Sir K Maddocks on the racial balance

Please refer to your Confidential despatch No. 135 of the 13th February,<sup>1</sup> Bevington's letter to Hall of the 16th March and our telegram informing you that we saw no objection to your announcement that instructions have been issued to the Public Service Commission that entry to the Civil Service should be controlled in such a way as to secure as far as possible a balance between the number of Fijians and Indians within the Service; but stating that we saw much greater difficulty over your companion proposal for the reservation to H.M.O.C.S. officers of the posts listed in paragraph 7 of your despatch.

2. Let me say at once that we regard these proposals as a marked improvement on the earlier proposals, following Mr. Amery's visit, for quotas or for a system of control which applied to promotions generally in the Service. Your present proposition has, if I may say so, the merit of being specific and limited. We also wholly endorse your view that, should it be proved necessary to have a schedule of reserved posts, the purpose should be for them to be held by Europeans until Fijians and Indians are available on a basis of balance and not held exclusively for the benefit of Fijians.

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<sup>1</sup> See 26.

3. Even so, however, it is the sort of proposition which makes us raise our eyebrows pretty high because of the experience which we have had of the repercussions which have flowed in other territories from measures, however limited, to discriminate in favour of one section of the Public Service against another. This is quite apart from the need to be fully convinced that the measure is what the situation requires.

4. We have studied the useful table enclosed with your despatch and it does not suggest that at present the Indian element in the Public Service is predominant over the Fijian element, but we do not question the assumption that the difference in the ability of the two races will lead to disparity in future unless something is done to check the process. But it is precisely this possible difference in ability which makes the solution of the problem so difficult. No doubt it is mechanically possible to block the promotion of Indians to a reserved list of posts until Fijians are able to compete for them on equal terms but it would be very difficult to operate such a system fairly. It is likely to mean that some Indians of ability will have their promotions artificially checked and when the time comes for the reservation of these posts to be removed it may still be necessary to promote Fijians, not merely out of turn but above the natural level of their ability, to preserve a balance of posts with the Indians.

5. If it became necessary to accept this discrimination against Indian members of the Service, we consider that the decision ought to be taken only after a detailed examination of what the implications would be. We ought to know what practical effect the decisions would have on future recruitment over the next few years (e.g. it might result in good quality Indian candidates not coming forward); on the careers of serving Indians and Fijians—there may be men of ability already in the Service who would be denied promotion they would otherwise deserve; and the sort of period for which these top posts would have to be reserved. They are posts which an officer expects to reach only after perhaps 20 years' service and if there are few Fijians with the ability to fill the posts, we might well be committing certain qualified officers to a generation of waiting.

6. There are certain other particular points on which we should welcome elucidation.

7. Would it be the intention to treat all the scheduled posts as reserved until such time as it was possible to promote Indians and Fijians on a balanced basis over the whole field and then 'de-reserve' the posts en bloc; or would the system be worked more flexibly in the sense of de-reserving particular posts as and when it was possible to promote an Indian and Fijian 'as a pair' (not necessarily in the same Department)? We imagine however that the possibilities of this more flexible approach would be very limited since otherwise there would not be much of a problem to deal with and we should be left with the difficulty that a number of Indians would have to be held back until suitable Fijians could be promoted alongside. This would mean a substantial loss of prospects for those affected.

8. What would be the position of local Europeans? There would seem to be no justification for holding them back in favour of H.M.O.C.S. officers provided that they did not come to hold more than a very few top posts, since they would presumably be regarded as 'neutral' by Fijians and Indians. This may however be a purely theoretical point since I realise that local Europeans are very few in numbers and possibly there are none in the upper-middle reaches of the Service.

9. Would the intention be that after a period of reservation of the top posts, individual H.M.O.C.S. officers should be required to retire prematurely in order to make way for Fijians and Indians as and when the latter become qualified for

promotion on a balanced basis? Or would at that stage the promotion of Fijians and Indians depend on natural wastage of H.M.O.C.S. officers? We assume the latter would be the case, since it would unsettle H.M.O.C.S. officers and bring up the question of compensation if they were liable to be replaced as and when local officers became qualified to take their places.

10. I am sorry to raise so many difficulties but we really feel that a more detailed and scientific enquiry into the problem is necessary before the Secretary of State could be advised to agree to a policy which cuts right across the provision of Colonial Regulations under which the claims of officers for promotion are considered on the basis of experience, qualifications and merit. Any departure from these criteria would cut at the root of the career structure of the Service and would contravene the understandings on which serving officers were recruited. It seems to us that it would first be necessary as a result of such an examination to establish beyond reasonable doubt that the problem does exist in a sufficiently serious form to justify such radical measures. It appears from your despatch that a policy of balance in recruitment was followed between 1933 and 1956 and that at the present time there are more Fijians than Indians in the Service. We are now agreeing to a resumption of a policy of balanced recruitment and in addition you have announced a decision (which we wholly support) that a number of overseas scholarships should be reserved for the purpose of bringing forward more qualified Fijian candidates. It would be useful to review the problem of balance in the light of these measures in relation to the higher grades and undertake a detailed examination of Indian and Fijian officers capable of rising to posts of higher responsibility in the Service, taking due account of the possible effects of the scholarship scheme and the balanced recruitment programme.

11. If the result of these enquiries pointed to the need for special additional measures, ought not consideration first to be given to making good the deficiency on more positive lines? One possibility which occurs to us is to introduce special in-training schemes from which Fijian officers could particularly benefit. Another possibility, which may or may not have merit, is that the Fijian Affairs Board should be drawn upon more than it appears to be at present as a source of Fijian officers for higher Civil Service appointments for higher branches of the Service. (If the Fijian community is pressing to play a fuller part in the Public Service it would seem illogical for them to resist the release of able Fijian officers from employment of the Board for employment in the Central Government.)

12. If you agree that all these implications should be studied by some sort of authoritative committee (and I feel sure that the Secretary of State will wish to be satisfied that they have been fully studied), you might feel that it would be useful for somebody from outside with personnel experience and a wide approach to come out for the purpose and head such a Committee which might have a Fijian and Indian assessor. If so, we should be glad to consider whom we could suggest.

13. A final point is that we would hope that any measures of this kind (particularly measures affecting serving officers, but also we suggest, affecting recruitment by the Public Service Commission) should be discussed fully and frankly with the Staff Association. As we all know, the presentation of controversial Service measures can be so much easier if the Staff Associations have been taken into confidence and feel that they have been effectively consulted.

14. Once again, I apologise for being so 'difficult'.

**35** CO 1036/988, no 2

17 Apr 1961

**[Monopoly companies]: letter (reply) from H P Hall to Sir K Maddocks suggesting tighter accounting procedures**

Thank you for your letter of the 17th January about the monopoly position exercised by the Carpenter group.<sup>1</sup> This is a big and disturbing problem, and from what you say the strangle-hold seems possibly worse than U.A.C. formerly exercised in West Africa: eventually of course they seem to see the red light and concentrated on the exporting side, contracting out substantially from retail business.

Our own impression is that one potential weapon might be to provide by legislation that separate returns, balance sheets, and Profit and Loss Accounts, etc., be submitted annually to the Registrar of Companies by each company registered in Fiji, including private companies with share capital over a certain limit. The light of day sometimes helps in itself, both directly and indirectly. We are looking into this very complex problem and we shall be very happy to discuss with Parkinson<sup>2</sup> when he is over here. Please ask him to give us an early call, if convenient, letting us know if possible in advance.

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<sup>1</sup> See 22.

<sup>2</sup> R W Parkinson, commerce and industries officer, Fiji.

**36** CO 1036/612, no 50

1 May 1961

**[Constitutional development]: letter from E R Bevington to H P Hall on the debate in the Legislative Council**

Before he left, Sir Kenneth asked me to send you a letter giving impressions of the constitutional debate in the Legislative Council which took place on the 21st and 24th April. This I now do, and I also enclose a copy of the Public Relations Officer's broadcast summary of the debate:<sup>1</sup> these are put out at 1.15 p.m. and 7.15 p.m. each day Legislative Council is sitting.

2. On the eve of the debate, a widely attended meeting of the Fijian Association passed resolutions strongly opposing the Government's constitutional changes and demanding a statement of the paramountcy of Fijian interests. This had been preceded a few days before by a resolution of the Suva Chamber of Commerce to the effect that no constitutional change was required.

3. The debate therefore was set to open in an atmosphere where it appeared likely that the five European and five Fijian members would vote against the Government motion and only the five Indians would vote for it—obviously this was not a case where the official majority could be used.

4. I therefore discussed the handling of the debate with the three leaders, as we felt that a negative vote of the Legislative Council should be avoided because if such vote were registered, in the days ahead many would point to this vote and deny Government any right of action. It was therefore agreed with unofficial members that the Government motion welcoming the proposals should be introduced and by

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<sup>1</sup> Not printed.

leave withdrawn and this was the tactic which in the event was adopted. It resulted also in a completely dispassionate and more relaxed atmosphere in the House. It is the first time within my knowledge of the Fiji Legislative Council that a debate has been entered on in the knowledge that the motion would be withdrawn.

5. In opening the debate, I tried to stress that change is inevitable, especially in the circumstances of the world today, and therefore the need should be recognized and changes should be made slowly and at our own pace. It was far better to introduce change in a planned way rather than be forced to do it in a hurry. At the same time, the opinions of members were sought on the immediate issues which have been agreed, namely, the extension of direct election to the Fijian community, constituencies, and suffrage. Clearly, if female suffrage, as had been asked, was given to the Fijian community, others also would demand it. For obvious reasons no other officials spoke and I think it would be best, in dealing with the speeches of unofficial members, to deal with them not in chronological order, but by racial groups.

6. The debate was opened by Ratu Mara who strongly opposed the motion which he said he regarded as merely a step on the road to complete independence. This was wholly unacceptable. He quoted extracts from a speech given by Ratu Cakobau to the Council of Chiefs in 1875 from which it was clear, he maintained, that Cakobau regarded Fiji as being handed over to Britain and as becoming virtually a part of the United Kingdom. Ratu Mara's mention of the need for a common roll before constitutional change was doubtless a tactic. He knows that the very words 'common roll' are anathema to the Fijians and by using this phrase in the early stages of his speech, he probably intended to consolidate opposition amongst the Fijians to the motion. His plea was that Fiji should become another Channel Island, but unfortunately he failed to deal with the question of how that 'Channel Island' should govern itself.<sup>2</sup>

7. With the exception of Semesa Sikivou,<sup>3</sup> who took a courageous and independent line supporting the motion, the other Fijian speakers largely followed Ratu Mara's line.

8. Ratu Edward Cakobau emphasized that where moves towards self-government had succeeded, the people concerned had been largely of one race, making political reform more easy. Edward's was not a notable contribution to the debate but he too ended by underlining that under no circumstances could the connection with the U.K. be broken and definite undertakings and safeguards should be written into the constitution.

9. Ratu Penaia Ganilau supported this general line and took the view that first of all the proposals for direct election of Fijians should be implemented and only thereafter should consideration be given to further constitutional advance. Ratu Penaia speaks on few occasions and he is always short and to the point and the House listens to him with the greatest respect. His remarks which then followed were therefore the more pointed: he went on to say that the people who should run the

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<sup>2</sup> The Channel Islands are part of the British Isles, not Great Britain or the United Kingdom. They are located in the English Channel in the Gulf of St Malo and they are closer to France than England. They consist of two separate UK dependencies—Jersey and Guernsey. Guernsey in turn has dependencies of its own, principally Alderney and Sark. The islands have their own legislatures and judicial systems. They were the only part of the British Isles to come under German occupation during the Second World War (see also 81).

<sup>3</sup> Semesa Sikivou, MA, was a member of the Legislative Council as nominee of the Council of Chief, 1956–1962, and an elected member, 1963–1970. He was assistant director of education, 1961–62, and deputy director, 1962.

country should be prepared to bear arms in the defence of the country, a pointed reference to the Indian community's war record, and lack of representation in the Fiji Military Forces.

10. It was noteworthy that this was the first debate in which the word 'fear' was freely used by the Fijians and they made it clear that their fear was of domination by the Indians. It was therefore more pointed when someone of Penaia's military record and standing went on to draw a parallel between the Jews and Arabs, and Britain's withdrawal from Palestine. He observed that the more nimble-witted Jews had gained the advantage.

11. Semesa Sikivou made an astonishingly courageous lone stand for the constitutional proposals. His line was simply that changes must come and that we must be prepared. He spoiled it, however, by adding the proposal for a broadly based conference of all the various groups in the Colony with a view to seeking a common basis. It is well known to members that in present circumstances such a conference would be nothing more than a sounding-board for differences.

12. Unfortunately the last of the Fijian speakers in the debate was Ravuama Vunivalu,<sup>4</sup> and he came near the very end. His line was simple, sincere, and forthright. In his view, there had been an imperceptible weakening of the links between the Fijians and the Crown, and the Fijians would not consent to change the status quo in any way until an unequivocal statement had been made by Government as to the place of the Deed of Cession in the Colony today. Furthermore, he said that whatever changes are made in the constitution, the indigenous Fijians wanted a majority of the representation in Executive and Legislative Councils. In short, Ravuama, like the great majority of Fijians, interprets the Deed of Cession as being a contract between the United Kingdom and the Fijians with no one else a party to it, and while in his more liberal moments he may concede rights to the Indian community in the territory, the Fijians now have an explicit fear of Indian domination and are determined that there shall be no change until safeguards are written into the constitution. Furthermore, they are determined that those safeguards shall be maintained by a permanent link with the United Kingdom: if that link were severed, they see the loss of their safeguards. Whatever the rights or wrongs of this may be, and undoubtedly the Fijians read into the Deed of Cession more than the cold meaning of the words, there is no question that Ravuama crystalized in a few words the feelings of the great majority of Fijians, and we can only ignore this at our peril.

13. The Europeans were disappointing to put it mildly. They spoke for the Europeans who see in the official majority the entrenchment of white Government and there is little doubt that they spoke largely for their electorate who, it must be remembered, consist of only some 350 locally-domiciled Europeans and some 7,800 part-Europeans. The remaining full European population are in Government, the Services, or in commerce; and they are transient.

14. Kermode was the first speaker amongst the Europeans and he entered a plea that there should be no constitutional change until there was local government, being well aware that in the present atmosphere of mistrust between the communities at the lower levels, there is little hope of getting local government going except by a very gradual process. J.N. Falvey spoke almost last and his contribution was not up to his

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<sup>4</sup> Ravuama Vunivalu, BA, was a member of the Legislative Council as nominee of the Council of Chiefs, 1950–1962, and elected member, 1963–64 (deceased).

usual standard. He too voiced the fear that the ultimate result of the step proposed was independence—an independence not wanted by either the European or Fijian communities and supposedly not wanted by the Indians. J.A. Moore, a nominated part-European member, wanted to ‘hasten slowly’ and ‘move only with caution’. The other two European contributions were of little note.

15. In short, the Europeans fell in behind the four Fijians, who were against constitutional change, because it suited them to do so.

16. As was to be expected, all Indian members broadly supported the constitutional changes proposed. B.D. Lakshman spoke for nearly two hours, the usual rambling, far-ranging and hard to follow diatribe. His remarks, as expected, were fatal to the cause of Government’s constitutional change in that he could not resist harping on the eventual need for a common roll. At various times, Indian members have denied wanting a common roll but inevitably in some way or another they come back to it and thereby ensure that the Fijians will not budge. The same applies to the Europeans whose small numbers would be swamped in a common roll.

17. Deoki’s contribution, in common with other Indian members, was not a notable one, except that he proposed that each group should elect 5 members and one additional member should be on a common roll basis thus again raising the fears of the Fijians, and, to a lesser degree, Europeans. Any mention of the common roll, in no matter what form, the Fijians regard as being the thin end of the wedge. J. Madhavan, recently returned to Legislative Council on a by-election, made no useful contribution except to put the Fijians further on their guard with references to a common roll.

18. Dr. Sahu Khan<sup>5</sup> also welcomed the Government’s proposals but then moved into the expected plea for special Muslim representation. He, too, could not resist reference to a common roll.

19. To sum up, the debate got off on a false trail led by Ratu Mara, which nevertheless expressed the feelings of the mass of Fijians who see little hope in the future without a binding link with the U.K. The whys and wherefores of this were not clearly brought out until Ravuama spoke and his speech was indeed a notable contribution.

20. The Europeans reacted as demanded by their electorate and showed no appreciation of the inevitable effects of changes in the world today. As usual when a Fijian position is threatened, they supported the Fijians and indeed were given a clear lead by them in this debate: the Fijian wish was *ad idem* with their own. The Indian members were in an undoubtedly difficult position in that their electorates, being ignorant of the niceties of debate and feelings of the House, would expect them to claim immediate ministerial status and major advances. This temptation was resisted successfully, but having resisted it they did no less damage by their constant references to the common roll in one form or another. Pleas that the Indians do not wish to dominate the community, no matter what claims of sincerity are made, just do not hold water and indeed are regarded as an indication of insincerity.

21. The only other point which came out in the debate was the complete acceptance by all of the idea of votes for women and that the present property and income qualifications should be swept away. Indian women are unlikely to have

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<sup>5</sup> Dr A H Sahu Khan, a Muslim, was the second Indian nominated member of the Legislative Council. One of the two nominated seats was ‘reserved’ not by law but by practice for a Muslim.

either property or income while nearly all Fijian women would have sufficient rights in communal land to give them the vote. This was not exhaustively explored but there can be no doubt that all members accepted the proposition of adult suffrage.

**37** CO 1036/988, no 8 12 July 1961  
 [Monopoly company]: CO note of a meeting with Sir K Maddocks  
 on ways of overcoming the monopoly held by the Carpenter,  
 Morris Hedstrom and Burns Philip group<sup>1</sup>

The meeting was held to consider possible ways of overcoming the monopoly held by the Carpenter, Morris Hedstrom, Burns Philp group in Fiji.

*Mr. Parkinson* thought that the present public feeling in Fiji against the group resulted at least partly from the group's poor public relations. So far as basic consumer goods were concerned there is no significant monopoly problem. There are quite a number of small firms operated by Indians, Chinese and local people in this trade. But apart perhaps from paint and cement, the group held the monopoly in trade of virtually all other types of goods, of which perhaps tools vehicles and machinery were of particular importance to many purchasers; moreover, between them the associated companies held the agencies for overseas companies. The group also has a monopoly of local shipping. New firms dare not start up in Fiji unless they were assured of support by the group. (In discussion it was mentioned that immigration restrictions on expatriate staff might also be some minor deterrent to outside investment but in general permits would be issued when needed.)

*Mr. Surridge* thought that the rural people in the outer islands were completely dominated by the group in the matter of shipping. Copra producers were forced to use the group to ship their copra to the factory and at the same time the group shipped to these islands the goods purchased by the copra producers.

Thus the group have a double benefit. *Sir Kenneth Maddocks* agreed that this was so but pointed out that other people had attempted to provide cut price shipping but without success. *Mr. Surridge* recalled that at least one co-operatively owned ketch was operating in the Gilberts. It was agreed that this needed consideration.

*Mr. King* said that a similar position had arisen in West Africa with U.A.C. *Sir Kenneth Maddocks* said that there U.A.C. had met the position substantially by appointing local directors and contracting out of most of the retail trade. *Mr. King* said that there was no comparison between the present situation in Fiji and that in the U.K. There was ample opportunity for the small trader to open up a business in the U.K. and to be successful. He wondered whether a mail-order business might be the answer in Fiji. If a reputable mail-order house in the U.K. could be interested in the Fiji market, it might help break the monopoly in day-to-day goods.

In discussion it was felt that the problem did not lay [sic] in day-to-day goods but rather in those which did not pass over the counter quickly and which it was necessary to hold a stock.

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<sup>1</sup> The meeting was chaired by H P Hall and attended by Sir K Maddocks, R W Parkinson (Fiji commerce and industries officer), R H King and H D G Collins (Board of Trade), and B J Surridge, W G Boss and F J Holloway (CO).



*Mr. King* then suggested that possibly something on the lines of the U.K. Monopoly Commission might prove suitable. This Commission is an administrative body under the direction of the President of the Board of Trade who, if he considers that monopoly conditions prevail, instructs the Commission to investigate the supply of goods of any description. As an administrative body the Commission cannot take action against any monopoly concern. If it decides that a monopoly exists to the detriment of the public good, then any steps to divest the concern of its monopoly must be by negotiation. Ultimately, however, it would be the force of public opinion which would decide the issue. It would be true to say, however, that the mere fact of the existence of a Monopoly Commission can be sufficient to cause monopoly concerns to tread carefully. It is possible that if a Commission was set up in Fiji the effect could be the same. The Commission could, for example, examine the production and processing of copra, the price charged, shipping rates, etc. If the findings of the Commission were to the effect that certain aspects of the trade were to the detriment of the public, public opinion could if the Commission's report was published, make itself felt and the group might itself decide that changes were indicated. (It was also agreed that if, on the other hand, such an investigation vindicated the group, this would also be of value.)

It was agreed that this might well be a solution which merited further thought in Fiji, although it would be difficult to find suitable people locally to serve on the Commission. (It was suggested that a retired judge from Australia might be found to serve as chairman.)

*Mr. King* added that there would seem no objection to introducing legislation to provide powers for an Order to be made, as under U.S. law, e.g. for a Company to divest itself of shareholdings in another company: but local circumstances might not be propitious.

*Mr. King* then went on to describe the U.K. Restrictive Trade Practices Act, 1956, which sets up in effect a judicial body and is universal in its application. All trade agreements between companies etc. which might be of a restrictive nature have to be registered, and every registered agreement is brought before the Restrictive Practices Court, where it has to be justified as being in the public interest in the ways set out in section 21 of the Act: the onus lies on the parties to the agreement. If not shown to be in the public interest, the Court has the power to nullify such an agreement. (On the other hand, it must be admitted that the parties concerned cannot effectively be debarred from continuing to operate a nullified agreement from habit.)

In reply to a question, *Mr. King* said that the 1956 U.K. Act did not apply to services and therefore not to shipping; the Ministry of Transport might be able to offer some advice on this aspect.

There was some discussion on the possibility of legislation in Fiji requiring separate returns, balance sheets, profit and loss accounts to be submitted annually to the Registrar of Companies by each Company, including private companies, with a share capital over a specified amount. (This was thought to be the usual position in the U.S.). It had been suggested that this would deter overseas investment, but it might be further considered.

The *Chairman* suggested that the Fiji Government should consider further whether any of the foregoing suggestions could be implemented.

**38** CO 1036/612

12–13 July 1961

**[Fijian veto over constitutional reform]: minutes by Sir H Poynton and H P Hall**

The Governor of Fiji is asking for a formula which will reassure the Fijians in Fiji that they will not be forced to go faster than they wish towards internal self-government or independence. The formula already used for this purpose in paragraph 3 of (19) reads:—

‘There is no intention of forcing the pace of constitutional advance in Fiji and H.M.G. will only decide on any major changes after full consultation with representatives of the various communities in the Colony’.

I gather that the Governor does not think this goes far enough and indeed as Mr. Hall says in his minute of the 5th July what the Fijians really want is to be able to veto indefinitely changes which they do not like.

One can do a great deal by clever draftsmanship but there are some points of principle that cannot be ‘fluffed’ by draftsmanship. This question of ‘imposed constitutions’ versus changes made by consent is a common feature of almost all our recent constitutional discussions. The doctrine of consent is an admirable one if you can get consent; but if you cannot then the Secretary of State cannot escape the responsibility for taking a decision. To give one community in a colony a power of veto over constitutional changes even when that community is the indigenous race in a multi-racial community, is tantamount to an abdication by the Secretary of State of his responsibility to Parliament for the orderly constitutional development of the territory. The point of principle is just the same whether we are talking about the Fijians in Fiji, the Dominion Party in Rhodesia or the late Group Captain Briggs<sup>1</sup> in Kenya.

I conclude therefore that it is impossible by any feat of draftsmanship to give the Fijians (and therefore the Governor) a formula that will satisfy them. That being so I would far rather stand on the formula already used in (19) which was approved by Mr. Fraser, than to start glossing it by new variants such as that suggested in Mr. Hall’s minute of the 10th July at ‘A’. And indeed if the Governor does not think that even this will go far enough to reassure the Fijians I see no purpose at all in putting it forward.

I recommend that we should tell the Governor quite candidly that it is not possible to go beyond the formula already approved in (19).

A.H.P.  
12.7.61

*Sir Hilton Poynton*

Mr. Fraser saw Sir Kenneth Maddocks, the Governor of Fiji, this morning and after some considerable discussion on the constitutional problem, Mr. Fraser instructed me to attempt a redraft of the statement the Governor wishes to include in his Cession Day broadcast (an annual affair on the 10th October). The Governor had proposed:—

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<sup>1</sup> C R Briggs, who opposed concessions of any kind to Africans before independence in Kenya.

'H.M.G. have no intention of forcing the pace of constitutional advance. They believe that it is in the general interest that some measure of increased responsibility should be given to unofficial members as soon as they are ready to accept it but do not intend to hand over power until a substantial measure of agreement has been reached among the different races. Before self-government could be contemplated agreement would have to be reached about the safeguarding of legitimate Fijian interests after the transfer of power.'

I have attempted to follow the previously approved statement reproduced at X of your minute of 12th July<sup>2</sup> and at the same time to include a little of the Governor's proposed statement. The Governor has seen and has accepted the draft which reads:—

'H.M.G. has no intention of forcing the pace of constitutional advance in Fiji. The extent and timing of such advance will continue to take into account the need to safeguard legitimate Fijian interests and H.M.G. will only decide on any major changes after full consultation with representatives of the various communities in the Colony. H.M.G. believe however that it is in the general interest that some measure of increased responsibility should be given to unofficial members as soon as they are ready to accept it.'

The Governor realises that it is impossible to accede to the Fijian request to receive a categorical statement from H.M.G. (and preferably the Queen) that H.M.G. will not withdraw from Fiji or alternatively that power will only be handed over to the Fijians. I have suggested to the Governor that it should be got across to the Fijians that their real safeguard lies not so much in any form of words but in the good faith of H.M.G. (whatever political party is in power). It is inconceivable that any Government in the U.K. would force self-government or independence on Fiji against the wishes of the Fijians who form a very large section of the population. On the other hand H.M.G. could not accept a Fijian veto on any changes whatsoever e.g. the introduction of a membership system. The Governor accepts this view but does not think it will be easy to get across to the Fijians.

Apart from the question of the Governor's statement, he will wish to touch on the points raised in the telegram at (57).

When Mr. Amery was in Fiji in October last year all three races accepted 'parity' as desirable for the next few years. The Governor's own Stage 2 proposals in (52) followed this line.<sup>3</sup> It now seems from paras 3 and 5 of (57) that it is being proposed that all three races should have 4 elected representatives each, the Indians and Europeans should have an additional nominated member each but the Fijians should have 2 members elected by the Council of Chiefs. This would give:—

Fijians	6 (4 directly elected and 2 elected by the Council of Chiefs)
Europeans	5 (4 elected and 1 nominated)
Indians	5 (4 elected and 1 nominated)

Para 2(a) of (57) also proposed virtual universal adult suffrage.

<sup>2</sup> X refers to the formula quoted by Poynton in his minute beginning, 'There is no intention of forcing the pace . . .'

<sup>3</sup> See 28.

It has been suggested to the Governor that it would be desirable to await the despatch promised in para 5 of (57) before the Secretary of State could give a definite reply to these points. The Governor accepts this but would like to have a further opportunity of discussing this problem before he returns to Fiji in early September. He will be back in the U.K. from the 28th August and would be available for discussions then.

The next general election is due in August 1962 and the Governor doubts whether new electoral regulations and constituencies can be drawn up in time and it may therefore be necessary to extend the life of the present Legislative Council for up to a year. This again is a matter which can be gone into when decisions are taken on the points raised in the despatch.

The Secretary of State is to see the Governor at 11 a.m. on Friday 14th July.

H.P.H.  
13.7.61

**39** CO 1036/613, no 67 21 July 1961  
**[Constitutional reform]: despatch from P D Macdonald (acting**  
**governor) to Mr Macleod on local reactions** **[Extract]**

I have the honour to refer to correspondence ending with my saving telegram No. 555 of the 7th July, 1961, under cover of which I forwarded for your information printed copies of the debate on constitutional reform, which took place in the Legislative Council on the 21st and 24th April, 1961,<sup>1</sup> and to address you further on the same subject.

In this connexion, I should interpolate here that this despatch has been drafted during my recent tour of the Lau Islands, from which I returned last night. That explains the absence of references to your telegram No. 165 of the 11th July, 1961, and my Deputy's telegram No. 147 of the same date. Further, upon my return to Suva, a letter on this subject of constitutional reform from the Hon. J. Madhavan was awaiting me. He has clearly had second thoughts since our discussions, and I have incorporated his revised views later in this despatch in the appropriate places.

2. I was not unfortunately present in the Legislature on that occasion, since I only resumed duty on my return from leave on the 27th April, 1961. The Governor left the Colony, en route for the United Kingdom on leave, on the 30th April, and, prior to his departure, advised me that it would be necessary for me to hold discussions with the Unofficial Members of the Legislature in order to determine their views on constitutional reform and decide precisely what recommendations I should submit to you in this respect.

3. After careful consideration, I decided that rather than hold a meeting or meetings with the fifteen Unofficial Members representing the three racial groups—European, Fijian and Indian—it would be preferable in the first instance to hold meetings with each racial group separately, and thereafter a plenary session with all fifteen Unofficial Members.

4. The first meeting, with the Fijian Members, and with the Secretary for Fijian Affairs in attendance, was held on the 15th May—only three weeks after the debate in

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<sup>1</sup> See 36.

the Legislature. All the Unofficial Members had spoken in that debate and it appeared to me that, having 'nailed their flags fairly firmly to the mast', it was unlikely that there would be much change in their opinions such a short time afterwards. Certainly, it seemed to me that to hold a full meeting of all Unofficial Members would only invite lengthy and discursive discussions on the same lines as the debate in the Legislature, and that the results would be unprofitable.

5. The Fijian Members, in particular, in opposing the Government motion on constitutional reform in the Legislature, had stated their case both vigorously and forthrightly. This was particularly true in the case of the Hon. Ravuama Vunivalu, who is the best orator amongst the five Members. In a vigorous and somewhat emotional speech, in answer to his own question as to what the Fijians sought in respect of constitutional changes, he replied as follows:—

'One condition is an unequivocal statement from Government as to the interpretation of the place of the Deed of Cession in the affairs of this Colony today, and the other is that whatever changes are made to the constitution of the Colony, the Fijian people, being the indigenous people of this land, have the majority of representation in the Executive and Legislative Councils.'

6. The other Fijian members had spoken earlier in the debate, all placing great emphasis upon the obligations of Her Majesty's Government in the United Kingdom towards the Fijian race under the terms of the Deed of Cession, and whilst the speech of the Hon. Ratu K.K.T. Mara, O.B.E., was perhaps somewhat fanciful in suggesting that Fiji should be linked with the United Kingdom in a manner similar to the Isle of Man or the Channel Islands, that of the Hon. Semesa Sikivou was particularly interesting, inasmuch as, unlike his four Fijian colleagues, he supported the motion for constitutional reform in general terms, and has since confirmed to me that he supports the introduction of a 'membership' system. (Unfortunately, it seems likely that his attitude may sound his death knell at the next elections.)

7. In consequence of the variety and forcefulness of the views expressed by the Fijians, I felt that it was imperative to discuss constitutional reform with them first in order to gain some idea of what were the maximum changes which would be acceptable to them. I therefore saw them, as mentioned above, on the 15th May; this was necessary since the Hon. Ratu Penaia Ganilau, D.S.O., O.B.E., left for Australia with the Fiji Rugby Football XV for a period of some six weeks two days later.

8. I decided to hold discussions with the European Members next since it was fairly clear from the debate in the Legislature that the Europeans would 'go along' with the Fijians in this matter. That in fact proved to be so. It was not possible, however, unfortunately, to hold a meeting with the Europeans until the 8th June, since the Hon. J.N. Falvey, O.B.E., was absent in the United Kingdom as a member of a delegation to the Colonial Office to discuss the Overseas Service Aid Scheme.

9. I next held discussions with three of the Indian Members—the Hon. J. Madhavan, (3rd Indian Elected Member), and the Hon. Dr. A.H. Sahu Khan and the Hon. S. Narain (the two Indian Nominated Members)—the Hon. A.I.N. Deoki being absent in Australia for a period of some weeks as Manager of the Fiji Indian Football Association XI, and the Hon. B.D. Lakshman having been a member of the abovementioned delegation to London. On the return of the Hon. A.I.N. Deoki, I held a further meeting with the Indian Members on the 16th June, at which he was present. The Hon. B.D. Lakshman has, however, unfortunately not yet returned from

the United Kingdom and it has not been possible for him to participate in any of the discussions.

10. In view of the time factor, to which I shall refer again below, and ignorance here of the date on which the Hon. B.D. Lakshman will return to the Colony, it seemed to me that no useful purpose would be served by delaying the plenary discussions further and they were held at the earliest possible moment at which all Members in Fiji could conveniently attend, on the 30th June, 1961.

11. In the event, I am glad to be able to report that this method of approach to the problem proved profitable for, at the plenary session, unanimous agreement was reached on all points, save the major one concerning the numbers of members of the different races, and one particular aspect of the qualifications for candidates.

12. The subjects were discussed at the various meetings in the following order:—

- (a) the order of precedence;
- (b) the seating of Members in the Legislative Council Chamber;
- (c) the life of the Legislature;
- (d) the qualifications for candidates;
- (e) the deposit by candidates;
- (f) the disqualification of Elected Members;
- (g) the qualifications of electors;
- (h) the composition of the Legislative Council; and,
- (i) constituencies.

The reason for the order in which these subjects were discussed was because it was hoped that, if it proved to be possible to reach agreement on the rather less contentious subjects, it might pave the way for agreement on the major issue—the composition of the Legislative Council. In the event, these hopes were somewhat disappointed but I am glad to report that a very wide measure of agreement in respect of constitutional reform was achieved. . . .

#### *The life of the legislature*

19. There was unanimity that the life of the Legislature—a period of three years as at present provided in the Letters Patent—was too short. In this connexion, I would draw your attention to the remarks of the Hon. R.G.Q. Kermode on page 137 of the Hansard Report referred to in paragraph 1 of this despatch. First, it has been found in practice that the present period is inadequate, in that it sometimes takes a Member up to a full year to acquaint himself with the somewhat complicated procedures of the Council and to take a really effective part therein. Secondly, there is the disadvantage that, whilst the second year of a new Member may be both constructive and productive, he will probably spend most, if not all, of his third year with his eyes on the forthcoming general elections. Thirdly, a quinquennial period is far more suitable from the point of view of developmental planning. Fourthly, it is far more suited to a 'membership' or ministerial system, if and when that is introduced. Fifthly, after the riots of December, 1959, the industrial troubles of 1960, and the degree of emotion engendered in consideration of this problem both in and out of the Legislature, a quinquennial life for the next Legislature will provide a much needed degree of stability at the present time.

20. As it is hoped that, sooner or later, it will be possible to move towards the introduction of a 'membership' or ministerial system, it is obviously preferable that a

longer life should be fixed for the Legislative Council. With the exception of the Hon. Ratu Penaia Fanilau and the Hon. B.D. Lakshman, who were absent, all Unofficial Members agreed with my suggestion that the life of the next Legislature should be for five years duration, and I so recommend.

*The qualifications for candidates*

21. At the discussions with the Fijian Members, it was agreed that the following qualifications should be required for candidates, who might be either men or women. Candidates should:—

- (a) be qualified to be registered and vote as electors (subject to the different residential qualification mentioned in (b) hereunder) and be on the electoral roll;
- (b) have a minimum of two years' residence in Fiji during the three years preceding nomination as a candidate;
- (c) be able to speak and understand the English language, as already provided for in Article 26 of the Letters Patent; and,
- (d) be in possession of a net annual income in his or her own right of not less than £400.

22. With regard to the qualification at (b) in the preceding paragraph, the present provision in this respect (which applies to both Europeans and Indians) is that they should have been 'continuously resident for two years in the Colony' preceding the date of their nomination as a candidate (see Articles 25 and 26 of Letters Patent). That qualification was not, however, considered to be satisfactory inasmuch as it might well happen that a person intending to submit himself (or now, herself) as a candidate might well leave the Colony for social, business, health, or other reasons during the period of two years before the next elections. It was therefore felt that this qualification should be liberalized and that it should be incumbent on a candidate only to reside for a minimum total period of two years in the Colony during the three years preceding his nomination as a candidate for election. There was unanimous agreement on this point.

23. With regard to the qualification at (d) in the preceding paragraph, the Hon. Semesa Sikivou thought that the figure should remain at £200 inasmuch as, whilst admitting the great change in the value of money since the present Letters Patent were enacted 24 years ago, he considered that to insist on a net annual income of £400 might well prevent such persons as Fijian pastors or retired Fijian civil servants from standing as candidates. The other Members felt, however, that, in view of the great change in the value of money over the past 24 years, and in order to discourage irresponsible candidates, the income qualification should be raised to £400.

24. Insofar as the property qualifications were concerned, the Fijian Members stated that they had not considered this aspect of the matter at that stage.

25. The Fijian Members emphasized that it should be permissible in their case, for civil servants, for the time being at any rate, to stand for election, whether elected directly or by the Council of Chiefs. They considered that there were special circumstances in this respect in regard to the Fijians and that such a special concession should not be extended to the other races.

26. At the meeting with the European Members, the latter agreed to the qualifications proposed by the Fijian Members (including the candidature of women). They were inclined to think that an income qualification of £400 would be

reasonable, although they did not feel strongly on this point. They stated that they would agree with whatever figure should be decided upon by the Fijians and Indians.

27. One of the European Members considered that it should be a requirement that a candidate should only stand in the constituency in which he resided. His colleagues felt, however, that the fact that a candidate did not reside in the constituency for which he was standing was a sufficient weapon in the hands of his opponent at an election to ensure that absentee candidates were discouraged from standing. I also pointed out that such a condition could not possibly apply to Fijian candidates, if it were agreed that Fijian civil servants might stand (see paragraph 25 above). It was accordingly unanimously agreed that this qualification should not be required.

28. At the first meeting with the Indian Members, the qualifications for candidates suggested by the Fijian Members (including the candidature of women) were accepted, but it was felt that the income qualification should not be raised, so as to give a greater opportunity for any who might wish to stand to do so. These views were also expressed at the second meeting of the Indian Members, which was attended by the Hon. A.I.N. Deoki.

29. At the plenary session with all Unofficial Members there was considerable discussion as to the income and property qualifications. Mr. Deoki considered that the property qualifications should be as in Article 25 (3) of the Letters Patent, as an alternative to the income qualification. But he later stated that, in the interests of compromise, he and his colleagues would be prepared to accept an income qualification of £300 per annum. After further discussion, it was finally unanimously agreed that the qualifications required of candidates should be income or property—the property qualifications being as set out in Article 25 (3) of the Letters Patent.

30. On the question of the level of the income qualification, the European Members adhered to their previously expressed view that they would accept the majority opinion and the Indian Members stood by their figure of £200 per annum. The Hon. Ratu Edward Cakobau and the Hon. Ravuama Vunivalu adhered to their view that a figure of £400 was appropriate; the Hon. Semesa Sikivou adhered to his view that a figure of £200 was desirable; and the Hon. Ratu Mara stated that, if income was the only qualification, it should be £400, but that, if property was an alternative qualification—as had been decided—the income qualification should be £200. It was not possible to reach a unanimous compromise on this point but I feel confident that an income qualification of £300 per annum will be generally acceptable. There must be few avenues of employment in this Colony today in which a person seeking to stand as a candidate for the Legislature cannot fairly easily make £300 in the course of a year.

31. It was unanimously agreed that no residential qualification should be necessary for a candidate.

32. The question was also raised as to whether a woman candidate should possess the income or property qualification in her own right or be enabled to stand as a candidate on the basis of her husband having the income or property qualification. After discussion, it was finally unanimously agreed that a woman candidate should be required to have the income or property qualification in her own right.

33. It was also unanimously agreed that Fijian civil servants should, for the time being, be permitted to stand as candidates for election, whether elected directly or by the Council of Chiefs. . .



*The qualifications of electors*

39. The Fijian Members were quite unanimous that the introduction of universal adult suffrage was the wish of the vast majority of Fijians. In response to my enquiry, the Members also stated that Fijian public opinion was now strongly in favour of women being granted the vote, and it was pointed out that women were now participating in Fijian Provincial Councils.

40. It was considered that the qualifications of electors should be as follows—that he or she:—

- (a) is a British subject by birth;
- (b) is of the age of 21 years or upwards;
- (c) is of sound mind;
- (d) has been resident in the Colony for twelve months during the three years preceding the closing of the electoral rolls; and,
- (e) can read and write a simple sentence and sign his name in English or his own language.

41. With regard to the qualification at (d) of the preceding paragraph, the present provision in this respect (which applies to both Europeans and Indians) is that they should have been 'continuously resident in the Colony for the preceding twelve months' (i.e. preceding the date on which the electoral rolls are closed). In this connexion, I would invite your attention to paragraph 22 above. The same objection, as set out in the second sentence of that paragraph, obtains in this case, though with rather more force. It was therefore felt that this qualification should be liberalized—more so than the qualification dealt with in paragraph 22—with the result set out in (d) of the preceding paragraph. After some discussion, there was unanimous agreement on this point.

42. The above qualifications of electors were accepted by the European Members at my meeting with them. They too all agreed that the introduction of universal adult suffrage was most desirable.

43. At the two meetings with the Indian Members, it was also agreed that the introduction of universal adult suffrage was most desirable. The qualifications suggested at the meeting with the Fijian Members were also accepted, save that the Hon. J. Madhavan had a slight doubt about the retention of the literacy qualification. If it was to be retained, he considered that the Malayalam language should also be included, with Hindu, Urdu, Tamil, Telegu, Gurmukhi and Gujarati. This is a reasonable and acceptable suggestion.

44. At the separate meetings with the three racial groups, the view was also unanimously expressed that neither income nor property qualifications should any longer be necessary for electors.

45. I shall be addressing you in a separate letter on the subject of the introduction of universal adult suffrage, dealing in particular with the points raised in Mr. H. P. Hall's secret and personal letter No. PAC.36/1/03 of the 17th March, 1961.<sup>2</sup> I would only say at this juncture that the Members of the three groups whom I have consulted attach the greatest importance to this electoral measure. I personally consider that its introduction will be particularly beneficial, having regard to the fact that there is at present no prospect whatever of the introduction of a

<sup>2</sup> See 31.

common roll, or even of having any of the Members of the Legislature elected on a common roll, or the introduction of a 'membership' or ministerial system.

46. To summarize, therefore, it is recommended that the qualifications of electors should be as follows—that he or she:—

- (a) is a British subject by birth;
- (b) is of the age of 21 years or upwards;
- (c) is of sound mind;
- (d) has been resident in the Colony for twelve months during the three years preceding the closing of the electoral rolls; and,
- (e) can read and write a simple sentence and sign his name in any one of the following languages:— English, Fijian, Hindi, Urdu, Tamil, Telegu, Gurmukhi, Gujarati, and Malayalam.

*The composition of the Legislative Council*

47. The present Legislative Council consists of:—

- (a) sixteen Official Members;
- (b) three European Elected Members and two European Nominated Members;
- (c) three Indian Elected Members and two Indian Nominated Members; and,
- (d) five Fijian Members elected by the Council of Chiefs, acting in the form of an electoral college.

There is thus an official majority of one in respect of the Official Members over the Unofficial Members, and the Elected Members are in a minority of 11 to 20.

48. The following is a summary of the views expressed by the Fijian Members at my meeting with them on the 15th May, 1961:—

- (a) that four Fijian Members should be directly elected by popular election, and that two should be elected by secret ballot by the Council of Chiefs;
- (b) that there should be four Elected European Members and four Elected Indian Members, and one Nominated European Member and one Nominated Indian Member;
- (c) that the election by popular election of three Fijian Members—as proposed in the report of the Burns Commission and agreed to by the Council of Chiefs in 1960—was not acceptable, inasmuch as it would be difficult to demarcate satisfactorily three such constituencies as, no matter how arranged, they would cut across traditional provincial boundaries and prove geographically awkward. On the other hand, four constituencies fitted almost ideally into the present pattern of Fijian population, such constituencies being based on the present Administrative Divisions. The divisional population of each such Division at the last Census in 1956 was as follows:—

Northern Division	—	28,466
Eastern Division	—	29,035
Western Division	—	42,633
Central Division (including Suva)	—	47,982

- (d) it would immediately be seen that the pattern of representation now proposed provided for one more Fijian representative than was the case for the other two races. (This idea was first mooted by the Hon. Ravuama Vunivalu during the

constitutional debate abovementioned—see paragraph 5 above—as being necessary to emphasize the paramountcy of Fijian interests and in recognition of the Fijians being the indigenous people of the territory. Unfortunately, he spoke late in the debate, but it became clear that, whilst the Indians viewed the proposal with some misgivings, it was readily acceptable to the Europeans);

(e) in connexion with (d) above, the Hon. Semesa Sikivou considered that increased Fijian representation was necessary ‘to protect the Fijian way of life’ and he wondered if an expression of the paramountcy of the interests of the Fijian race could not be written into the constitution. (I believe that the Governor is to discuss the question of recognition of the paramountcy of the Fijians with you during his present leave in the United Kingdom.) I expressed considerable doubt, however, whether such a declaration could properly be incorporated in the Letters Patent;

(f) the Fijian Members considered that representation could not, and should not, be on a basis of numbers. They pointed out that the economic contribution of the Europeans in Fiji was out of all proportion to their numbers and that they were not prepared to accept the slogan of ‘one man, one vote’ as a basis for racial representation in the Legislative Council. In particular, they stated that they would not agree to a reduction in the number of European Members below that of the Indians. In this connexion, it will be noted from the constitutional debate that the Hon. J. Madhavan had suggested that there should be eight Fijian Members and six Indian Members, but only four European Members;

(g) the Fijian Members expressed their strong opposition to the introduction of a common roll, wholly or in part, or in any form whatsoever; and,

(h) they emphasized that they desired the retention of the official majority.

49. At the meeting with the European Members, the latter agreed that there was no objection whatever to the Fijians having one more Member than either of the other two races. The Hon. H.B. Gibson at first stated that he had some reservation about departing from the rule of parity, which had hitherto been observed between the three races, but that, after hearing the opinions of his colleagues, he would not press his viewpoint. The European Members stated that they appreciated that an increase of one in the Unofficial Members of the Council would entail a similar increase in the number of Official Members. The retention of the official majority was desired.

50. At the first meeting with the Indian Members, the Hon. S. Narain agreed to the proposals of the European and Fijian Members regarding the composition of the Legislature. The Hon. J. Madhavan stated that he disagreed in principle with the nomination of Members of Council and considered that there should be five Elected Members in respect of each of the three races.

51. The Hon. Dr. A.H. Sahu Khan, the First Indian Nominated Member and himself a Muslim, persistently advocated the formation of a separate Muslim electoral roll with the right to return one Muslim Member. It was his contention and, so he argued, that of his community, that the Muslims in Fiji were entirely separate from the rest of the Indian community, that there was certain discrimination against the Muslims by other Indians, and that no Muslim could ever hope to be elected on either an Indian communal roll, or on a common roll.<sup>3</sup> There is some substance in

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<sup>3</sup> S M Koya did, in 1963, form a predominantly Hindu constituency in western Viti Levu.

his remarks—the last assertion is undoubtedly correct. But, unfortunately, the isolation of the Muslim community is, in part, of its own making for they do in fact do a great deal to preserve themselves as a separate entity; the exclusiveness is mutual and there has been little real attempt to break it down. I informed the Hon. Dr. Sahu Khan that it would be a retrograde step to provide for members to be elected on a religious, as well as a racial, basis and that any such proposal stood little, if any, chance, of acceptance. Failing a Muslim electoral roll, he then asked for an assurance that, if Indian representation was to be confined to four Indian Elected Members and one Indian Nominated Member, the latter should be a Muslim. I stated that I could give no such assurance. He requested that his views on this issue should be made known to you and this I now do. In this connexion, I would refer you to the petition laid before Mr. Julian Amery by the Muslim Association during his visit to Fiji in October, 1960, and to the reply returned to the Association after consultation with you. The Association was informed that you had noted the contents of its memorandum but that it was your wish, as far as possible, to avoid the introduction of constitutional measures which would associate political representation with religion.

52. At the second meeting with the Indian Members, the Hon. A.I.N. Deoki stated that he was unable to agree that the Fijians should have an additional Member. Nor could he agree with a proposal that there should be six Fijian, five Indian and four European Elected Members.

53. Mr. Deoki repeated the somewhat ingenious proposal which he made in the constitutional debate in the Legislative Council, namely, that there should be five Members elected for each race, on its own communal roll, and that, in addition, there should be three Members, one from each race, elected on a common roll. Thus, each elector would have four votes to cast, one for a constituency candidate of his own race, and one each for a European, Fijian and Indian candidate elected on a common roll. He then argued that even if the preponderant Indian population (greater than the Europeans and Fijians combined) enabled it to elect three pro-Indian Members on a common roll, those three, together with the five Indian Members elected on a communal roll, would only represent eight votes, against which there would be five Elected European Members and five Elected Fijian Members, representing ten votes. In this way, he argued, domination by the Indian race, which he knew to be feared by both Europeans and Fijians, would be precluded. He added that he considered that there should at the same time be no official majority in the Legislature but that official membership should be reduced to approximately eight.

54. At the plenary session of all the Unofficial Members, both the Hon. H.B. Gibson, O.B.E., and the Hon. R.G.Q. Kermode, stated that, though they had carefully considered this particular aspect of the problem, they thought it was highly unlikely that any further measure of agreement could be reached even after further discussion. The first-named therefore suggested that the views of Members, as expressed at the meetings, should be conveyed to you forthwith so as to enable you to reach appropriate decisions.

55. Unfortunately, at this point, the Hon. A.I.N. Deoki stated that he wished to make his viewpoint clear over this matter of the composition of the Legislature. He stated that he firmly believed that the time had come for an unofficial majority and reiterated the views expressed in paragraph 53 above. He added that he considered

that the Governor should have the power of veto if those proposals as they stood were unacceptable, and, if an official majority were insisted upon, then he agreed there would have to be nineteen Official Members.

56. Finding these proposals unacceptable to all, even including his own colleagues, the Hon. A.I.N. Deoki then suggested that there should be five Members of each race, elected on their respective communal rolls, three Members, one from each race, elected on a common roll, and three Nominated Members. If necessary, he stated that he would agree to the official membership being increased to twenty-two, so as to give an official majority of one. Unfortunately, Mr. Deoki expressed himself—as so often happens—both forcibly and tactlessly, referring to the ‘ganging-up’ of European and Fijian Members against the Indians. From that moment, there was little hope of agreement or compromise at the meeting on this vexed question.

57. The European and Fijian Members at once expressed their strongest opposition to the introduction of the common roll, either in whole or in part, or in any shape or form. The Hon. Ratu K.K.T. Mara strongly dissented from both sets of proposals of the Hon. A.I.N. Deoki. The Hon. J.N. Falvey strongly deprecated the suggestion that European and Fijian Members had ‘ganged-up’ in the past or would do so in the future. The Hon. Semesa Sikivou stated that he considered the proposals of Mr. Deoki most ill-advised and that the terms in which he had expressed his view quite deplorable, thereby rendering any further discussion on such a problem nugatory at the present time.

58. Thereafter, the Hon. J. Madhavan, while reaffirming his dislike of the system of Nominated Members, stated that he would reluctantly accept the proposals for a single European and a single Indian Nominated Member as already agreed to by the Europeans, Fijians and the Hon. S. Narain, in order to secure the widest possible measure of agreement, provided of course that there were only four Elected Members of each race.

59. The Hon. Dr. A.H. Sahu Khan then asked that he be allowed to re-state his own position, which he did as follows:—

- (a) ideally, there should be a separate Muslim electoral roll returning a Muslim Member; or failing that,
- (b) he would wish to see three Europeans, three Fijians and three Indians all elected on a common roll, with two Nominated Members from each race, and the Governor having the power of veto; or, failing that,
- (c) he would wish to see the retention of a nominated seat for the Indians, as at present, this seat being filled by a Muslim.

60. This aspect of the matter was concluded with a general discussion in which it quickly became apparent that the European and Fijian Members were still unalterably opposed to a common roll, and supported the proposals mentioned in paragraph 48 (a), (b), (c) and (h). Neither the Hon. J. Madhavan (somewhat surprisingly) nor the Hon. S. Narain felt able to support the introduction of a common roll at the present time. The Hon. A.I.N. Deoki and the Hon. Dr. A.H. Sahu Khan, reaffirmed their respective positions.

61. Unfortunately, the Hon. J. Madhavan later had second thoughts—doubtless after consultation and discussion with others—for, on the 5th July, 1961, he wrote as follows:—

'... although there has been a great degree of agreement on most of the details the disparity in the number of members as between the Fijian community and the Indian and as well as the European certainly without doubt will bring about serious repercussions by the Indian community much more than the Muslim question; I think it is quite justifiable; why should a minority community like the Europeans have proportionately a bigger number of seats in the Legislative Council and why should we allow the biggest community like the Indians get proportionately a lesser number and why should the Fijian community which is smaller than the Indians get the biggest number of seats.

I feel now that the over-all number of members for each race should be six as the Fijians but in the case of Indians and Europeans five elected members and one nominated member . . . '.

62. The proposal that there should continue to be one seat filled by a Nominated European Member and one seat filled by a Nominated Indian Member gave rise to discussions as to whether one of the two seats for the Nominated European Member or the Nominated Indian Member could be used in conjunction for the representation of the Chinese and Rotuman communities and other Pacific Islanders. But the seat for the Nominated Indian Member is most likely to have to be continued to be used for a member of the Muslim community, as has been the invariable practice for almost a quarter of a century. The suggestion that the seat for the European Nominated Member should be used either for the representation of racial minorities, or in conjunction with the representation of such minorities, was quite unacceptable to the European Members.

63. Consideration was then given to the possible provision of an additional seat for a Nominated Member to represent specifically the Chinese and Rotuman communities and other Pacific Islanders. Whilst, at first sight, it may seem wrong that such persons should be disenfranchised, it is necessary to consider the small numbers involved. The total Chinese population in 1956 was only 4,155; Rotumans only numbered 4,422; and other Pacific Islanders, 5,320. Further, none of these groups has in fact any affinity with the Europeans or Indians, nor indeed has there been any pressure for special representation in the Legislative Council. In view of the small numbers involved and the fact that there have been no requests for representation in the Legislature, Members unanimously agreed that an additional seat for a Nominated Member to represent these minorities should not be created at the present time.

64. Clearly, such minorities will have to be accorded representation sooner or later, and in my own view, it may well be that, after the next quinquennium, the Europeans may well have to surrender the seat of their Nominated Member in order that such minorities can be represented. The enfranchisement of such minorities may well be the easiest way in due course to persuade all races to accept some experiment in common roll representation.

65. To summarize, therefore:—

(a) the European and Fijian Members and the Hon. S. Narain were agreed that the Legislature should be composed as follows:—

- (i) four European Elected and one Nominated Members;
- (ii) four Indian Elected and one Nominated Members;

- (iii) four Fijian Members elected by popular vote and two elected by secret ballot by the Council of Chiefs; and,
- (iv) seventeen Official Members, (so as to give an official majority of one);

(b) in the initial stages, the Hon. J. Madhavan disagreed that there should be an extra Fijian Member, preferred that there should be no Nominated Members, and that there should be no official majority, but reluctantly and in a spirit of compromise agreed to the Legislature being comprised of:—

- (i) four European Elected and one Nominated Members;
- (ii) three Fijian Members elected by popular vote and two by the Council of Chiefs, or four Fijian Members elected by popular vote and one by the Council of Chiefs;
- (iii) four Indian Elected and one Nominated Members; and,
- (iv) sixteen Official Members as at present;

Subsequently, Mr. Madhavan advocated:—

- (v) five European Elected and one Nominated Members;
- (vi) four Fijian Members elected by popular vote, and two Fijian Members elected by the Council of Chiefs; and,
- (vii) five Indian Elected and one Nominated Members.

(Note:—He expressed no opinion as to whether or not there should still be an official majority in the Legislature;

(c) the Hon. Dr. A.H. Sahu Khan preferred:—

- (i) three European and three Fijian and three Indian Members, all to be elected on a common roll;
- (ii) two European, two Fijian and two Indian Nominated Members; and,
- (iii) the Governor to have the power of veto.

(Note:—He would prefer that there should be a separate Muslim electoral roll returning a Muslim Member, but I do not consider this can possibly be accepted. If each race was to be represented by four Elected and one Nominated Members, then he would claim that the one Nominated Member should be a Muslim);

(d) the Hon. A.I.N. Deoki considered that the composition of the Legislative Council should be as follows:—

- (i) five European Elected Members;
- (ii) five Fijian Elected Members;
- (iii) five Indian Elected Members;
- (iv) one European, one Fijian and one Indian Member, each to be elected on a common roll; and,
- (v) eight Official Members.

Alternatively, Mr. Deoki suggested:—

- (vi) five European Elected Members;
- (vii) five Fijian Elected Members;
- (viii) five Indian Elected Members;
- (ix) one European, one Fijian and one Indian Member, each to be elected on a common roll;
- (x) three Nominated Members, one of each race; and,
- (xi) twenty-two Official Members.

66. As mentioned earlier in this despatch, the Hon. Ratu Penaia and the Hon. B.D. Lakshman are at present absent from the Colony. It may safely be assumed, however, that the former would hold the same views as his Fijian colleagues on this question. The views of the other Member will be found set out *in extenso* in the copies of the debate already sent to you. However, he is such a political weathercock that it is not possible to predict whether or not he still adheres to such views. As he is still, so far as is known, in London, it is possible that you may wish to seek his views direct. He has requested me to send him notes of the meetings with Members but I consider that it would be indiscreet to meet his request since there is no knowing to whom he might show them and discuss them. I therefore propose to inform him that I have addressed you at length on this subject and that if you desire his views you will doubtless address him direct.

67. Apart from the Hon. Dr. A.H. Sahu Khan and Hon. A.I.N. Deoki, the differences in viewpoint are not large. It is crystal clear that the European and the Fijian Members would contest either of the propositions of Mr. Deoki very strongly and very bitterly; and, in the present political and economic climate of this Colony, I do not see how they can profitably be pursued at the present juncture. The proposals of the Hon. Dr. Sahu Khan are in reality nothing more than special pleading for the Muslim community and cannot in my view be accepted. His proposal at paragraph 59 (b) represents very muddled thinking and is far, I think, from what he really desires.

68. The question then really resolves itself into whether or not the Fijians should be given an extra seat in the Legislature. In this connexion, they have made it quite clear that the election of only one Member by the Council of Chiefs would be quite unacceptable to that Council. The Fijian Members also made it clear that it would be difficult, if not impossible, to have only three electoral constituencies (see paragraph 48 (c)).

69. A possible solution would, of course, be to give the Fijian Members what they desire and, at the same time, increase the number of European and Indian Members to five Elected and one Nominated Member (as subsequently suggested by the Hon. J. Madhavan). In present circumstances, and having regard to the debate in the Legislature, I very much doubt whether this would be acceptable to the Fijian Members, (and possibly the European Members), or their communities.

70. After careful consideration, I am inclined to recommend for your approval that the Letters Patent should be amended to provide for:—

- (a) four European Elected and one Nominated Members;
- (b) four Fijian Members elected by popular vote, and two Members to be elected as at present by secret ballot in the Council of Chiefs;
- (c) four Indian Elected and one Nominated Members; and,
- (d) seventeen Official Members.

71. In making this recommendation, it must be frankly admitted that the Indians are at present in the majority and that therefore logically the membership in the Legislature should, if anything, be in favour of the Indians. Further, it is likely that the Indian community will say that my proposal is contrary to the terms of the late Lord Salisbury's despatch of 1873 [sic: 1875] in which the proposal was made to the Government of India that emigrants would be:—

'in all respects free men, with privileges no whit inferior to any other class of Her Majesty's subjects resident in the Colonies'.



This point was in fact made in the Legislative Council when increased representation for Fijian Members was suggested. The Hon. J.N. Falvey, however, when endorsing that proposal, unfortunately used the phrase that the Europeans and Indians would become 'second-class citizens'. He was immediately reminded by the Hon. A.I.N. Deoki of the terms of the despatch last-mentioned, to which he replied that the proposals in that despatch were declined by the then Government of India.

72. It is, however, a fact that the Fijians have to a considerable extent over the years received different, and more favourable, treatment in many ways to that accorded to the immigrant European and Indian races. I suggest therefore for your consideration that the Indian community can have no especial valid ground for complaint at the proposed one extra Fijian Member in the Legislature so long as all non-indigenous communities are treated on the same basis and if their continued protestations, both in the Legislature and outside, that they do not wish to acquire the birthright of the Fijians, are taken at their face value. In addition, although it is true that two Members are to be elected by the Council of Chiefs by secret ballot, in fact it is by no means unlikely that the names of those elected have been discussed and decided upon before the ballot and that they are more in the nature of nominations. This, I suggest, renders the proposal for one extra Fijian Member less objectionable.

73. By the grant of one additional Member, the Fijians will see in this a token of positive recognition by Her Majesty's Government of the rights of the Fijians in their own country, and also of their loyal, spontaneously offered, and meritorious services in two World Wars and in the emergency in Malaya, in which conflicts the Indians in Fiji contributed virtually nothing. Indeed, without some such recognition, it may well be that the Fijian community will be unprepared to move forward towards a 'membership' or ministerial system in the foreseeable future, or even, indeed, liberalize their policy in relation to native lands. They have, as you will be aware, a deep-seated and by no means unreasonable fear that the Legislature will one day come under the control of the Indians, who will amend legislation in such a way as to remove from the Fijians, not only the control over, but also the title to, their lands. Their loyalty is, of course, closely related to the undertakings concerning their land which they read into the Deed of Cession and it seems certain at present that there will be no further measure of constitutional advance in the foreseeable future unless firm safeguards are written either into any future constitution or proclaimed in some other way so as to ensure that the title to their lands cannot be taken from them. The grant of an additional Member in the Legislature will do much to restore in the mind of the Fijians the confidence in the Crown which in recent months has wavered as a result of apprehension on this question.

74. If, on the other hand, you are not fully persuaded that a case has been made out for the grant of one extra seat to the Fijians in the Legislature, then I can only suggest that the present parity between the three races be maintained—thus, that there should be five Elected and one Nominated Europeans, five Elected and one Nominated Indians, and four Fijians elected by popular vote and two elected by the Council of Chiefs by secret ballot. There are, however, unfortunately in my view two slight disadvantages to this suggestion. First, the Europeans, save from the viewpoint of their economic contribution, are already really overrepresented with five seats; to grant them yet another seat would merely tend to emphasize the present disparity in respect of numbers. Secondly, under the new proposals (see paragraph 70), it will be

necessary, if the insistence of the European and Fijian Members is to be met, to increase the number of Official Members from the present sixteen to seventeen. If, however, the proposal made earlier in this paragraph is accepted, this will entail a further increase in the Official Members from sixteen to nineteen. This is not merely undesirable in principle and a ready target for adverse criticism, but it also means appointing as Members of the Legislature less senior officers whose services are far better employed in the more continuous and active fulfilment of their official duties.

75. A variation of the proposal in the preceding paragraph—and one which appeals more to the Secretary of Fijian Affairs, with whom I have discussed these matters generally—would be to continue the present principle of parity of representation, but with four European Elected and two Nominated Members, four Indian Elected and two Nominated Members, leaving four Fijians to be elected by popular vote and two by secret ballot at the Council of Chiefs. This has certain advantages; parity of representation is maintained and the number of Elected Members of all races is increased slightly, which is as it should be in view of the increase in population. On the other hand, it does not diminish the number of Nominated Members as at present—I think a desirable aim in itself—and the number of Official Members still has to be increased from sixteen to nineteen to ensure that there is an official majority, on which there is insistence by the European and Fijian Members. Nevertheless, the single seat for an Indian Nominated Member, as suggested in the preceding paragraph, must, I think, under present circumstances, be awarded to a Muslim (until such time as some common roll arrangement can be made, in which they might have the option to be included or excluded), whereas, with two Indian Nominated Members as is suggested in this paragraph, it would undoubtedly be easier *vis à vis* the public, and especially the Indian community, to award one of the two seats to a Muslim.

76. To agree to a Legislature of 6 Fijians, 6 Indians and 5 Europeans, with one seat reserved for Chinese, Rotumans, and other Pacific Islanders would be more logical by any standards, but the Fijians insist that the Europeans retain parity of representation and the Europeans would certainly be unwilling to surrender the principle of parity, at any rate at the present juncture.

77. With an Indian leader of riper political experience and greater wisdom, such as the Hon. Vishnu Deo, O.B.E., I doubt if the present impasse would have arisen and I think the proposal for an extra seat for the Fijians in the Legislative Council might well have been conceded with amicability. Indeed, even now, it is doubtful to what extent real Indian opposition to such a proposal exists. Certainly, the proposal is opposed by the Hon. A. I. N. Deoki, as might have been expected; certainly too the Hon. J. Madhavan supports, not so strongly at first (see, for example, paragraph 58), though more strongly later (see paragraph 61); the proposal; but the Hon. B.D. Lakshman is unpredictable, the Hon. Dr. Sahu Khan is really only interested in Muslim representation, and the Hon. S. Narain supports the proposal for increased Fijian representation.

78. But it is the riots of December, 1959, the enduring industrial troubles of 1960, the shock of some of the recommendations in the report of the Burns Commission relating to their Administration and their lands and the tactlessness, brashness and arrogance of the Hon. A. I. N. Deoki which have thrown the Europeans and Fijians together with such force and rendered agreement on constitutional reform impossible at the present time. Indeed, those four circumstances have done

more; they have aroused the Fijians to the possible loss of their heritage. That is why I am sure that no fancy or complicated franchise or constitution will be acceptable in present circumstances. The high hopes of four years ago have been dispelled. The Fijians are awake but, unfortunately, apprehensive, worried and suspicious. The immediate necessity is for their self-confidence to be restored and increased, and for every measure to be undertaken to aid their progress in the shortest possible space of time so that they can stand up for themselves in this new politico-economic world in which they are, understandably, frightened strangers. Meanwhile, in my view, nothing but a breathing space will suffice, and this in turn means an interim constitution which will fulfil their present needs and also, if possible, represent simultaneously, some degree of advancement.

79. It may be argued that a recommendation for the continuance of any system involving parity of representation, without regard to such factors as population ratios, is a policy of defeatism—that the continuance of a system involving the continuance of an official majority is an anachronism in the second half of the 20th Century. Such critics may well have some right on their side. But it must be remembered that Fiji constitutes an especially singular problem. It is not merely that the three races exist here—the same might be said of other territories such as Tanganyika. But it is the obligations offered and accepted under the Deed of Cession, the introduction of an alien race at the instance of Her Majesty's Government without consultation with, and the concurrence of, the Fijians, and the fact that that alien race will soon be in a position to make, and may well make, a further 'take over bid' for Fiji, that renders this problem unique in the British Commonwealth.

80. The proposals advocated in this despatch need therefore to be considered against the background sketched in the two preceding paragraphs. It is true—and disappointing—that it has not been possible to move forwards to a 'membership' or ministerial system; that there will exist in the near future no greater opportunities for partnership of Unofficial Members with Government officials in the administration of government than now exist; that it has not been possible to introduce any element of multiracialism into the constitution; and that the continuance of an official majority will still breed a degree of irresponsibility amongst Unofficial Members, who have unfortunately shown on several occasions during the past few years that they are happily prepared to jettison some of their more unpleasant or onerous responsibilities and be rescued by the official majority which can always be made into an acceptable scapegoat with the electorate.

81. On the other hand, there is much on the credit side in the proposals now submitted, and on which there has been agreement between Members of the three racial benches. There has been proposed and accepted an increase in Elected Members of all races; the Fijians have accepted that the majority of their Members must be chosen by popular election; (this, in my view, may have even more far-reaching consequences than a change in the balance of racial numbers in the Legislature); at least one Fijian Member, the Hon. Semesa Sikivou, has recognized the necessity for a 'membership' or ministerial system and has told me that he hopes it will still be possible to introduce it administratively during the life of the next Legislature; universal adult suffrage is greatly desired by all; qualifications for candidates for election to the Legislature have been reduced; qualifications for all electors have been reduced to an absolute minimum; qualifications for candidates and electors, which used to be on a racial basis insofar as Europeans and Indians

were concerned, will now be the same for all races, a useful step towards multiracialism; women are to be permitted to stand as candidates and vote at elections; all races agree that Fijian civil servants should be permitted to stand as candidates for the time being; and the vexed question of an order of precedence of Members has been determined. Those represent substantially progressive steps, especially the election of Fijian Members and the introduction of universal adult suffrage.

82. It is true that the presence of the official majority in the Legislature and the results of the introduction of universal adult suffrage may produce strange and awkward bedfellows but I think that will prove useful experience for the future, when a 'membership' and/or ministerial system is introduced.

83. Apart from the possible drawback mentioned in the preceding paragraph, perhaps the most unfortunate aspects of the proposals now made is that they indicate no clear direction in which the Colony is likely to travel constitutionally. True, there is considerable advancement in several directions but they do not clearly point to any definite political future for the Colony. But, in view of the factors mentioned in paragraph 78, it is inevitable that this should at present be a holding operation.

#### *Constituencies*

84. As it was not possible to reach unanimity in respect of the numbers of Elected Members in the Legislative Council, discussions relating to constituencies were, as might be expected, somewhat superficial and unreal. The views of the Fijian Members, on the basis of the election of four Members by popular vote, are set out in paragraph 48 (c) above. I see no good reason to dissent from their suggestions.

85. Insofar as the Europeans are concerned, the Members considered that a proportion of four Elected and one Nominated Members would suit their population distribution equally well. They therefore whole-heartedly endorsed the Fijian proposals for representation. Using the 1956 Census figures, the European constituencies were recommended by the Members as follows:—

Western Constituency	—	3,641
Vanua Levu and Taveuni	—	2,245
Southern Division (less Suva) with Lomaiviti and Lau	—	2,743
City of Suva	—	5,488.

Whilst the City of Suva constituency is considerably larger than the others, it should be mentioned that many of the Europeans are transients, for example, some civil servants, bank clerks, employees of merchant houses, personnel of the Royal New Zealand Air Force, etc.

86. It is when the Indian population is considered that a more difficult pattern comes into view, owing to the great concentrations of their population around Suva and the Lautoka/Nadi area. However, a reasonably satisfactory solution can, I think, be found in the following proposed constituencies, again using the 1956 Census figures:—

Western Constituency (Ba and Ra)	—	39,388
Western Constituency (Lautoka, Nadi and Sigatoka)	—	50,016
Vanua Levu and Taveuni	—	27,395
Southern Constituency (including Lomaiviti and Lau)	—	52,060

87. All the Indian Members at my discussions (save the Hon. B.D. Lakshman who, though absent put forward the suggestion in the debate in the Legislature) agreed that the Western Administrative Division ought to be divided into two constituencies. And all agreed that, for compelling geographical reasons and despite the smaller number of the electorate, Vanua Levu and Taveuni should constitute one constituency. Numerically, there is no reason why the Southern constituency, including Suva, should not constitute a single constituency, since its number of voters approximates very closely to the number in the Western Constituency proposed for Lautoka, Nadi and Sigatoka.

88. The Hon. A.I.N. Deoki, who desired five Indian Elected Members (see paragraphs 55 and 56) wished the Western Administrative Division to be divided into two as above, returning two Members, the Northern Division to remain also as proposed above, but the City of Suva to return one Member, and the remainder of the Southern Division, including Lomaiviti and Lau, but excluding Suva, to return one Member. I feel pretty sure that this proposal was solely dictated by the Hon. A.I.N. Deoki rating very highly his chances of being returned in the City of Suva, but not necessarily if the rest of the Southern Division (including Lomaiviti and Lau) is included, since he has little support outside Suva. (In fact, I doubt whether he will be returned at all at the next election, howsoever the constituencies are constituted).

89. In view of his second thoughts regarding Indian representation (see paragraph 61), wherein he sought five Indian Elected Members, the Hon. J. Madhavan now suggests—somewhat on the lines proposed by the Hon. A.I.N. Deoki—that the Southern Constituency should be divided into two electoral divisions—Suva City with that part of the Southern Administrative Division lying to the westwards towards Navua; and Nausori, Tailevu, Lomaiviti and Lau. The latter would be a much smaller constituency numerically than the former however.

90. I have incorporated the foregoing notes regarding constituencies in this despatch since, although they must necessarily be somewhat vague for the reason given in paragraph 84, they may be helpful in any consideration of the number of Members of each race in the Legislature. Further, the question of actual electoral boundaries is a matter for the Governor in Council under the provisions of Articles 14 and 18 of the Letters Patent. It is presumed that similar provision will be incorporated in the new Letters Patent.

91. There now remains to be considered the question of the timing of such recommendations as you may approve. The life of the present Legislative Council ends on the 15th September, 1962, and I am advised by the Registrar-General that the preparation of new electoral rolls and the resulting elections will take a minimum of 12 months. It is therefore clear that the life of the present Legislature will have to be extended for, I suggest, a period of some six months, since any change in the period during which the budget is under preparation and consideration would be very unsatisfactory (i.e. October—December), and it is not wholly satisfactory in any case that a newly constituted Legislature should immediately have to consider a budget, particularly as, in consequence of universal adult suffrage, there may be a number of new members, with 'new' ideas and ideals.

92. In this connexion, I should also mention that the present Fijian Members are insistent that another Legislature should not be constituted on the present basis and that the life of the present Legislature should, if necessary, be extended. This viewpoint is also shared by the Indian Members.

93. In the circumstances outlined above, I would therefore request that an Order in Council, to be entitled 'The Fiji (Electoral Divisions) Order in Council, 1961', should be enacted in terms of the Mauritius (Electoral Divisions) Order in Council, 1958, referred to in paragraph 5 of Mr. H.P. Hall's secret letter No. PAC.36/1/03 of the 6th February, 1961. This would permit all necessary preparations for the elections to be carried out, including the delimitation of new electoral boundaries and the drawing up of new electoral rolls, as soon as you have reached decisions on the questions of the composition of the Legislature and universal adult suffrage. I presume also that those Letters Patent would provide for the extension of the life of the present Legislature.

94. In this connexion, I should perhaps also add here that, in making certain recommendations, for example, in paragraphs 14, 40 (a) and 46 (a) (with the latter of which is connected the provisions of Article 34 (2)), I have not deemed it necessary in this despatch to include mention of the adaptations which will be necessary when the principal Letters Patent are redrafted.

95. If the foregoing procedure is agreed to, it would be my intention, on receipt of advice from you, to request my Legal Advisers to proceed forthwith with the drafting of new Letters Patent for submission to you before the close of the year.

96. I am sending a copy of this despatch to the Governor as you will no doubt wish to discuss this subject further with him. Thereafter, I shall be grateful to learn as soon as possible your decisions on the various points in issue. There are two reasons for this. First, it is undesirable in principle to extend the life of the present Legislature more than is absolutely essential. Secondly, there is a widespread feeling that, consequent upon the rejection of the Government proposals at the recent debate in the Legislature on constitutional reform, the existing period of stagnation and unease may worsen and it is accordingly most desirable that publicity should be given with the least possible delay to the approved measures of constitutional reform. In addition, it is hoped that the introduction of universal adult suffrage and the increase in the number of Members will result in much greater interest in the forthcoming elections than has been evinced in the past. The comparative lack of interest in the 1959 elections was an unhealthy sign in the body politic and it is essential in my view that such interest be stimulated. The only community who are giving active and anxious thought towards the next elections are, somewhat paradoxically, the Fijians and it is desirable that this trend should be encouraged. I trust therefore that the recommendations may receive your earliest consideration and that your early approval of the appropriate changes will be forthcoming, despite your preoccupation with urgent constitutional problems in respect of other territories.

97. The picture in respect of constitutional reform would not, however, be finally complete unless I also commented upon the composition of the Executive Council, which has not, of course, however been discussed with the Members of the Legislature.

98. In view of the recommendation for the maintenance of the official majority in the Legislature, I do not see how it is possible to recommend that its composition be changed. Clearly, the membership of the Executive Council—three *ex officio* Members and one Official Member, in addition to three Elected and one Nominated Members of the Legislature—could not be changed by the addition of an Official Member. Equally, it could hardly be changed by the addition of another Unofficial Member of the

Legislature lest the advice tendered by the unofficial majority on the Council to the Governor should at times result in conflict and embarrassment owing to the fact that there is an official majority in the Legislature.

99. Nevertheless, I consider that one change is possible and could with advantage be made. A convention has become established in recent years that, after a general election, each racial bench of Unofficial Members 'elects' and nominates to the Governor the Member whom that bench desires should serve as a Member of the Executive Council. This leads to an unfortunate amount of 'politicking' and it is very doubtful if the most suitable persons become Members of the Executive Council. (The Governor, I should interpolate, has hitherto accepted the expressed wish of each racial bench and appointed the Member accordingly). This system encourages Members to think and act racially, whereas I consider it is most desirable that such Members should feel, or be made to feel, in present circumstances that they are responsible to, and rely on the support of, all other Members of the Council.

100. I therefore recommend for your consideration that the appropriate legislative provision should be made for the four Unofficial Members of the Executive Council to be elected by the Council as a whole, such names to be submitted to the Governor for formal appointment. Four Members should be elected, one from each racial bench of Elected Members, and one from amongst the Nominated Members by secret ballot, such to be provided for legislatively. In other circumstances, I would have recommended that such elections should be carried out by the Unofficial Members only, but as there is to be an official majority in the Legislature, and as it is most desirable to associate the Unofficial with the Official Members (see, for example, paragraph 79), I consider that at this stage such four Members should be elected by the whole Council.

## **40** CO 1036/613

8–10 Aug 1961

### **[Constitutional reform]: minutes by H P Hall and A R Thomas on local reactions**

#### *Mr. Thomas*

The Acting Governor's despatch on constitutional reform has now come in and is at (67).<sup>1</sup> There is also a letter from him at (66) which deals with the question of the franchise.

You will recall that Sir Kenneth Maddocks had hoped to discuss the question of constitutional changes with Ministers when he was here in July but, unfortunately, the despatch from Fiji did not arrive in time. Sir Kenneth Maddocks did however see Mr. Fraser and, later, the Secretary of State and the only point on which any decision was taken was the short passage which Sir Kenneth wished to include in his Cession Day broadcast. This is reproduced in my letter at (61).

Sir Kenneth Maddocks will be returning to London on the 28th August for a few days before he leaves for Fiji. He asked that he should be given a further opportunity

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<sup>1</sup> See 39.

to discuss the proposals in the light of the Fiji despatch, a copy of which has already been sent to him.

The despatch is somewhat long and I have therefore prepared a note—now at (68)—which attempts to summarise the main points and to recommend action on them. There are really only 2 points on which I do not think we ought to accept the Acting Governor's advice.

Firstly, in paragraph 70 he proposes that the Fijians should have one additional Member, making a total of 6 against a total of 5 each for the other races. My own feeling on this is that, for the time being, anyway, parity between the races should remain and I suggest therefore that each of the races has 6 Members, 4 elected, and 2 appointed by the Governor, the 2 Fijians to be appointed on the recommendation of the Council of Chiefs. This is in fact in line with the recommendation made by the Secretary for Fijian Affairs in paragraph 75. The composition of Legislative Council is discussed in paragraphs 6 to 8 of my note at (68).

The second point is the method of appointment of members of Executive Council. This is discussed in paragraphs 98 to 100 of the despatch and the proposal is that the 4 Unofficial Members of Executive Council should be elected by the Legislative Council as a whole and that this provision should be written into the constitution. The Acting Governor has not discussed this with the members of Legislative Council in Fiji—see paragraph 97 of his despatch. I think this would be a mistake and I think the far better course would be to leave the appointment of members of Executive Council at the Governor's discretion after such consultation as he considers necessary. This is in fact the present legal position but some years ago Sir Ronald Garvey, without prior consultation with the Colonial Office, introduced a convention under which the 3 racial groups in Legislative Council each elected a representative to Executive Council. I think this is a mistake and the present opportunity should be taken to discontinue this practice. There is no reason why the Governor should not consult the members of Legislative Council and make the appointments after such consultation but I think any system of election as such should be discontinued.

I would in the ordinary course have submitted these papers to you through General Department and Legal Advisers. But as I shall be away on Thursday and Friday and you yourself go on leave on Friday, I am sending them straight to you.

I do not know yet what the leave arrangements for Ministers are at the end of August. When however some preliminary thought has been given to these proposals, arrangements for discussion with Sir Kenneth Maddocks between the 28th and 30th August will have to be made. These could be at the official level but if it is possible, I think he would like to have a further discussion with Ministers before he returns to Fiji.

H.P.H.  
8.8.61

*Mr. Hall*

Thank you for your very clear note and minute.

I agree with you that there are only the two points you mention on which we need consider departing from the Acting Governor's advice.

On the first, I agree that it would be needlessly provocative to Indians to have anything short of parity of representation between them and the Fijians. It does not matter so much how this is achieved but it looks to me that your view is right



namely, that in spite of certain difficulties referred to in para. 74 of the despatch the best arrangement would be to establish parity on a basis of 6 representatives each, of whom 4 would be elected. (N.B. while it is clear that Mr. Deoki's recommendation in favour of a small proportion of the elected Members being elected on a common role are clearly unacceptable at present because of the attitude of the Fijians and the Europeans, it seems to me that it might be well worth while giving thought to the possibility of evolving some arrangement on the lines worked out in East and Central Africa as a 'bridge' between the communal roll and the common roll attitudes.)

On the second point I agree—unless the Governor can convince us to the contrary—that it would be a mistake to provide constitutionally that the unofficial Members of Executive Council should be elected to that position by the Legislative Council. The suggestion has, of course, the advantage that it would to some extent get away from the practice of following the advice solely of the racial group in the appointment of each representative. It does however appear to conflict with the constitutional theory that the Executive, while responsive to the Legislature, is not responsible to it. It might also make it more difficult, if and when a full Ministerial system should come to Fiji, to establish the pattern elsewhere of the Chief Minister being appointed by the Governor as the person most likely to command a majority in the Elected House and the other Ministers being appointed on the Chief Minister's advice.

I take it that all you wanted at this stage were my provisional views since I am going on leave. I should be glad if the papers could now be referred to General department and Legal Advisers. You will then wish to submit to higher authority at least some days in advance of the 28th August. I think that Sir Kenneth should be given the opportunity of discussion with a Minister as he has asked for this, but after the matter has been discussed with him by you at official level.

A.R.T.  
10.8.61.

## **41** CO 1036/1002, no 5

2 Oct 1961

**[Constitutional reform]: letter from H P Hall to Sir Maddocks reporting a meeting with Andrew Deoki on Indian perspectives**

Andrew Deoki looked in to see me this afternoon and I thought I had better report to you straightaway the gist of our discussions.

2. Unfortunately, his visit did not get off to a very good start as he was expected by the British Council to arrive with Mara on Sunday, 24th September, and was not on the plane. Apparently he had written to the British Council to say that he would be arriving later as he was stopping off in San Francisco and New York but the letter did not reach London until Monday noon, 25th September. The result was that his accommodation at the Howard Hotel had to be cancelled and they have not been able to accept him again: and secondly, the provisional engagements arranged on his behalf have had to be altered and whereas he was to see Ambler Thomas last week, Ambler Thomas cannot see him this week. I gather Deoki is still having difficulty about finding proper hotel accommodation as the hotel in which he stayed on first arrival also cannot continue to have him.

3. We had a short discussion about constitutional changes and Deoki stressed that he thought the Fijians and the Europeans had made a mistake in resisting the introduction of the Membership system. Deoki felt that unless some changes were made there might be trouble. He also was unhappy at the way in which some of the recommendations of the Burns Commission Report had been shelved. I took the line with him that action on both these subjects was a matter of timing and it was just as dangerous to try to force the pace as to go too slowly. He admitted that the Burns Commission Report had come as a shock to the Fijians but he felt that, nevertheless, Government ought to force through various measures. I pointed out that one of the Burns Commission recommendations was that apart from the election of 3 Fijian Members of Legislative Council, the Commission did not think that there was any real demand for constitutional change. Inevitably, in dealing with these matters, other factors have to be taken into account, and one important factor was the views of the Fijians.

4. Deoki would very much like to visit Singapore and Malaya on his way back to Fiji. He thought he would like to spend 5 to 6 days in Malaya, arriving there at the end of the first week of November. He thought a visit would be useful but he particularly wished to study their land development projects. I pointed out that we were not in a position to approach Malaya direct about such a visit but I would willingly take it up through the Commonwealth Relations Office. He then raised the question of paying for the visit and said that the Fiji Government had financed a visit by Ratu Mara and also a later visit by Ratu Penaia and Ratu George, and this was another example of the Fijians getting preferential treatment. I replied that I could not accept this and that I felt sure that if he had raised this question before he left Fiji that [?then] the Fiji Government would have dealt with the request on its merits, and discrimination would not have entered into it. I also said that so far as I was aware the Mara and Penaia visits were arranged direct by the Fiji Government and not through the Colonial Office but I was only speaking from memory and my recollection might not be entirely accurate. However, I did agree to consult you about his request, and in the light of that consultation if you approved the visit also to find out whether the Fiji Government would make the arrangements direct or would like the Colonial Office to do so through the Commonwealth Relations Office.

5. I should be grateful for a very early reply on this point because if we have to take it up through the C.R.O., there is not much time.

6. The next point raised by Deoki was the filling of two vacancies—one as Crown Counsel and the other as Magistrate. He said that although there were Indians in Fiji qualified to hold these posts, he had learned that the vacancies had been advertised in the U.K. but not in Fiji. Deoki himself mentioned the agreement which had been reached about the distribution of posts between Indians and Fijians but did not think that the filling of these two posts would affect the balance in any way. He did say that there were a number of Fijians employed in the Secretariat and in the Administration generally, and on his return he was proposing to suggest that Indians should also be so employed. We did not discuss this in any detail except that I brought out the Fijian fear of the Indians becoming predominant in the Civil Service. On the question of advertising in the U.K. I said that in general the arrangement was that the Colonial Office would not agree to simultaneous recruitment in the U.K. and in a territory. We did not enter into any argument about whether there were suitable local people available for a post or not but if we were asked to recruit we naturally did

our best. I also said that although he, Deoki, did not think that either of these posts were particularly important, it could be argued that they did concern law and order and the administration of justice, and it might not be desirable that all such posts were held by one section of the community.

7. I expect O.S.D. have information about this and I will call for the papers but if you have any comments, I shall be grateful for them as Deoki is coming to see me again towards the end of his visit and will undoubtedly raise the matter again.

8. The final point raised by Deoki was the question of assistance from United Nations agencies. He spent a day in New York and seemed to be under the impression that the United Nations had considerable information about a number of colonial territories but very little about Fiji. He was also given the impression that there was some surprise that Fiji had not asked for assistance and Deoki proposed to take this up with Eric Bevington on his return. I explained that information about factual matters concerning colonial territories was provided through the Colonial Office and that my impression was that the information was given in a form which was generally applicable to all the territories. It seemed a little strange to me, therefore, that less was known about Fiji than about other territories. However, I would also look into this.

9. The only urgent point in the letter is the suggestion of a visit to Malaya and, as I have already said, I should be grateful for early advice on this.

## **42** CO 1036/1001, no 5

3 Oct 1961

### **[Ratu Mara]: letter from H P Hall to Sir K Maddocks reporting a discussion with Ratu Mara about Fiji's problems**

Mara arrived safely on the 24th September but, as you probably know, had run into some difficulty as the convent had at the last minute said they could not take the 3 girls as boarders. If this latter arrives before Adi Lala leaves could you please get a message to her to say that the convent have now agreed to take the children as boarders, and they are joining on Tuesday, 3rd October.

2. We have been looking after the children ourselves for the last week and have found them most delightful but quite a handful. We drove Mara and the children to see the convent on Sunday and delivered some of the bedding, etc., which they required, by car. We also looked at a house which Mara was proposing to take over in November but he has since come to the conclusion that it is too far away from the school and he is now trying to find one in the Sunningdale area. I have said that if we could help in any way we shall be delighted to do so.

3. Mara spent the weekend with us and we had quite a long discussion about the problems of Fiji. The main discussion concerned the future of the country, and Mara himself said that he was sorry that the Fijians had not been able to accept the motion in April for the introduction of a Membership system. He said that he and his colleagues had been put on the spot over this because they had spent most of 1960 trying to persuade the Fijians to go as far as they could in the acceptance of the recommendations of the Burns Commission Report. You will yourself recall that Julian Amery and I were informed in Fiji that it was because of intervention of Mara,

Edward,<sup>1</sup> etc., that the Council of Chiefs approved by 26 votes to 20 (I think) the recommendation that 3 Fijian Members of Legislative Council should be directly elected. The Fijian members of Leg. Co. therefore felt that they had received no mandate from the Fijian people to go further than this and agree to the introduction of a Membership system. He felt, however, that given time the Fijians would certainly agree to a change of this nature and he himself was in favour of it.

4. Mara was convinced that the Fijian Administration had to be overhauled and he was in favour of the establishment of Local Government. He had, in fact, undertaken to prepare a paper on this subject but he doubted whether he would have time to do much about it for the next 6 months.

5. Mara felt that there were a number of misconceptions about the organisation of the Fijian community. He felt that both Spate and Burns had been led astray to some extent by implying that there was a Chiefly group separated from other members of the Fijian community. Mara said that there were in fact a series of pyramids which were entirely separate, each with its own chief at the top. He thought that in some ways Lala Sukuna<sup>2</sup> had wrongly given the impression that there was a Fijian chief over all other Fiji chiefs. Sukuna had achieved his position merely because of his own strength of character and personality and a mistake had been made in assuming that there should be a natural successor as Chiefly leader of the Fijians when Sukuna died. Mara himself would welcome some breaking down of this pyramid structure and said that the changed conditions of today had made the life of a chief extremely difficult. The followers performed certain customary duties for the chief but the chief was also under obligations towards his own people. In the olden days when a communal existence with a subsistence economy was the way of life, this exchange of obligations was not too difficult to fulfill. In these days, however, there were considerable demands on the chief which were difficult to fulfil, particularly if they involved money. The main burden of his remarks boil down to the fact that whereas Burns and Spate seem to give the impression that the Chiefs got a lot out of their followers, in Mara's opinion it is really new the other way round and the followers expect far more from the Chiefs than the Chiefs are able to give.

6. The other point of interest is that Mara himself is a strong believer of District Commissioners being wholly responsible for the areas which they command. He was impressed by a young District Commissioner whom he met in Malaya who seemed to be fully responsible for everything happening in his district, including such things as the provision of roads, agricultural development, and education. He thought the weakness in the present Fiji Administration set-up was that the District Commissioners were no longer in fact entirely responsible for their areas, and he himself would very much like to see the authority of the District Commissioners increased. He also said that he saw no objection, and would in fact welcome the introduction of Indian district commissioners.

7. Mara felt that the present way of social life, particularly in Suva, did not really enable the various communities to get to know each other. He said that Suva was divided into a series of groups who tended to stay within the group and not mix with other groups because all their time was taken up with social activities within their

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<sup>1</sup> Ratu Edward Cakobau.

<sup>2</sup> Ratu Sir Lala Sukuna, senior chief, former secretary of Fijian affairs, speaker of the Legislative Council.

own particular group. This applied mainly to entertainment where, by convention, they were obliged to entertain within the group, and it was very difficult to get away from this. He thought in particular that the Civil Service tended to have a very restricted circle. He fully realised that it was very difficult to do anything about this but he would very much like to see greater contact between the Civil Services and the local people, both Fijians and Indians.

8. I hope to see more of Mara while he is over here and will try and keep you in touch with any points which may arise in discussion with him.

### **43** CO 1036/613, no 94

28 Oct 1961

#### **[Constitutional reform]: despatch from Sir K Maddocks to Mr Maudling on Fijian opposition to a membership system and divisions over the composition of the Legislative Council**

I have the honour to address you on the subject of the composition of the Legislative Council in Fiji.

2. Under the present constitution, which has remained virtually unchanged for twenty-four years, the Legislative Council consists of 16 official and 15 unofficial members, the latter being composed of 5 Europeans, 5 Fijians, and 5 Indians. In the case of both the European and the Indian members, three are directly elected on separate communal rolls, and two are nominated by the Governor. The franchise is restricted to males and electors must be literate and have certain property or income qualifications. The Fijian members are indirectly elected by the Council of Chiefs.

3. During the past few years the question of constitutional advance has received considerable attention and has been debated by the Council on several occasions. The Burns Commission, though not directly concerned with constitutional matters, received a number of representations on this subject, and in the course of its report observed that while there appeared to be no general desire or need for major constitutional reform, it was not in the interest of the Fijians that they should be treated differently from the other races. It recommended that three of the five Fijian members should be directly elected, and two should be elected by the Council of Chiefs.

4. This recommendation was discussed by the Council of Chiefs in August, 1960, and was accepted by a small majority. It then became necessary to consider what were to be the electoral qualifications of Fijian electors, and the practicability of dividing the Colony into three satisfactory Fijian constituencies. These matters were referred to the Fijian Affairs Board, which recommended that no property qualification should be required, and that all adults, both male and female, who are over 21 and can read and write a simple sentence in the vernacular, should have the vote. They pointed out that all Fijians share in the ownership of the land of the proprietary units of which they are registered members, and that it would be unnecessary and inappropriate to require any further property qualification. As regards the number of elected members, they found that it would be difficult to

demarcate satisfactorily three Fijian constituencies as, no matter how arranged, they would cut across traditional boundaries, and prove geographically awkward. If the number could be increased to four there should be less difficulty. The Board accordingly recommended that there should be four directly elected Fijian members and two members elected by the Council of Chiefs.

5. Discussions with leading representatives of the other principal racial groups made it clear that there was general support for an extension of the vote to women, and a wish that the changes should be introduced before the next General Election, which would normally take place in August 1962. These changes, if approved, would clearly require considerable amendment of the Letters Patent, and I therefore considered whether the opportunity should be taken of making other amendments. In particular I believed that the time had come for unofficial members to assume a further increase of responsibility for the government of the Colony. The matter was discussed during Mr. Julian Amery's visit to Fiji last October,<sup>1</sup> and as a result of subsequent correspondence you authorized me to propose to the Legislative Council that Fiji should proceed at an early date to the 'Member' system of government, under which unofficial members of the Executive Council would be invited to supervise groups of Government Departments and to accept collective responsibility for the Council's decisions. If this were done, the number of official members of the Legislative Council could be substantially reduced, while still retaining a government majority. I believed that such an arrangement would provide a valuable training both for members of the Legislature and for the Civil Service in the working of a ministerial system of government; and that in due course it would be possible to proceed to a full ministerial system. A Government Motion welcoming this proposal was debated in the Legislative Council in April, but nearly all the Fijian and European members strongly opposed any such change at the present time. The unhappy atmosphere created by the events of the preceding eighteen months made it difficult for such a major step forward to gain ready acceptance, and fears were expressed by Fijian members that their special positions as owners of the land, which has been recognised ever since the Deed of Cession, might in some way be endangered. In the circumstances the Motion was withdrawn and it is clearly impossible to take the matter further at the present time, though there may well be a change of view when time has been given for further consideration in a more normal atmosphere, and when it is more generally understood that the Governor with his reserved powers can protect legitimate Fijian interests.

6. My recommendation regarding the Executive Council, therefore, is that there should be no change at the present time in either the composition or functions as set out in Article 9 of the Letters Patent and in the Royal Instructions, but I continue to hope that a Member system will become acceptable within the next few years, and I suggest that this should be borne in mind when a revised constitutional instrument is drafted.

7. In order to ascertain to what extent agreement could be reached about the changes that are desirable before the next election, Mr. P.D. Macdonald, C.M.G., Acting Governor, held a series of meetings of all available unofficial members in May and June during my absence on leave. (Mr. B.D. Lakshman was in England at this

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<sup>1</sup> See 13.

time and could not be consulted.) I am glad to report that on every important question except that of the composition of the Legislative Council, there was complete unanimity of view. I will deal with these in turn.

*The qualifications for electors*

8. All three racial groups were in favour of the introduction of literate adult suffrage. I support this proposal and recommend that the qualifications for electors should be as follows:— that he or she—

- (a) is a British subject;
- (b) is of the age of 21 years or upwards;
- (c) is of sound mind;
- (d) has been resident in the Colony for twelve months during the three years preceding the closing of the electoral rolls; and,
- (e) can read and write a simple sentence and sign his name in any one of the following languages:— English, Fijian, Hindi, Urdu, Tamil, Telegu, Gurmukhi, Gujarati, and Malayalam.

*The qualifications for candidates*

9. It was agreed that women as well as men should be allowed to stand for election, and that the only other changes necessary were an increase of the income qualification from £200 to £300, to take account of the changed value of money, and a relaxation of the past requirement that candidates should have been continuously resident for two years in the Colony (Articles 25 and 26 of the Letters Patent). The reason for the latter proposal is that it would appear unreasonable that a candidate should be disqualified merely because he has left the Colony for business, health or other reasons during the period of two years before the elections. It was also unanimously agreed that in the special circumstances prevailing, Fijian civil servants, but not those of other races, should be allowed to stand for election, whether elected directly or by the Council of Chiefs. The present Letters Patent already make special provision for Fijian civil servants to be appointed to the Legislative Council, and I agree that the lack of educated Fijians outside the public service make it necessary to retain this provision for the present. I accordingly recommend that the qualifications to be required of candidates should be as follows:— they should—

- (a) be qualified to be registered and vote as electors (subject to the different residential qualification mentioned in (b) hereunder) and be on the electoral roll;
- (b) have a minimum of two years' residence in Fiji during the three years preceding nomination as a candidate;
- (c) be able to speak and understand the English language, as already provided for in Article 26 of the Letters Patent; and,
- (d) be in possession of a net annual income in his or her own right of not less than £300, or have a property qualification as set out at Article 25 (3) of the Letters Patent.

*The deposit by candidates*

10. Article 28 of the Letters Patent requires that any candidate nominated at any election of a Member of the Legislature shall deposit the sum of £25 within forty-

eight hours after his nomination has been accepted. It is now recommended that the deposit should be increased to £50 in view of the changed value of money.

### *The life of the legislature*

11. There is general agreement amongst unofficial members that the period of three years at present proposed in the Letters Patent is too short a term. I agree with this view. It inevitably takes new members a little time to become accustomed to the procedures of the Council, and in the third year the approaching general election has an unsettling effect. I therefore recommend that the term be extended to five years. This would be in line with the practice adopted in most other Colonies.

### *The composition of the Legislative Council*

12. I now come to the one important question on which unofficial members are divided—the composition of the Legislative Council.

There is a wide measure of agreement that separate communal rolls must be retained. Some Indian members would like to see the experimental introduction of a common roll constituency, and it was suggested by one member that there should be five members elected for each race on separate communal rolls, and that in addition there should be three members, one from each race, elected on a common roll. The European and Fijian Members are, however, utterly opposed to the introduction of the common roll in any form and two of the Indian members have said that they are unable to support the introduction of a common roll at the present time. I believe that the great majority of the general public of all races would be well content to see the continuance of separate communal rolls, and I recommend that no change should be made in this respect.

13. The view of unofficial members on the numerical representation of the main racial groups differ considerably. The Fijians consider that there should be four directly elected Fijian members and two elected by secret ballot by the Council of Chiefs. (As stated in paragraph 4 above, traditional boundaries make it desirable that there should be four constituencies and not three, as recommended by the Burns Commission.) They suggest that the Europeans and Indians should each be represented by four elected members, and one nominated member. Their proposal is, therefore, that Fijians should have one more representative than those of the other two races. This, in their view, is needed as a token of the recognition by Her Majesty's Government of the special position of the Fijian people derived from the Deed of Cession and subsequent promises. They would like to see some definite indication of this written into the constitution. They expressed strongly the view that European representation should remain equal to that of Indians and that the official majority should be retained.

14. The European members raised no objection to the Fijian proposal. They, too, want the official majority to be retained. They would welcome the suggested increase in the number of elected members from three to four.

15. The Indian members, with one exception, were opposed to the suggestion that the Fijians should have an additional member, but there was no unanimity of view about the composition of the Council. One member, as already stated, urged the introduction of a common roll constituency; he also wished to see an unofficial majority. Another member was opposed to the continued appointment of any



nominated members. A third has asked that you should be informed of his strongly held view that there should be a separate Muslim electoral roll and the right to return one Muslim member. The latter argued that no Muslim member could hope to be elected on either an Indian communal roll or a common roll.<sup>2</sup> It would however, in my view, be a retrograde step for members to be elected on a religious as well as on a racial basis. Failing a Muslim electoral roll, this member would wish to see three Europeans, three Fijians, and three Indians all elected on a common roll with two nominated members from each race; and failing that, the retention of a nominated seat for the Indians which would be reserved for a Muslim.

16. The chief question for decision is whether or not the Fijians should be given an extra seat. While I consider it most important that they should be reassured about the continued safeguarding of Fijian interests, I do not think that this is the best way of doing it. One additional seat would not, of course, provide any safeguard. It is the duty of the Governor to ensure that the legitimate rights of all the peoples of Fiji are protected; but he has special obligations to the Fijians by virtue of the Deed of Cession and the promises made by successive Governors about the ownership of Fijian land. You have already informed me—and I so announced in my speech on Cession Day—that, in considering the extent and timing of constitutional changes, Her Majesty's Government will continue to take into account the need to safeguard legitimate Fijian interests.

17. If parity is to be preserved, and if there are to be 4 directly elected Fijian members and 2 members elected by the Council of Chiefs, there will also have to be 6 European and 6 Indian members. It remains to consider how many of these should be elected and how many nominated. There is a fairly widespread feeling that the number of nominated members is too great and at first sight it might seem preferable that five of the six in each racial group should be elected, and only one nominated. On the other hand, it would be difficult to devise five suitable constituencies, and the lack of a second nominated member of each race might make it difficult to ensure the representation of interests that are not adequately represented by any of the elected members. In a small Council this is of considerable importance. I have in mind particularly the commercial and industrial interests which are of such importance to the Colony's economy and other special interests. On balance, therefore, I recommend that for both Europeans and Indians there should be four elected and two nominated members.

#### *Electoral boundaries*

18. The question of electoral boundaries is, under the provisions of Articles 14 and 18 of the Letters Patent, a matter for the Governor in Council. I do not expect any great difficulty over this and I recommend that the Governor in Council should remain the authority.

#### *Official members*

19. While I am reluctant to propose any increase in the number of official members, I could not recommend the abandonment of the official majority until unofficial members have accepted a greater measure of responsibility and have

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<sup>2</sup> S M Koya, a Muslim, was in fact elected to the Legislative Council in 1963.

indicated their willingness to see some of their number included in the Government as members or ministers accepting collective responsibility, for its actions and decisions. In the circumstances I have no alternative but to recommend that provision should be included in the constitutional instrument for a maximum number of 19 Official Members. This would enable me to reduce the number of Official Members at my discretion if Unofficial Members of Executive Council accept collective responsibility.

### *Timing*

20. There now remains to be considered the question of the timing of the implementation of such recommendations as you may approve. The life of the present Legislative Council ends on the 15th September, 1962, and I am advised by the Registrar General that the preparation of new electoral rolls and the resulting elections will take a minimum of twelve months. Both the Fijian Members and the Indian Members feel strongly that another Legislature should not be constituted on the present basis and that the life of the present Legislature should, if necessary, be extended. I agree with this view. It is therefore clear that the life of the present Legislature will have to be extended. I suggest that the extension should be for a period of some six months, since any change in the period during which the budget is under preparation and consideration would be very unsatisfactory (i.e. October–December), and it is not wholly satisfactory in any case that a newly constituted Legislature should immediately have to consider a budget.

21. I would therefore suggest that the draft of an Order in Council, to be entitled 'The Fiji (Electoral Provisions) Order in Council, 1961', should be submitted to Her Majesty for approval. This would permit all necessary preparations for the elections to be carried out, including the delimitation of new electoral boundaries and the drawing up of new electoral rolls, as soon as you have reached decisions on the questions of the composition of the Legislature and the extension of the suffrage. I assume also that, in addition to the amendments to the existing constitutional instruments necessary to implement the other proposals in this despatch, the draft of an Order in Council would later be submitted to Her Majesty providing for the extension of the life of the present Legislature. If the foregoing procedure is agreed to, it would be my intention, on receipt of advice from you, to request my Legal Advisers to proceed with the necessary drafting.

## **44** CO 1036/613, no 93 [Constitutional reform]: note by Pacific and Indian Ocean Department, CO, on the outcome of the discussions

Nov 1961

Constitutional changes for Fiji have been discussed with the Governor while he was on leave. It is proposed to publish the changes in an exchange of despatches at the opening of the Budget Session of Legislative Council, about 28th November.

2. There are only three main changes proposed in the constitution to which attention need be drawn:—

(i) The introduction of votes for Fijians, and for all women, and the dropping of property and income qualifications. This will mean, apart from a simple literacy qualification which is retained, universal adult suffrage for the three main racial groups, Europeans, Fijians and Indians. Certain minorities, the Chinese (few of whom are British subjects) and the Rotumans and other Pacific islanders, amounting to only a few thousands, will still be excluded from the vote because there is at present no possibility of attaching them to one of the three racial rolls. No representations have been received from them for the vote, and this piece of undemocracy must just be allowed to continue for the time being.

(ii) There is to be one extra elected seat in Legislative Council for each of the three racial groups (with an increase of three in the official members in order to keep the official majority of one). The reason for the increase is simply that electoral boundaries can be better drawn for four rather than three constituencies. There were several suggestions for altering the balance of the membership. But it is essential to keep an official majority to reassure the Fijians and Europeans; and also parity between the three races, at least until we can see our way ahead (which we cannot at present) towards the establishment of some form of common roll. Once we get off parity, it would be extremely difficult to justify any other basis of representation for the races except one reflecting numerical strength, especially now that universal adult suffrage, with only a literary qualification, is to be introduced. It is not expected that there will be much opposition to the maintenance of the status quo.

(iii) The life of Legislative Council is to be extended from three to five years, which has been found in most other territories to be a more useful length.

3. It seemed necessary to give the Fijians some reassurance, in the Governor's despatch, if we are to hope for any constitutional advance in the future—for none can be made without their agreement. The Governor had hoped that some guarantee about the future of their land could be written into the constitutional instruments, but it proved impossible to find a form of words which did not either promise too much or too little. The Governor has therefore used instead a sentence already agreed by the Secretary of State—that in considering constitutional changes H.M.G. will continue to take into account the need to safeguard legitimate Fijian interests.

4. Drafts submitted for approval.

**45** CO 1036/613, no 95

10 Nov 1961

[Constitutional reform]: despatch (reply) from Mr Maudling to  
Sir K Maddocks

I have the honour to refer to your despatch No.813 of the 28th October on the subject of constitutional change; in Fij.<sup>1</sup> I should like to express my appreciation of the effort which was evidently made to formulate proposals which would have a very wide measure of local support.

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<sup>1</sup> See 43.

2. I am glad that the discussions of these proposals with leading representatives of the principal racial groups have in fact led to unanimity of view on all these of importance except one. Apart from it, I have no comments to make on any of them; they are all acceptable to me.

3. On the one proposal where agreement could not be reached, the composition of Legislative Council, I agree with your comments on the various suggestions put forward. I agree with your recommendation, and your reasons for it, for an increase in the number of seats but with the preservation of parity between races and the official majority.

4. I note that it has not proved possible to set up a Membership system. I, too, hope that the system may become acceptable within the next few years, but, though I agree that this should be borne in mind when drafting the new constitutional instruments, I would not wish to press it until there is a greater measure of opinion in its favour. I notice that one of the Indian members wished to see an unofficial majority in Legislative Council in order to give unofficials a greater measure of responsibility in government, and I am aware that similar proposals have been made in the past. It should be borne in mind that there is a distinction between the functions of Executive Council and of Legislative Council. A greater degree of political responsibility and influence can be attained by the unofficial members of Executive Council taking a fuller part in the work of Executive Council through the Membership system than by increasing the number of unofficial members of Legislative Council. For it is in Executive Council that the formulation of policy and the decisions of government are for the most part made.

5. On procedure I agree that there should be an Electoral Provisions Order in Council, and it will be drafted by my Legal Advisers. The life of the present Legislative Council will, as you say, have to be extended, and my Legal Advisers will draft a constitutional instrument for this purpose also. When your legal Advisers are drafting new constitutional instruments for the other changes required, I suggest that they should take the opportunity of recasting the existing instruments in entirety into a more modern form.

**46** CO 1036/775, no 5

28 Apr 1962

[Fijian paramountcy]: letter from A C Reid to I S Wheatley

I am sorry that I have not replied to your letter before this, but I went on a tour of relatives and friends and did not get it until this week when I have been rather absorbed in the task of putting my youngest to school. We have incidentally been having the most wonderful weather in the North: Loch Eam has been drowsing in mid-summer temperatures and is still very lovely, modern developments notwithstanding.

However, to try to answer your questions, I would say that the Fijian view on paramountcy is simply the putting of Fijian interests first in their own country—in its strongest form similar to 'Tonga for the Tongans' and 'Samoa for the Samoans'. After all, the Groups are not far apart and there are kinship ties between them. The

Fijians are a proud people: they ceded sovereignty to H. B. M., her heirs and successors, but at the first Council of Chiefs after Cession there was considerable argument whether the 'tama' or traditional shout of greeting for a paramount chief, should be given to Sir Arthur Gordon. The Vuriwalo [sic],<sup>1</sup> Ratu Cakobau,<sup>2</sup> eventually swung them in favour of according this salutation to the Governor as the Queen's Representative; and they expected him to rule them, not as a distant bureaucrat in an office, but personally as a chief, with firmness and affection, looking after their every interest. In those days they were in and out of Government House and they considered His Excellency as one of themselves. Gifts of islands in various parts of the Group were made to him to confirm him as a 'Tankei' [sic]<sup>3</sup> or Landowner. The significance of the latter was lost sight of and they became absorbed in the Stanmore Estate; being eventually disposed of on the open market. I recollect, however, discussions with the late Sir Lala Sukuma [sic]<sup>4</sup> who agreed that they were intended as giving the Governor a personal foothold in Fiji—making him a 'Tankei'—and should more appropriately have passed to each successive Governor. Although the original close relations that existed between Gordon and his immediate successors and the Fijian chiefs, have not been maintained into this century, nevertheless there is still a feeling among the Fijians that the Governor belongs to them and that he personally, or though his British Officers, looks after them first and foremost: and they are not interested in what happens to the others! When the Burns Commission recommended that His Excellency should no longer be President of the N. L. T. Board, it met with unanimous opposition from the Fijians. When I attempted to explain to the meetings I attended that it might embarrass His Excellency to represent, as it were, the interests of a section of the people of Fiji, they could not see how it should as they conceived it his duty to look after them first. There you have it—from ancient to modern times. You ask me about documents to support the Fijian claim to prior consideration in their own land. I am not able here to look up references but there is probably little in the sense you mean. The other day I was asked by a young Fijian student, who was writing a thesis on the political career of Sukuma, to help him trace records etc.<sup>5</sup> There was precious little to be found of any use, and yet, for a generation at least, Sukuma was a power in the land. My point is that in the Pacific Islands at any rate personalities are more than paper, and the emotional feeling of a people more than reasoned argument. Regarding the chances of getting the Indians to recognise Fijian claims to paramountcy, I feel sure I mentioned in our talk in London that I believe the average Indian had more confidence in the Maras<sup>6</sup> and Penaris<sup>7</sup> and would probably rather be led by them than by their own miserable leaders. From my own personal experience of the Fiji area the Fijians have more political 'nous' than the Indians, who at times are particularly inept, and I should like to see a political party launched under Fijian leadership with decent Indian and European support, who I am sure, would welcome giving priority to Fijian interests as the corner stone to the building of a more solid future for Fiji.<sup>8</sup> I feel that this rather long screed should go off to you now and I will follow it up with another in a day or so. Again sorry for the delay.

<sup>1</sup> Vunivalu or warlord.

<sup>2</sup> Ratu Seru Cakobau.

<sup>3</sup> Taukei, that is, indigenous Fijian.

<sup>4</sup> Ratu Sir Lala Sukuna.

<sup>5</sup> The young Fijian student was Filipe Bole.

<sup>6</sup> Ratu Kamisese Mara.

<sup>7</sup> Ratu Penaia Ganilau,

<sup>8</sup> This eventually came about with the formation of the Alliance Party.

**47** CO 1036/775, no 6

10 May 1962

[Fijian paramountcy]: letter from A C Reid to I S Wheatley

I wound up my last letter with the promise of a sequel.<sup>1</sup> I am conscious of the fact that I did not answer you (a) (b) and (c) etc., but I did try to give you the Fijian background on this question of paramountcy. Regarding the constitutional aspect of it, don't forget that the Fijians had a battalion in Malaya for 4½ years, that three of the present M.L.C.'s served with the battalion and that Fijian leaders have paid quite recent visits to the Federation. They see the Malays faced with a situation similar to their own—sharing their homeland with a foreign race better equipped for the cold war of economics. I have not had an opportunity of studying the Constitution of Malaya and I have no access to such documents here, but it is certainly the Fijian impression that safeguards for the Malays have been well and truly built into it. I recollect that, following Malayan example, the Fijian M.L.C.'s [sic] sometime ago pressed for amending legislation to enable the Transport Control Board to give special consideration to Fijian operated bases. I do not think for a moment that the Fijians are satisfied with the Governor's assurance that the Public Service Commission will work to maintain a 50/50 balance in the Civil Service as between Fijians and Indians. It is said that in Malaya the proportion in favour of Malays is much higher. You are aware that during the Constitutional discussions a year ago the Fijian leaders put forward the proposal that there should be an extra Fijian member in Legislative Council. This, as I see it, was to *symbolise* their priority, paramountcy, call it what you will—because in reality one extra member would make very little difference in voting. I may say (and as Chairman of the F.A.B. I have good reason to know this) they were pretty hurt that the proposal was turned down. They considered it was a moderate one, deserving of better consideration than Government gave to it and I do not think we have heard the last of this. Next time the demand may not be so moderate. After all the extreme view (which *has* been expressed) is that Leg. Co. should be all Fijian! When one remembers that just across the water the membership of the Tongan Legislative Assembly is solely Tongan and the non-Tongan population have no representatives, it is perhaps not surprising that there are such views, however different the population ratios may be. The longer Britain's future intentions remain obscure (and the rapidity with which she appears to be divesting herself of Commonwealth responsibilities, gives a territory like Fiji not much ground for confidence!), the stronger will grow the Fijians' demand for constitutional recognition of their priority status. At the moment it is more a matter of feeling than formula, but the latter will no doubt evolve. You may or may not know that they do not call themselves 'Fijians' in their own language—that is what we call them—their own name for themselves is the 'Owners', a proud name which faithfully reflects their thought. I trust these notes may be of some use to you.

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<sup>1</sup> See 46.

**48** CO 1036/775, no 8

19 June 1962

**[Local government]: despatch from Sir K Maddocks to Mr Maudling on Fijian opposition to the introduction of local government, fears about Indian domination, and concern that UK protection might be lost**

I have the honour to address you on the subject of the introduction of further measures of local government in this Colony and to record the reasons which have led me to the conclusion that any attempt at the present time to introduce a comprehensive scheme of inter-racial rural local government, even though confined to certain areas, will be unsuccessful.

2. I have reached this conclusion very reluctantly because, since my arrival, I have been convinced of the value that a substantial advance in local government would be to the people of this Colony, both as a means to enable them to accept more responsibility for the administration of their own affairs, and because it would provide the basis for closer cooperation between the races. If there had been a reasonable prospect for its success, I would have been prepared to risk the chance of failure but a close, prolonged and patient analysis of local opinion discloses the continued existence of that racial conflict and suspicion between the Fijians and Indians, which was the underlying cause which prevented the adoption of the proposals for local government submitted by Mr Cooper in 1946, and of the Rural Councils Bill which was moved in the Legislature by Mr Henderson in 1953.

3. I do not propose to reiterate in detail the complicated issues raised by the extension of local government in Fiji which have been admirably set out in Sir Ronald Garvey's confidential despatch No. 507 of the 29th August, 1958. I also informed you of my first impressions of the prospects for local government in my confidential despatch No. 245 of the 2nd April, 1959 and experience confirms the general validity of these first impressions. But I was then naturally unable to assess the strength of the deeper under-currents of feeling which I now propose to consider, together with a review of certain relevant factors and events which have occurred during my period of office here, which will affect the possible introduction of a further measure of local government at some future date, and indeed any other inter-racial measures of similar importance.

4. The insurmountable obstacle to the introduction of local government is the fear of the Fijians that any advance towards inter-racialism in matters of importance is a step towards Indian domination. The Fijians judge this proposal, as they did proposals for an extension of inter-racial education, the abolition of the Fijian Administration, and constitutional reform, not on logical or utilitarian grounds, but from the point of view of the effect which such proposals will have on the status of the Fijians in relation to the Indians. Any reform or innovation calculated in their opinion to undermine the racial identity of the Fijians is condemned irrespective of its merits, and any significant development towards inter-racialism is liable to be regarded by the Fijians as having this tendency.

5. In the past, it has been possible to reconcile the principle that Fijian interests should receive special protection with other measures found necessary to promote economic development because circumstances have allowed Fijian Affairs and economic development to be conducted largely in separate spheres. I am

speaking of the period up to the end of the Second World War. The seeds of conflict were, of course, always there in embryo but it has been only during the past few years that they have become apparent. In particular, it has become apparent to the Fijians that the Indians are now established as the majority race in the Colony and that their economic power far exceeds that of the Fijians. We are now being confronted with the consequences arising from the fact that, since Cession, two policies have been pursued which, basically and in the peculiar circumstances of Fiji, have always been inconsistent; namely, recognition in theory, by pronouncements and by implication, that the Deed of Cession conferred a moral obligation on the British Government to regard Fijian interests as paramount, and the preference given in fact to the promotion of economic development. I am not implying that economic development *per se* need be inconsistent with Fijian interests, but it depends on the manner in which it is undertaken. Aspects of the form which economic development took before 1946 are: firstly, it has led to the Indians becoming established in a dominant position; secondly, because the Fijian was not then interested in such development and preferred to retain their traditional form of life, it took place largely independently of the Fijians. The Fijians, in fact, have been left a long way behind, not only in the population race but also in the economic race, and there seems very little prospect of their being able to catch up. These disadvantages have been accentuated by the emphasis placed in the past on communalism and Fijian tradition, and by their having been largely isolated, geographically, from the centres of economic growth. Both these factors have retarded the development of the Fijians as individuals and have prevented any advanced form of integration between them and the other races of the Colony. These historical and geographical factors require describing in greater detail.

6. Historically, it has been the policy, since it was first proposed by Sir Arthur Gordon (later Lord Stanmore) until the last few years, to preserve the traditional customs and social organisation of the Fijians, and to promote their development through what has been described as 'The Fijian Way of Life'.<sup>1</sup> The measures taken to effect this policy were the institution and preservation of the Fijian Administration, the enactment of Fijian Affairs Regulations which recognise the liability of Fijians to community work and provide sanctions for its enforcement, and by confirming, within reason, the power of Chiefs with the Governor, as representing the British Crown, accepting the role accorded to his position by the Deed of Cession as that of the highest Chief. Not only, therefore, has the preservation of the Fijian Way of Life been fostered consistently by successive Governors since 1874 in accordance with a considered policy, but the traditional relationship between the Governor, as representative of the Crown, and the Fijian people has been one of peculiar intimacy and trust.

7. Geographically, circumstances have been favourable to the Fijians living much unto themselves. Europeans live chiefly in the urban areas, the Indians chiefly in the urban areas and in the cane areas. In consequence, there are large tracts of Fiji which have remained almost entirely Fijian. This applies to most of the Eastern Division, to the hinterland of Viti Levu, and to the greater part of Vanua Levu. The

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<sup>1</sup> G K Roth, *Fijian way of life* (Melbourne, 1953).



distribution of the Fijian population, in fact, is far less densely concentrated than that of the Indian. With the increase in the Indian population, Indians are beginning to obtain access of these predominantly Fijian areas but this does not affect the argument that, in the past, the majority of Fijians have been able to live in an atmosphere insulated from the impact of Indians.

8. It is possible that had greater mingling occurred in the early formative years, integration between the two races would have resulted. Indians were then very much in a minority, they would not have been regarded as a threat, and the shortage of Indian wives would have encouraged miscegenation. This prospect of integration between the two races, if it ever existed, has now been removed. It is sometimes supposed that time alone is required to develop a feeling of common citizenship and community of interest between the races but I fear that this is wishful thinking, at any rate if time is estimated in decades rather than centuries. Time, if anything, is placing the two races further apart because, as the Indians increase in numbers, status, influence and wealth, the Fijians become more conscious of their own inadequacies in competition with the Indians, and of the threat which the Indians present to the position of the Fijians in their own country.

9. In this view, the Fijians are encouraged by the Europeans, who are suspicious of the increase in Indian numbers and influence, and tend to use the principle of the paramountcy of Fijian interests as a counter to Indian aspirations. They therefore favour maintenance of the *status quo* which gives the Europeans a degree of political influence disproportionate to their numbers, the justification for this disparity being that it is necessary to protect the Fijians. This view is reflected in the following note made by Mr. K.H. Henderson when commenting in 1953 on the prospects of the Rural Councils Bill which he was then preparing.

'The framework of local government may be established but the co-operation and goodwill essential to success will be lacking. Unfortunately many of the Europeans most interested in rural affairs are employees of the Colonial Sugar Refining Company and the views of the Company are bound to influence many other Europeans.

The attitude of the Colonial Sugar Refining Company is that there is no need for an expansion of local government and no real demand for it among the Indians. The Company really fears that future local authorities will be the playground of existing Farmers Unions such as the Kisan Sangh and the Maha Sangh who have frequently been in opposition to its policies. Big European landlords are opposed to paying further taxation in the form of rates and fail to see any ultimate benefit in co-operation with Indians and in guiding them towards more responsibility. Certain Europeans expressed a genuine fear that anything good for the Indian must be detrimental to Fijian interests.

It is extremely hard to convince the majority of the European community by argument. Fear of being swamped by the Indian is very real and has led to lack of goodwill. The Australian background of many of the most influential Europeans may well be another reason for their inability to get upon any but the most formal terms with people of a different colour, and to forget the commanding position which they held in the early days of indentured labour. This is enforced, in many cases, by a somewhat narrow and parochial outlook on what has happened or is happening in any country but Fiji.'

The investigations by Mr. Seller<sup>2</sup> confirm that this view towards rural local government still prevails amongst Europeans.

10. There are also the facts that the Indians are mostly Hindus while the Fijians are Christians; and that their respective culture, standards and outlook are widely divergent in certain fundamental respects. The differences between the two races are similar to those which divide the Arabs from the Jews in Palestine and the Turks and the Greeks in Cyprus, a conclusion reached by Mr. Amery during his visit to Fiji in 1960 when he described the Fijians and Indians as like 'oil and water'.<sup>3</sup> At a superficial level there are, of course, numerous examples of Indians and Fijians getting on well together. They mix freely in committees and on public bodies. They are to be found together in amity on social occasions, and both in the rural and urban areas a considerable degree of inter-mingling, co-operation and congenial concourse takes place. But these superficial signs should not be regarded as evidence that any deeper reconciliation is occurring between the two races. At base, they remain distinct and this fact is revealed whenever a matter of importance arises involving racial rather than personal issues, or whenever the Fijians feel themselves being manoeuvred into a position where they will be dominated by the Indians.

11. The position is well stated by the following extract from a minute written by Ratu Sir Lala Sukuna<sup>4</sup> in 1946 when commenting on Mr. Cooper's proposals for rural local government.

"To quote from the minutes of the Administrative Officers' Conference 1944, "as it must be evident that in the long run harmony cannot be secured in a Colony of this size by political development on collateral communal lines, the ultimate aim should be the merging of the two as soon as circumstances permit in order that the three principal races of the Colony should play their full part in wider Fijian Local Government Institutions, the term 'Fijian' being used in its broadest sense." Fine moral sentiments, but as propaganda seeds they fall on barren ground that has needed fertilisers for over 60 years. There are three principal languages, three cultures that have nothing in common, three water-tight societies. Between the European and Indian communities there are very few real personal friendships, suspicion abounds, and there is a marked clash of political aspirations. Because for historical reasons the Fijian looks up to the European as his mentor, leader, and protector, relations between them are good; but they rarely mix and, on the European side, there is a lack of appreciation; and on the part of the Fijians there has been apprehension regarding the system of native administration followed. As for Indians and Fijians there are undoubtedly more personal friendships; but that is to be expected in two large communities living cheek by jowl. Generally speaking, however, they despise each other, for there is no understanding and no common ground—except among the small number of educated people, and then only on ideas and topics alien to both. Further there is an increasing clash of interests—land hunger on the one side and a growing determination on the other to preserve their heritage. Politically the

<sup>2</sup> See 19, note 3.

<sup>3</sup> See 13.

<sup>4</sup> Sukuna was then secretary for Fijian affairs.

Indian aspires to a foreign form of government which even his betters in the homeland cannot run and looks down on the Fijian for accepting his own form of government which he can run. Surely a survey of this ground must make it abundantly clear that, before we begin sowing in it the seeds of common political development, we must first diligently prepare it—have we?’

12. Sixteen years have intervened since Ratu Sir Lala expressed these views, and they have been years during which circumstances have been favourable in many respects for closer understanding between Fijians and Indians. The experiences of many Fijians of conditions overseas during the Second World War and the campaign in Malaya; the great improvement which has occurred in education; the more liberal attitude adopted by the Fijian Administration towards freedom amongst the Fijians; the emphasis there has been in recent years on their economic development; the greater mingling of the races, particularly in urban areas; and the much closer relationship which Fiji has now with other parts of the world through improved communications and opportunities both for travel abroad, and for persons overseas to visit Fiji, have all been factors which might have been expected to contribute to Indian and Fijian relationships in the manner considered by Ratu Sir Lala to be necessary before greater co-operation between the two races could take place. However, although at the superficial level relations are good, it is clear that the Fijians remain adamantly opposed to co-operating with Indians in ways which they feel threaten their fundamental interests, and that the position to-day remains similar to that described by Ratu Sir Lala in 1946. In fact, it is probable that it has deteriorated because the Fijians are now more conscious of the significance to their race of the Indian penetration in Fiji. This significance has been emphasised during the past three years by the disturbances in Suva in December, 1959, by the outspoken criticism of Fijian institutions in the report of the Burns Commission, and by the unrest in the sugar industry during 1960, which they interpreted as a bid by the Indians to dominate the Colony's economy.

13. There are numerous reasons why Fijian apprehension of the Indians should increase. Each year, when the population figures are published, Indian numbers creep up. The dissolution of the Colonial Empire is causing Fijians to question how long the United Kingdom will be able, or be prepared, to protect their interests. The Indians are strongly entrenched in commerce in which the Fijians play little part. Indians are rapidly obtaining professional qualifications and are becoming established in the better jobs outside the Civil Service. Within the Civil Service, Indian influence is increasing and would be increasing much more rapidly were it not for the policy of maintaining a balance between the two races. In agriculture, the Indians already dominate sugar cane production and, with their increasing numbers and greater industry, are favourably placed to take advantage of the opportunities which the Land Development Authority will provide to become established in other forms of agriculture. This process of Indian penetration has, of course, been going on for a number of years but it has only recently become conspicuous, particularly to the Fijians who hitherto have been largely insulated from the impact of Indians for the reasons which I have described. This abrupt realisation by the Fijians of how matters really stand, and their concern that the Indian advance should be halted before they are overwhelmed, explains why the Fijian attitude towards the Indians in future, and particularly towards measures which involve inter-racial co-operation, will be one of increasing opposition.

14. The fact that racial relations, as they affect major issues, have not improved since 1946 is supported by the following comments of Mr. Seller which he made in a report on his investigations into the present reactions of the three major races to the proposal that a scheme for rural local government should be introduced. Thus, he writes:—

'It was surprising to note how uniform and unanimous was the reaction of the various groups to what I had to say. Unless I had been aware of the general lack of interest in local government on the part of the vast majority I would have suspected collusion. But this was clearly not the case. My experiences with the main racial groups were as follows.

*INDIANS.* Most of my contacts with Indians were with the several Indian Advisory Committees at the different headquarters visited. Generally speaking all appreciated the need for and benefits of local government. All without exception expressed in most positive terms that local government if it is to be of any use, must be multi-racial although all agreed that equal representation on a local government body for Indians, Fijians and others was probably essential if local government was ever to be accepted by the Fijians and others. The Ba, Lautoka and Nadi committees went so far as to state that they would prefer to carry on as at present rather than go it alone without the other races.

As I expected all the advisory committees laid great stress on the method of rating. After I had explained several alternative methods i.e. the land rate, poll-tax, house-tax, graduated poll-tax, all committees came out strongly for a land rate which they believed to be the most equitable system of apportioning the cost of government. The Lautoka committee believed that a land-rate should be supplemented by a poll-tax to catch the landless citizen. All committees unanimously stated that the land-rate should be extended to all Fijian land whether in or outside reserves. Indeed when I referred to the difficulty of rating Fijian land I was told at Nadi that 'A way must be found'. All the Indian Advisory Committees and individual Indians to whom I spoke favoured an elected majority on the local government body. I should point out that the Labasa committee while endorsing the land-rate considered that it should not be imposed until adequate security of tenure was provided for Indian farmers. They referred to the fact that reserves can be re-opened at any time.

*FIJIAN.* I need not describe at any length what Fijians had to say. They had nothing constructive to offer. I held meetings with representative groups at all centres visited except at Nadi where I interviewed individuals. I must confess that I found the going very heavy. It was not generally possible to get down to any detailed discussion of the merits of local government since Fijians were invariably opposed to the inclusion of others (particularly Indians) in any body which might be devised. As you know I consider that the working together of the races in local government institutions to be essential and that the setting up of a system without full-scale Fijian participation would be worse than a continuance of the present position. Furthermore there was no inclination on the part of Fijians to discard the essentials of their present provincial administration although many admitted that it could be usefully reformed.

The position in brief is one of deadlock. Unless and until the Fijians can forget their anti-Indian animus and also discard many features of the Fijian

administration it is exceedingly difficult to say how multi-racial local government can be born.

*EUROPEANS.* I did not get in touch with many non-official Europeans during my tour. I did speak with the Company Managers at Labasa and Penang. Both expressed the view that the time for local government is not yet and also drew attention to the unfavourable condition of race relationships. Mr. Gibson at Labasa was extremely dubious of either the need or practicability of local government. While admitting that it might provide training in self-government he considered that the present was not the right time to attempt the experiment.'

15. Mr. Seller's view on Fijian opinion is supported by the Secretary for Fijian Affairs who, at a meeting convened to discuss local government, is recorded as saying:—

'The Secretary for Fijian Affairs thought that the views of Ratu Penaia on matters affecting the Fijians accurately reflected Fijian opinion as a whole. Ratu Penaia considered that before the Fijians and Indians came together in any form of local government, it was necessary that they should come closer together socially. There required, in fact, to be more harmony between the two races before a measure of this kind could be introduced successfully. It followed that the adoption of inter-racial local government at the present time was premature.'

16. One would have thought that a reasonable measure for Government to take in the process of 'fertilization' referred to by Ratu Sir Lala would be to promote inter-racial education but, as you know, even the moderate recommendation in this direction proposed by the Burns Commission was opposed by the Fijian people. I am afraid that such reasons as this for postponing the introduction of local government amount to little more than a polite way of saying that the Fijians are not prepared, and do not visualise themselves as being prepared, to co-operate with Indians in a measure of this kind, the consequences of which will have a far-reaching effect on the Fijian way of life and would involve Fijians being subject to the authority of Indians, i.e., Indian local government officials, and the decisions of Rural Councils on which Indians would be much in evidence, in matters which the Fijians regard as their particular preserve and which, hitherto, have been dealt with either by the Fijian Administration, or by the District Administration with Europeans and not Indians in control. In this respect, the issue of rural local government is different from that of urban local government because urban local government is not regarded by the Fijians as being concerned with matters which are traditionally Fijian and for that reason the Fijians are either prepared to co-operate in urban local government on a basis of equality with other races, such as has occurred in Suva as the result of the passing of the Local Government (Towns) Ordinance, No. 27 of 1961, or to ignore it, which is their usual attitude towards Township Boards.

17. The basis of this attitude is summarised in the following resolution which was passed by the Council of Chiefs in November, 1932, and which is probably as valid to-day as representing Fijian opinion as it was then:—

'That this Council records its strong and unanimous opinion that Fiji, having been ceded to Her Majesty the Queen of Great Britain and Ireland, Her Heirs and Successors, the immigrant Indian population should neither directly nor indirectly have any part in the control or direction of matters affecting the interests of the Fijian race.'

This resolution was cited in the Fijian Affairs Board as a reason against the recent appointment of Mr. R.N. Nair as the first Indian Administrative Officer and it has been necessary to station a European District Officer at Nausori at the same time and to stipulate, informally, that Mr. Nair should be mainly concerned with Indian affairs. Fijian objections are based on principle and not on the personality of Mr. Nair whom they generally like.

18. In face of this evidence, there can be no doubt that if an attempt was made now to introduce a system of inter-racial rural local government it would fail because of Fijian opposition. This is the third occasion during the past sixteen years when this attempt has been considered, and has had to be abandoned primarily for the same reason. The same fate, I feel, awaits any other proposal designed to bring the Fijians and Indians closer together on an inter-racial basis in any matter which has important administrative or political implications. From this I fear that it must be concluded that the belief that in the course of time racialism would be submerged by the development of a common social conscience cannot be regarded as a likely development for a great number of years unless changes occur at the centre of Government which provide sufficient assurances for the Fijians about their future status for them to be prepared to abandon their increasingly rigid attitude towards racial co-operation. In other words, it seems that further constitutional advance of a nature acceptable to the Fijians must precede the introduction of inter-racial rural local government, or measures of a similar nature. A guide to the way in which the Fijians are thinking was given by Ratu P.K. Ganilau and Ratu G.K. Cakobau during the Budget session of Legislative Council in December, 1961. Ratu P.K. Ganilau said:—

‘When the time comes—and I hope the time will not come soon for some new form of Government to replace the present system—then I would like to say here that the Fijians would like the composition of the Legislative Council to be reviewed, and I would also like to have it recorded here that the running of this Colony must be handed over to the Fijians.’

and Ratu G.K. Cakobau said:—

‘Turning to constitution, Sir, the ultimate aim of this chosen constitution is, let us put it bluntly, independence. I have nothing against independence, Sir; let independence come. But when that independence comes—I should like this recorded in this House—let the British Government return Fiji to the Fijians in the state and in the same spirit with which the Fijians gave Fiji to Great Britain.’

19. These remarks indicate that the Fijians regard the British Government as being committed to remaining in control of Fiji indefinitely to protect Fijian interests, or to handing over control in accordance with a constitution which will ensure the paramountcy of their interests. I do not propose to comment in detail on the merits of these alternatives because they are outside the scope of this despatch although, as I have attempted to show, the introduction of rural local government raises issues which are fundamental to the future of this Colony, and it has therefore been necessary to refer to these issues in explanation of this third failure over rural local government.

20. All I would say about these alternatives now is that they are both unattractive. For Fiji to continue indefinitely under British control is a disturbing

prospect. The present constitution is suitable for conditions within Fiji only to the extent that it provides a *modus vivendi* between conflicting racial interests. The modifications which are to be introduced next year, which include a greatly extended franchise and the increase in the number of members are designed to permit the introduction at an early date of a 'member' system but until this is accepted the official majority is to be retained. Outside Fiji the constitution is likely to be increasingly subject to attack as being archaic. In its present form it leads to a racialistic and irresponsible approach by certain elected members of the Legislature, and makes it difficult to get controversial but necessary measures adopted. This latter defect impedes constructive government which is a serious disadvantage at a time when the problems here require forceful action if they are to be resolved. The alternative of handing the government of the country back to the Fijians sounds well as a rhetorical statement but appears somewhat unrealistic on examination. The Fijians show little sign of being able to accept the responsibility and it would lead to the peculiar position of the industrious and economically powerful majority being governed by the economically weak Fijians, most of whom live simply and under primitive conditions in the country. It is unlikely that the Indians would be prepared to accept this state of affairs.

21. I would mention, however, that the principle of Fijian paramountcy is supported by a number of senior Administrative Officers who have spent most of their service in Fiji and I feel that you should be aware of their views. They do not go so far as to say that Fiji should be 'handed back' to the Fijians but they do maintain that to concede 'paramountcy' to the Fijians is the only way in which the present deadlock can be broken without antagonising the Fijians to an extent which might be disastrous. They think, also, that there is a fair chance of the Indians accepting the principle, providing their own political status is improved in relation to that of the Europeans. What is visualised, in brief, is internal self-government on the basis of a Fijian racial majority on the Legislative and Executive Councils, with the Indians next in numbers, and the Europeans, combined with the other racial groups, coming last. The proposal is really a device to introduce greater flexibility into local affairs by forcing the local leaders to accept responsibility for government and, by doing so, overcome their racial prejudices. Although racial in conception, therefore, it might prove to be the best way of achieving inter-racialism. The proposal merits serious consideration, especially as more orthodox approaches appear unacceptable to the Fijians. My present view is that while the majority of the Indian community would be ready to accept it, Indian politicians and leaders of opinion would regard it as political suicide to do so. And I fear that even this solution would not make the Fijians any more enthusiastic about multi-racial local government.

22. Before concluding this despatch, I should like to refer to two factors which are likely to accelerate the need to consider what the future of Fiji is to be and, if possible, to reach a decision on what that future is to be, and the conditions on which the United Kingdom Government will be prepared to accept responsibility for Fiji. You will recall that Lord Selkirk<sup>5</sup> raised these questions in a demi-official letter to you No. Q11953/111/61 of the 30th November, 1961.

23. The first factor is the increasingly precarious condition of the Fijian Administration. Financially, there is a marked resistance amongst the Fijians to

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<sup>5</sup> UK commissioner for Singapore and commissioner-general, South-East Asia, 1959–1963.

paying their Provincial rates. For the Provinces of Ra, Ba, and Nadroga in the Western Division, a total of £4,214 has been collected in Provincial rates by the end of May this year out of an estimated £51,643. There has been a steady decline in the payment of these rates during recent years, a fact to which I drew attention in my despatch No. 18 of the 18th January, 1962, when commenting on the annual report for 1960 of the Secretary for Fijian Affairs. In addition, many of the Fijian Affairs Regulations which gave authority to the Fijian Administration, and provided the basis on which Fijian society was organised, are now being repealed; my despatch No. 339 of the 24th May, 1962 on International Labour Organisation Convention No. 105 refers. The Fijian Administration, for all its defects, has provided a stabilising influence in Fijian affairs and it seems that this influence is going to be much less significant in future. Accompanying this decline in the influence of the Fijian Administration, is the decline in the authority of the Chiefs. This process has still some way to go, but it is occurring. In consequence, the Fijians face a vacuum in leadership unless acceptable political leaders soon emerge.

24. The second factor is related to the first. The new electoral regulations will give Fijian adults the right to vote for the first time. At the first elections they are expected to exercise this right responsibly, and the majority of Fijian members returned will probably be those leaders who are already familiar. But the ballot box provides opportunities for the demagogue and, looking to the future, the possibility cannot be discounted that, with their economic difficulties and their apprehension of the Indians, the Fijians may transfer their support from their present moderate leaders to extremists on a platform of Fijian nationalism. Since the majority of the security forces are Fijian, this prospect should be provided against by considering now, while the political atmosphere remains comparatively calm, what the future of the country is to be. In some respects, Fiji contains the ingredients of another Palestine or Cyprus, a comparison which is beginning to be made more frequently. In my opinion, some years remain for political manoeuvre, but I think it would be inadvisable to suppose that the passage of time will make the solution of the racial issue any easier.

## **49** CO 1036/654

3–13 July 1962

**[Future of Fiji]: minutes by J E Marnham, A R Thomas and Sir H Poynton on future policy in the context of talks with other powers about colonial territories in the Pacific**

*Mr. Thomas* (through Mr. Jerrom)

As you know, we are due shortly to have talks in Washington on the future of the Pacific territories with the U.S., Australia, New Zealand and (it now seems definite) France.

2. I submit draft briefs<sup>1</sup> on the British territories, together with a general introductory brief and further drafts on U.N., Communist and Asian interests in our territories. They will need clearance with other departments, but I submit them first

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<sup>1</sup> Not printed.



in order to be sure that higher authority in the Colonial Office approves what we say in Whitehall.

3. The Joint Planners are preparing a brief on strategic interests for consideration by the Chiefs of Staff. Other drafts are being prepared on the South Pacific Commission, communications, and arrangements for future discussions with the other metropolitan powers. These further briefs may affect marginally what is said in the batch now submitted, but I think not enough to warrant further delay in submitting these.

4. Of this present batch, I think that all except that on Fiji<sup>2</sup> are fairly straightforward, and I hope that higher authority will be able to approve them, for their limited purpose as guidance for the coming talks, without undue difficulty.

5. The Fiji draft is more controversial, since it tries to set out the makings of a policy for resolving the Colony's internal problems which frankly we have not yet got. It should be read together with the despatch from the Governor, and the draft reply, submitted on PAC 93/1/02 attached.<sup>3</sup> I think higher authority will want to read both drafts together, but I would suggest that thereafter they be separated and that the draft brief, which is non-committal and (like its fellows) needed quickly, be approved or amended without awaiting the more deliberate thought which I think is called for by the draft despatch.

Both drafts between them represent an approach which is designedly provocative; which the Governor will not like; which may be based on wishful thinking in the department; and which may if followed through lead to trouble in Fiji. Apart from these disadvantages it seems to me to have much to commend it! Mr. Wheatley's and my reason for thus stirring up trouble is our feeling that Fiji can't afford to drift much longer (or that if it can, this should at least be a conscious decision); that to resign ourselves to communalism is a counsel of despair; and that to entrench Fijian paramountcy is not a durable answer. Our justification is the support lent to this view by Sir Alan Burns and the general, if intangible, impression I have gained during the past six months that with really determined leadership a non-racial community might yet be achieved (though it probably needs someone of the calibre of a Foot or a Cohen to drive it through).

I am putting a copy of this minute on PAC 93/1/02 so that Fiji policy may be considered without rush. Meanwhile I submit for more urgent consideration the draft briefs for the coming talks, subject to inter-departmental clearance which Mr. Wheatley will arrange.

J.E.M.  
3.7.62

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<sup>2</sup> The Fiji draft argued, 'The economic value [of the colony] to Britain is nil'. The UK made available to Fiji £1 million p.a. in CD&W grants and Exchequer loans, and about £200,000 p.a. under the Overseas Aid Scheme to maintain 360 officers expatriate officers. The UK took about 45 per cent of Fiji's exports, Canada 14 per cent, but Australia and New Zealand only 9 per cent each. On the communal problem, the draft suggested that some chiefs already spoke privately about wanting to 'kick the Indians into the sea'. The UN was likely to become interested within a year and to press for decolonisation. Some good might come of this because it would concentrate minds in Fiji. The draft envisaged one of three solutions. The abandonment of attempts to foster integration, recognition of Fijian paramountcy, or an attempt to bring the communities together. The UK had yet to decide which to adopt. A later (1963) version of the Fiji paper is reproduced as document 66.

<sup>3</sup> For the despatch from Maddocks, see 48; for the reply as sent, see 52.

*Sir H. Poynton*

I submit a number of briefs in preparation for Mr. Marnham's forthcoming talks in Washington with representatives of the U.S., Australia, N.Z. and France.

I am afraid that both the number and contents of the briefs are formidable. My excuse for troubling you is that the Washington discussions may be the first of a series of international discussions about the Pacific and it seems advisable to ensure that the basic and initial briefs are approved by higher authority. Nor do I suggest that you need read the briefs in full. I think that it should be sufficient if you could concentrate on the section coming at the end of each brief entitled 'Points for Talks'.

The brief on Fiji is, as Mr. Marnham states in para. 5 of his minute of 3.7.62, more controversial than the others and I refer in this context to (8), minutes from 27.6 and the draft despatch on PAC 93/1/02. It would be convenient to approve the draft on that file at the same time as the briefs on this file are considered but if it is desired to defer the former, this could be done. For the rest, it seems to me that the department is to be complimented on the thoroughness and quality of the briefs. They are still for clearance with other departments, including the C.R.O.

I think that Mr. Fraser will want to see.

A.R.T.  
9.7.62

*Mr. Fisher*

I think you should see this sheaf of briefs which have been prepared for the forthcoming talks in Washington with the United States, Australia, New Zealand and France.

I have no comment on the briefs dealing with the particular territories though I think you should read the one on Fiji, which is the most controversial, rather carefully. It seems to me to put the problems very clearly and in a very well balanced form.

The one brief about which I do find considerable difficulty is the general background one which I have put on top. To my mind this draft as originally prepared reflects a state of mind which seems to be becoming increasingly prevalent in Whitehall and which I myself find extremely distasteful, namely that our policy should now be to get rid of territories as fast as we can and in any possible way in which we can manage to do so simply because we appear to be tired of our responsibilities. This place is of no strategic value, get rid of it. This place is of no economic value and indeed is a financial liability. Pass the burden over to someone else. The United Nations does not like us having any Colonies. Our continued possession of them is an embarrassment to us in dealing with the United Nations. Get rid of them. The idea that we still have a continuing responsibility to create conditions of stable government before we depart or even that we may have to preserve indefinitely some colonial or quasi-colonial relationship in order to complete our mission seems to be becoming increasingly brushed aside. The fashion is now to talk about 'de-colonisation' as if this were an objective in itself. It is symptomatic of the negative and defeatist attitude which I so much dislike. Obviously the ultimate objective is to grant self government or wherever possible independence, but this should be the culmination of our preparatory work in fitting territories for self government and not a device to enable us to rid ourselves of responsibilities before our task is completed. Perhaps in the past our publicity about

colonialism has been too altruistic and we may have been a little nervous about bringing up the fact that the colonial relationship is of mutual benefit to Great Britain and the Colonies and as such is perfectly respectable. But I can imagine nothing more cynically irresponsible than to say, when we have made countries like Malaya, Ghana, Nigeria and so on, independent, that we cannot be bothered to carry the burden of the rest of them any longer because they are a liability. I have therefore redrafted this brief pretty considerably in the hope of giving a more positive approach to the problem. The conclusions in the brief are more or less all right but they seem to me to be arrived at for the wrong reasons.

A.H.P.  
13.7.62

## **50** CO 1036/998, no 28

4 July 1962

### **[Carpenters' monopoly]: letter from J E Marnham to Sir K Maddocks reporting a meeting with R B Carpenter**

I have sent you a telegram reporting R. B. Carpenter's categorical denial that his firm has the slightest intention of making a take-over bid for Burns Philp (South Sea). Here is the fuller account of our talk which I promised.

2. When your telegram No. 93 arrived we discovered that Carpenter had only one more day in England. We were a little hesitant at asking an unknown tycoon to come and be lectured at such short notice, but we did, and Ambler<sup>1</sup> and I saw him on the 29th June.

3. Ambler came straight to the point and said that you had told us of rumours afloat in Fiji that Carpenters might be contemplating a take-over. His immediate response was a shout of what seemed to both of us (unless he is a consummate actor and we are mugs) perfectly genuine astonishment. He said he couldn't imagine where or how such rumours could have originated, that they certainly had not the slightest foundation and that he had no intention of doing anything of the sort.

4. Having apologised for asking him to call under what we readily accepted were false premises, Ambler nevertheless went on to say that, had there been anything in the rumours, we should have felt it right to let Carpenter know of the concern you had expressed at the possibility. Your concern, he said, was based on two grounds: first, the economic effect which a monopoly could be expected to have on the country's economy; and secondly, the political ammunition which a take-over would present to anti-European agitators (on the lines of paragraph 5 of your letter). Ambler stopped here and did *not* go on to use the argument in your paragraph 6.

5. Carpenter took this in very good part (indeed the whole talk was very friendly and I must say we both liked and were impressed by him). For his part, he said he was very conscious of the unpopularity which the size of his firm was liable to engender. Indeed he claimed that Carpenters had in the past decided against undertaking

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<sup>1</sup> Ambler Thomas.

certain pieces of development which they thought would benefit the economy, because they had sensed that further activity on their part would be resented by the people and discouraged—or at least not encouraged—by Government. He felt they were in a difficult position in such cases: they could see things to do which ought to help the economy and which they had the capital, the organization and the know-how to do better than anyone else; but if they embarked on them they were liable to be criticised for increasing their 'stranglehold'. As an earnest of his desire to help solve this problem, he said his firm were thinking seriously of forming a subsidiary company to take over all their Fiji interests, in which local shareholding would be welcomed even to the extent of a majority of say 60%. Indeed, but for the 'troubles' this would have been tried last year.

6. They had tried, in other ways, he said, to shoulder responsibilities commensurate with their influence, particularly in the field of vocational training and employing locals up to the limit of their abilities. He thought it fair to say that in these fields his firm was in some respects ahead of both Government and the banks, though he took the point that Government has to go relatively slowly in order to keep the balance between Fijians and Indians. He doubted whether many locals would ever rise right to the top—Fijians were 'too provincial' to cope with world-wide financial problems, and Indians were too unreliable and self-seeking. But he was ready to take as many as he could get in any jobs for which they were fitted, if only because imported labour was so expensive.

7. Carpenter expanded quite a bit about the need for technical education, using as a peg Ambler's remarks about anti-business and anti-white propaganda based on paragraph 5 of your letter. After volunteering (perhaps a bit cavalierly!) that he thought we all let ourselves get over-worried by the oratory of 'a few larrikins', he said he thought demagogues were the inevitable product of an educational system which turned out more half-educated youths than there were jobs for; the real answer—since one clearly couldn't deny them education—was to make a proper job of it by providing more and better technical colleges and so on. (This will scarcely strike you, after West Africa, as a blindingly original thought, but I mention it as evidence of the friendly and commonsense nature of much that Carpenter said.)

8. Conversation finally ranged over more general Fiji problems. I don't think I need burden you with it, save that Carpenter strongly advocated making as much land as possible available to Indians (and suitable Fijians) in individual 20-acre or so plots for mixed farming. He said he was constantly urging C.S.R. to do this, and that if they didn't it would be well worthwhile for Government to buy the land—they ought to be able to resell quickly enough to have no difficulty in finding the money for the short time needed (easier said than done, as we know from our talks with Ritchie<sup>2</sup> early this year!).

9. This letter has ranged well beyond its original purpose of recording Carpenter's disclaimer of designs on Burns Philp. I have recorded the talk at length, partly for its intrinsic interest and partly, since Carpenters seem to be rather ogres in Fiji eyes, to explain why we ourselves rather took to him. He certainly struck us as able, sincere, and genuinely anxious to help Fiji. But if you think we have been had for simpletons, please don't hesitate to disillusion us.

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<sup>2</sup> H P Ritchie was then deputy financial secretary, Fiji.

**51** CO 1036/613, no 121

19 July 1962

**[Human rights]: letter from J E Marnham to Sir K Maddocks on the introduction of human rights provisions in the constitution**

I am writing this letter, perhaps prematurely, to ask whether you have given any thought to the timing of the introduction of human rights provisions into the Fiji Constitution. We realise, of course, that it may seem early days to be thinking along these lines, but the view has been expressed by a former Minister of State that such provisions should be contained in the body of the constitution (rather than the preamble) and that they should be inserted in any new constitution being drafted for Colonial territories generally which are at an earlier stage than independence since it would then be easier to secure their retention in the independence constitution.

2. So far as Commonwealth countries are concerned, the constitution of the Republic of India (promulgated 1949) contains elaborate provisions safeguarding fundamental rights of individuals and of minorities and that for Malaya (1957) also has provisions safeguarding 'Fundamental Liberties' derived partly from the 1950 European Convention. The first example of full-scale constitutional provision based on that Convention was that inserted in the Nigeria constitution (October 1959) a year before independence.<sup>1</sup> You may remember that the 1957 Nigeria Conference agreed that draft provisions should be prepared for consideration at the Resumed Conference the following year. The Minorities Commission, set up after the 1957 Conference, prefaced its recommendations in 1958 with the following words which are a good summary of the case for fundamental rights provisions:—

'One group (of witnesses appearing before the Commission) asked only for provisions in the Constitution guaranteeing certain fundamental rights. These were the Christian bodies who appeared before us both in Lagos, on behalf of their organisations throughout Nigeria, and again in the Northern Region. Some other witnesses said they would welcome such provisions in the Constitution but were afraid that they would not be sufficient.

Provisions of this kind in the Constitution are difficult to enforce and sometimes difficult to interpret. Nevertheless, we think they should be inserted. Their presence defines beliefs widespread among democratic countries and provides a standard to which appeal may be made by those whose rights are infringed. A Government determined to abandon democratic courses will find ways of violating them but they are of great value in preventing a steady deterioration in standards of freedom and the unobtrusive encroachment of a Government on individual rights. We have therefore considered what provision might suitably be inserted in the Constitution and have given particular attention to the Convention on Human Rights to which, we understand, Her Majesty's Government has adhered on behalf of the Nigerian Government. Where the matter which we

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<sup>1</sup> On the issue of safeguards for human rights in the Nigerian constitution, see Ronald Hyam and Wm Roger Louis, eds, *The Conservative government and the end of empire 1957–1964* (BDEEP, 2000) part I, pp lxvii–lxviii and documents 103–105, and Martin Lynn, ed, *Nigeria* (BDEEP, 2001) part II, 432 and 454.

think needs expression has already been provided for in the Convention of Human rights, we simply place below the relevant provisions in that Convention but we do not necessarily recommend the exact wording of the Convention and it may be that constitutional lawyers will wish to draft in different terms.'

3. The Nigeria provisions have been used as a model, adapted as necessary, in the following constitutions:—

- (a) Sierra Leone (1961)—independence constitution as agreed at Constitutional Conference 1960;
- (b) British Guiana (1961)—internal self-government constitution, as agreed at 1960 Conference;
- (c) Malta (1961)—constitution representing a similar form of internal self-government to that of Singapore, as recommended by the 1960 Commission;
- (d) Kenya (November 1960)—amended constitution, short of full internal self-government but with majority of unofficial Ministers, following the Secretary of State's proposals to Constitutional Conference in January/February 1960.
- (e) Southern Rhodesia (1961)—advanced state of internal self-government, following certain recommendations of the Monckton Commission.

In addition, the Cyprus constitution contains provisions safeguarding 'Fundamental Rights & Liberties' based on the European Human Rights Convention but not deriving directly from the Nigerian model.

4. In May 1960 a motion was passed in the Basutoland National Council favouring legislation against colour discrimination. During subsequent Executive Council proceedings the limited motion was converted into a major proposal for a comprehensive statement of human rights and fundamental freedoms. A draft Bill was prepared, despite the territory's comparatively early state of constitutional development, and since that a Constitutional Commission has been set up to review the working of the 1959 Constitution. The Commission is still in session and will, no doubt, consider *inter alia* the merits of the draft Bill.

5. The position varies in other Colonial territories but the general view here is that, unless there are overriding local objections, it is desirable that an independence constitution should include human rights provisions and that this object is likely to be achieved more easily if inclusion can be secured initially at the internal self-government stage or perhaps even earlier if there are particular minority interests to be safeguarded. On the other hand, since Britain is a party to the European Convention and is bound to secure its observance in the territories to which it has been extended, it may be unnecessary or inappropriate to introduce the provisions into the constitution at an early stage because up to independence H.M.G. has the means to secure such observance. It is however likely that constitutional provisions enforceable in the courts may in practice afford a better protection to the individual than H.M.G.'s intervention, which might be very difficult when a territory has reached an advanced stage of self-government.

6. We should be grateful for your views on this matter.

**52** CO 1036/775, no 10

31 July 1962

**[Future of Fiji]: despatch (reply) from Mr Sandys to Sir K Maddocks arguing that indefinite recognition of Fijian paramountcy is impracticable**

I have the honour to acknowledge your despatch No. 388 of the 19th June.<sup>1</sup> I am grateful to you for setting out so fully your reasons for concluding that it would be unwise politically to pursue for the time being the introduction of interracial local government.

2. You give as the main reason the fear of the Fijians for the Indians. You go on to point out that this fear is such that the Fijians are now unlikely to agree to any progress of this or a similar nature within a reasonable time ahead unless they are given assurances about their future status through changes at the centre of government. This in turn raises the whole question of the future of Fiji and of Britain's part there in. You conclude with reasons why it is important to reach an early decision on these last points.

3. I accept that, as shown in your despatch, a serious situation may soon confront us in Fiji, and I agree that it is desirable to consider and take a decision as soon as possible on how best to deal with it or avoid it. I agree also that it is an exceedingly intractable problem for which there is no easy and attractive solution. There is bound to be mounting international pressure against the indefinite continuation of British colonial rule (and may be mounting pressure from within from the Indian community as their numbers continue to increase both absolutely and relatively to the minority communities); and, although I would certainly hope to resist suggestions for withdrawal so premature as to leave chaos behind us, I see little prospect that it will be practicable for us to stay in control in Fiji for anything like as long as the majority of Fijians seem to envisage. Prophecy is rash, but it must be doubtful whether Britain can still expect to be in control in Fiji ten years hence, and the tempo of events elsewhere suggest that it is questionable whether the era of British control can be prolonged for as long as that.

4. The alternative to it is which you mention, namely the recognition of Fijian paramountcy in some form, seems to me impracticable. I do not see that we could possibly persuade, and it would be wrong and impossible politically to try to compel, the Indians to accept a constitution which recognised Fijian paramountcy. Even were we to do so and however such a provision was entrenched, I find it unrealistic to think that they, with a growing majority of the population, their economic dominance and well known propensity for self-advancement, would accept it after our departure, and I should expect them to receive considerable outside support in revolting against what would surely seem to the world at large to be the negation of democracy. However innocent the Fijians may be of the historical developments which have brought the Indians to the position of the largest community, that is the position today. The Indians are there to stay and their position must inevitably become increasingly important. It seems to me that any solution which does not recognise these facts is doomed to fail.

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<sup>1</sup> See 48.

5. I am forced to the conclusion that we should consider very seriously a third approach with you do not mention, namely a forthright statement to the effect that the privileged position of the Fijians is not one which the modern world can be expected to find acceptable or Britain to continue indefinitely to enforce. Such a statement would stress that, in the view of Her Majesty's Government, the only future for Fiji worthy of her past and suitable for her position in the modern world is as a multiracial state in which citizens of all races have full opportunity to play their part according to their abilities; that this, whilst it cannot be achieved overnight, is the goal at which Britain and Fiji must unite in aiming; and that it is not too soon to begin considering how to adjust the institutions of government, both central and local, to this end. I realise that action on these lines would amount to shock tactics and that the precise content, timing and presentation of such a declaration of policy would need careful thought. Its subsequent implementation, moreover, would call for a sustained effort throughout all ranks of Government under the inspiration of a strong lead from you and your senior advisers. But I am reluctant to believe that the goal is unattainable, for I believe that to fall back either on entrenched separation or on the indefinite continuation of the *status quo* is a counsel of despair. Unless early, steady progress is made in this direction, there must surely be a risk of a major explosion later when the Indian community realises its strength and decides to exercise it.

6. I do not of course seek your immediate acceptance of this proposition on the strength of the admittedly sketchy outline in this despatch. I should however be grateful for your own considered views on the future of the Colony, including your positive recommendations on the policy by which you suggest we should direct our actions for, say, the next five years. This policy cannot of course be considered in isolation from the crucial problem of the use of land. I should be grateful if I could have at least your provisional views in time for them to be considered here and then discussed with you during the visit which I hope that a member of my staff and possibly the Parliamentary Under Secretary of State will be able to make to Fiji during the coming autumn. I have in mind that following that discussion I should formulate more detailed but still tentative proposals for future policy and arrange a suitable opportunity to discuss them further with you before reaching final conclusions.

**53** CO 1036/775, No 21

10 Oct 1962

[Future of Fiji]: despatch (reply) from Sir K Maddocks to Mr Sandys arguing in favour of gradual change and opposing a statement about a multi-racial state. *Appendix A*: Proposed statement on constitutional advance; *Appendix B*: Note on land use

[This despatch was Maddocks's response to document 52 in which Sandys argued that indefinite recognition of Fijian paramountcy was impractical. Document 52 was described by Marnham as 'designedly provocative' in that it deliberately 'shot down' two solutions to the Fiji problem, namely indefinite continuance of UK rule and recognition of Fijian paramountcy. Instead it suggested as a third solution the goal of Fiji as a multi-racial state (cf 49, note 2). This was intended as 'shock treatment' for the Fijians. It was also designed, as A R Thomas put it, to 'goad' Maddocks and his advisers into more



constructive thought than they had so far evinced. To this extent, according to Marnham, it served its purpose because the despatch from Maddocks reproduced below was a 'thoughtful and well argued counterblast' which demonstrated that the governor recognised the need to make progress. His despatch provided 'admirable food for thought and discussion' for a forthcoming visit to Fiji by Fisher, the parliamentary under-secretary of state (CO 1036/775, minute by Marnham, 16 Nov 1962). Poynton thought the statement proposed by Maddocks in Appendix A to his despatch 'pretty harmless, and indeed rather platitudinous'. The permanent secretary disliked the reference in the last sentence of para 6 of the statement about 'the right of the Fijians to be adequately represented in the Civil Service'. This might become an 'embarrassing hostage to fortune' and therefore damaging to the ultimate goal of a civil service selected on merit without regard to race. Poynton suggested instead 'adequate representation of the Fijians in the Civil Service'. He also wondered whether there was any need at all 'for a long rigmarole of this kind'. He preferred a shorter statement of a handful of sentences only emphasising the need for local thinking ahead of Fisher's visit (*ibid.*, minute by Poynton, 16 Nov 1962). For CO amendments to Appendix A, see notes 4–7 below.]

I have the honour to acknowledge the receipt of your secret despatch No. 417 of the 31st July, 1962, on the subject of the future of Fiji. I have given the contents of this despatch the most careful consideration in consultation with my closest official advisers, and I have endeavoured in private discussions with a few leading members of the community to assess current feelings about the timing of further constitutional advance.

2. While I fully appreciate that there is mounting international pressure against an indefinite continuation of British colonial rule, it must be made clear that the demand for self-government in this territory is, at present, negligible. It will certainly grow but is at present confined to a handful of Indian politicians. If the pace of constitutional advance were governed solely by the wishes of the people of Fiji, (including the great majority of the Indian community), it would be slow and gradual.

3. It is true that recent events in other parts of the world have brought home to a few of the more thoughtful members of the community that a move towards internal self-government or even independence may be forced upon them before long, but leading Fijians and Europeans alike view the prospect with apprehension. Their natural reaction is to resist change rather than to welcome it and to demand to know what lies at the end of the road before taking the first step along it. Recently, for instance, the Hon. Ravuama Vunivalu declined to participate in the proceedings of a committee appointed to consider the future organisation of the Fijian Administration on the grounds that, since the meeting of the Council of Chiefs which had appointed the committee, a number of things had happened to worry the Fijian people. He is reported to have said:—

'that the Colonial Office was now under the Secretary of State for Commonwealth Relations<sup>1</sup> and that the British appeared to be entering E.E.C. and turning away from the Commonwealth. What would be the effect on the Deed of Cession? Nearer home, events in West New Guinea had caused alarm. There had been the complete sell-out of the Papuans and none of the big powers seemed to be thinking of them.'<sup>2</sup> He referred to the United Nations

<sup>1</sup> The CO and the CRO were under the same secretary of state from July 1962 but the CO was still a separate department with its own staff and departmental functions. The two departments merged to form a Commonwealth Office in August 1966.

<sup>2</sup> The reference here is to West Papua or Iriyan Jaya and the Indonesian occupation.

demand for immediate independence of colonial territories and to a recent statement by a well-known Australian preacher that Fiji should be moving more rapidly to independence. Even Government officials were now talking about changes. Government should make its position clear on the future of Fiji before changes in the Fijian Administration were considered.'

4. The doubts expressed in paragraph 3 of your despatch, whether the era of British control can be prolonged for as much as ten years, indicate that public discussion about the form of government which will be best suited to local conditions must now be actively stimulated and that a decision on the speed and direction of further constitutional change must be made as soon as possible. The matter will, however, have to be handled with great care and shock tactics as suggested in paragraph 5 of your despatch would be fatal.

5. I am strongly opposed to any announcement that Fiji should become a multi-racial state in which citizens of all races are to have full opportunity to play their part according to their abilities, and that the privileged position of the Fijians cannot be continued indefinitely. I am quite sure than any expression of views on these lines would be disastrous. The immediate reaction would be one of anger and amazement, not only amongst the Fijians, but also amongst the Europeans. It would be contrary to all the pledges which have been made to the Fijians since Cession, the most recent of which was made by me, with your approval, on the 10th October, 1961, the relevant part of which reads:—

'I speak particularly to the Fijian people because some of them are, I know, worried by the changes that have been taking place in recent years. The growing population and talk of constitutional advance have led to questions by some Fijians about the intentions of the British Government and to some expressions of fear about the safety of their land.

I have been able during my visit to England to explain these doubts and fears to the Secretary of State and I can assure you that the British Government stands firmly by the Deed of Cession and the subsequent promises that were made regarding the ownership of Fijian land.

As for constitutional changes, the British Government has no intention of forcing the pace of constitutional advance in Fiji. The extent and timing of such changes will continue to take into account the need to safeguard legitimate to Fijian interests; and Her Majesty's Government will only decide on any major changes after full consultation with representatives of the various communities in the Colony. They believe, however, that it is in the general interest that some measure of increased responsibility should be given to unofficial members as soon as they are ready to accept it.'

The statement which you contemplate would therefore undermine the confidence of the Fijians in the intentions of the United Kingdom Government. They would regard themselves as being abandoned to suit the United Kingdom's interests, and in response to pressure from the United Nations, based on principles which take no account of local conditions, of past pledges, and of the fact that, unless the Fijians are to receive the treatment necessary for the reasonable protection of their interests they will be dominated by the Indians. It would destroy the balance between the races

which rests on the Fijians being accorded protection for which, in return, they have given their full cooperation to Government, and have adopted a tolerant attitude towards the Indians. If the Fijians lose their confidence in the British it is possible that they, united as a race, would embark on a policy of passive resistance and non-cooperation which would seriously prejudice the success of any move towards self-government, and would inevitably lead to violence.

6. I think, with respect, that your proposed statement is based on two incorrect assumptions. First, it under-estimates the strength of Fijian opposition to proposals of this kind. Secondly, it assumes that a majority of the Indian population are determined to achieve multi-racial self-government on a basis of complete equality without delay. I do not think that this is so. With the exception of a small minority, the Indians are anxious to avoid antagonizing the Fijians. They recognize that it is in Indian interests to go along with the Fijians, and to put up with the discrimination which this involves until time and nature gradually achieve greater equality. To alienate Fijian opinion abruptly would make the Indian position in Fiji very difficult, and might well lead to bloodshed and chaos. No sensible Indian wants that to occur. On the other hand it must be accepted that Indians are easy victims to mass hysteria, and are sheep-like in the following of their leaders. Determined political leadership by rabble-rousers of the calibre of A.D. Patel could therefore have unpredictable results. Nevertheless the present Indian view is that a reasonable measure of protection for the Fijian is acceptable and justified. It is the privileged position of the European to which the Indians object, largely because it stands in the way of Indian aspirations (commercial, industrial and political), and it is an adjustment in this respect which they will expect before self-government is introduced rather than any substantial interference with the Fijian position, which they believe will in any case be eroded in course of time.

7. On the face of it, of course, I agree that your proposed statement is true enough, i.e. that Britain cannot continue *indefinitely* to enforce the privileged position of the Fijians but I believe that such pronouncements are best left unsaid at this juncture. It is to be hoped that, ultimately, some form of multi-racialism and equality will come to Fiji but it is far too soon for public pronouncements to this effect. We should therefore put aside the ultimate aim and concentrate on the intermediate aim of introducing internal self-government smoothly which means that it must be introduced in a manner acceptable to the local population as a whole. I am sure that the only way in which this can be done is to acknowledge that the Fijians are entitled to protection, to entrench such protection in the constitution and to maintain the United Kingdom connexion for as long as possible, perhaps eventually in the form of a Treaty of Friendship similar to that between the United Kingdom and the Kingdom of Tonga.

8. As a first step in the stimulation of the public discussion to which I referred in paragraph 4, I included the following passage in the broadcast which I made on the 8th October, in connexion with the Cession Day celebrations:—

‘The Colony has reached a stage in its development when its leaders should be playing a greater part than they are playing now in the management of their country’s affairs. Some of the unofficial members who will be chosen at the next election may well be asked to shoulder real responsibility. I hope that you who will choose them will remember this, for in the days that lie ahead

Fiji will need as leaders honest and good men who will work not for themselves or for sectional benefit but for the good of everyone in Fiji—Fijians, Indians, Europeans and others—so that Fiji may prosper and may be a good and happy place for all who live within these shores.’

9. I propose, subject to your agreement, to follow this up in my Address to Legislative Council at the opening of the Budget Session on the 23rd November with a statement to the effect that it is desirable that member of the public as well as of the Legislature should think seriously about the future so that exploratory discussions may be held with the Under Secretary of State when he visits Fiji early in 1963. A draft statement on the lines I have in mind is attached as Appendix A and is submitted for your approval.

10. In considering the timing of local discussions about constitutional advance it must be remembered that general elections are to be held at the end of March, 1963. In January or February, when the Minister is expected to visit Fiji, electioneering will be at its height and it must be expected that politicians will adopt attitudes that will be more extreme and uncompromising than would normally be the case. One European member has told me that at such a time he would have to speak strongly against constitutional advance because his electorate would wish this and that he might have to take up a position in public from which it would be difficult to extricate himself after the elections. It would therefore be preferable if the visit of the Under Secretary of State could be made after the elections, say in May, if that were possible. However, if this cannot be arranged I certainly would not suggest any greater deferment of his visit.

11. Turning now to the question of the Colony’s future, while I am very conscious of the tremendous differences, cultural, historical and psychological that divide the Fijians from the Indians, I do not believe that it is impossible to devise a form of government which for a period will be acceptable to both though the task will certainly be one of great difficulty and demanding great patience. The Fijian is tolerant and reasonable so long as he feels that his vital interests are being protected; and the vast majority of the Indians, who are realists, have no wish to antagonize the Fijians. The Indian community is, in fact, so divided that to many of them a Fijian leader is much more acceptable than an Indian of a different faction. I believe that once it were announced that Her Majesty’s Government felt that Fiji was now ready to move towards self-government, it should not be impossible to work out some acceptable compromise between the Fijian view that their interests should be paramount and the Indian view that there should be equality for all. The settled Europeans and part-Europeans would unfortunately complicate the situation for they would inevitably sow suspicion of Indian motives among the Fijians. Nevertheless I believe that with good luck and careful management an acceptable constitution providing for internal self-government could be devised within the next few years. I have no doubt, however, that any such compromise will have to be proposed by us. To bring the Fijian and Indian leaders together in the hope that they would be able to negotiate a settlement without any firm guidance from the British Government could have the most harmful results. The Indians, with centuries of bargaining behind them, would inevitably make claims which would so anger the Fijians as to cause an immediate breakdown. The Fijians would have to be given clear assurances from the start.

12. It should be noted here that the leading Fijians feel very strongly that if Britain really thinks that Fiji is ready for internal self-government it should say so on its own initiative and not give the impression that it is giving way to pressure by the United Nations Organization. They are prepared to listen to the United Kingdom but greatly resent what they regard as interference by other countries.

13. The type of compromise solution that I have in mind, and to which the Indians might well agree, is that when, ultimately, Fiji reaches the stage at which it is appropriate to appoint a chief minister, the chief minister should be a Fijian; that legislation effecting rights over Fijian land should require a majority of two-thirds or three-quarters of those present and voting; and that a balance in the Civil Service should be preserved. This would be a departure from the usual practice but no more so than was approved in the constitution of Malaya; but if anything is certain it is that the normal democratic practices of the western world will not, in the foreseeable future, work here.

14. In the first place there are no genuine political parties in Fiji amongst either Fijians or Indians and there is no indication at present that such parties will develop except on racial lines. Although there has recently been rather closer association between a few left wing Fijian and Indian politicians, the land tenure situation effectively prevents any lasting alliance between important numbers of the two races. In the absence of a party system there is no representative body to whom the Government of Fiji could be handed over and no obvious machinery for forming a Government. If this situation persists it may in due course be necessary to adopt a device whereby the Legislature elects its chief minister who in turn would choose his Cabinet with due regard to the need to include an agreed minimum number of ministers from each of the main racial groups.

15. One of the main reasons why both Fijians and Europeans dislike the idea of a ministerial system is the extremely poor quality of the present Indian elected members, not one of whom is worthy of trust or respect. It is a regrettable fact that in recent years few Indians of any calibre have offered themselves for election. This may change when the constitution provides greater opportunities and prospects for ambitious politicians.

16. A point which has been made to me is that European members of calibre will be reluctant to accept responsibility under either a member system or a ministerial system. The reason is that they have remunerative careers in their private capacity, and will not wish to jeopardize their prospects by accepting member or ministerial responsibility which will only offer them limited security. The introduction of the member or ministerial systems, therefore, is likely to be accompanied by a decline in the influence of European representatives, at any rate those of the better type.

17. The future of the franchise presents a special problem. In the first place there is the question of the Rotumans, Chinese and other Pacific Islanders who at present have no vote. These, I believe, should be included with the Europeans in a 'general' roll. But much more important is the question of the retention of communal rolls or of the introduction of a common roll. There is at present the most bitter and unanimous opposition amongst both Europeans and Fijians to any suggestion of even a single common roll constituency; but looking to the future, I myself can see no hope of a breakdown of the deep differences between Fijian and Indian members while the present system persists. So long as Fijian members look solely to the Fijian electorate they will be uncompromising in their stand on all things Fijian. The

Indian members will be equally intransigent so long as they owe their seats solely to Indian voters. I believe that a common roll on the Tanganyika model,<sup>3</sup> with an agreed number of Fijian, Indian and other members, would have the most salutary results. This, I believe, should be our aim, though its attainment is certain to be difficult. The number of seats to be given to each of the racial benches will be a matter for negotiation and agreement and need not necessarily bear close relation to population figures.

18. Although efforts to introduce inter-racial local government in the rural areas has [sic] failed, it is developing (though not without difficulties) in the urban areas and is being fostered in the rural areas by the appointment of multi-racial district committees. The purpose of these committees is to provide an opportunity for the various races, particularly the Fijians and Indians, to meet together and discuss matters of common concern such as feeder roads, relief for destitutes, rural water supplies, recreation areas and school building grants

19. In regard to the use of land, the determination of Fijian reserves has almost been completed and native land outside reserves is now freely available for leasing to all races, subject to proper subdivisions being prepared. The preparation of subdivisions, and the manner in which the staff of the Native Land Trust Board has handled applications for leases, has been subject to a good deal of criticism recently based on allegations of inefficiency and dilatoriness, but I have appointed a committee to examine the position which should result in improved performance. A more extensive note on the land situation is enclosed as Appendix B.

20. I consider that the position of the Fijians in the Civil Service must continue to be protected, and that the Fijians will attach great weight to provision for this being made. Since this principle has already been accepted in Malaya, I presume that there will be no objection to similar protection being provided in Fiji.

21. I have a few comments to make on the localisation of the Civil Service. A planning exercise has recently been undertaken for the localisation of the Civil Service over a period of ten years. This exercise was started before your despatch No. 417 was received and its object was to draw up a man-power budget for the training of local persons so that they can progressively fill posts at present occupied by expatriate officers, as they become vacant through the retirement or the termination of the contracts of these officers. The total establishment of the Civil Service is at present 4,798, of which 4,329 posts are already filled by local officers leaving only 469 filled by officers from overseas. Thus, 90% of the posts in the Civil Service are already held by local people and, of the remaining 10% which are held by expatriates, it is estimated that half will be available for filling by local persons within from five to seven years. It is also relevant that there are now from four to five hundred students receiving further training abroad. It is true that the great majority of these students are Indians, and that the posts at present occupied by expatriates are key posts, but this information does show that a considerable degree of localisation has already taken place and that, from now onwards, there should be an increasing supply of local persons with suitable qualifications to fill the remaining posts at present filled by expatriates. Compared to many other territories which have recently received independence, Fiji should be reasonably well equipped to govern itself with aid from

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<sup>3</sup> See 8.

overseas, chiefly in the form of technical assistance, which I presume the United Kingdom will be willing to provide.

22. I believe that, bearing in mind the climate of world opinion, the time has now come for Fiji to move forward along the path towards internal self-government and that our actions during the next few years should be consciously directed to reaching that target, stage by stage, without undue delay. The timetable might be as follows:—

- (i) Cession Day statement already made (paragraph 8 above).
- (ii) Statement to be made in my Budget Address next month (Appendix A).
- (iii) During the visit of the Under Secretary of State next year private discussions should be held on the means, timing and form of future constitutional progress.
- (iv) The 'member' system should be introduced as soon as possible after the forthcoming elections. This could be done without further amendment of the existing constitution. The broadcast referred to in paragraph 8 above, and the statement in Appendix A, will make it clear before the elections that elected members may be required to take over some ministerial responsibilities. As you know, when this proposal was made in the Legislature in 1961, it was strangely opposed by four out of five Fijian members, and also by European members. I believe that this opposition is less strong than it was and that, providing the Fijians are given assurances about their future, they will be more willing to cooperate over this and similar measures. I think it advisable, therefore, to await the outcome of the statement in November and of the discussions with the Minister before deciding the timing of an announcement of the intention to adopt the 'member' system in 1963.
- (v) An announcement might be made in mid-1963 that you welcome the introduction of the 'member' system and hope that it will lead on in due course to a full ministerial system and pave the way towards internal self-government, for which you believe Fiji to be ready.
- (vi) Provided that the 'member' system works smoothly, full discussion on a new constitution might be held early in 1964.
- (vii) A ministerial system might be introduced in January, 1965, with the Governor (who would have reserve powers) still presiding over Executive Council and with the Colonial Secretary, Attorney-General and Financial Secretary as ministers.
- (viii) Full internal self-government would follow a few years later.

23. I am aware that this timetable provides for a relatively rapid advance towards internal self-government but I am sure that it is in the interests of the Fijian people that Fiji should have responsible government while men of the experience and calibre of Ratu Penaia Ganilau and Ratu K.K.T. Mara are available for appointment as ministers; and my experience is that once the first step towards self-government has been taken, the tempo accelerates and that it is rarely that any one stage can be held back for more than, say, two years. Much will depend on Fijian reactions, but once an acceptable constitution has been agreed on locally, there would seem to be no reason to delay its adoption.

24. In conclusion I must again stress the fact that this is certain to be a difficult and delicate operation which could very easily go badly wrong. If Indian politicians are too demanding or if the Fijian people are pressed too hard to accept a constitution that would provide inadequate safeguards, race relations may so

deteriorate as to make impossible any progress towards a multi-racial solution. I believe nevertheless that the operation must be attempted.

25. I shall be grateful for an early indication of any amendments that you would wish me to make in the proposed statement to the Legislative Council.

### Appendix A to 53

It is apparent that the speed with which other dependent territories, particularly those within the British Empire, have obtained independence in recent years, is causing speculation amongst members of the public about the future of Fiji.

We live in an era of great and rapid political change, the predominant feature of which is the emergence of formerly dependent territories to independent status. As this change affects the British, it is taking the form of the transformation of an Empire into a Commonwealth, and there is naturally speculation on how Fiji is to fit into this process [in view of the commitments of Her Majesty's Government to safeguard legitimate Fijian interests.]<sup>4</sup>

Although it is undesirable that this uncertainty should persist, as I said in my Cession Day Address last year 'Her Majesty's Government will only decide on any major changes after full consultation with the representatives of the various communities in the Colony.' Full consultation, therefore, must take place before the form and the timing of further constitutional advance can be known, and to this extent the present uncertainty must remain.

But it should be recognized now that it is the long-standing policy of Her Majesty's Government to help dependent territories to attain self-government as soon as they are ready for it. Self-government can take various forms and it does not require any severance of association with Great Britain.

I also wish to emphasize that Her Majesty's Government recognizes its obligations to this country, including the need to safeguard legitimate Fijian interests, and will continue to give help and protection as long as they are needed.<sup>5</sup>

Because of the happy relationship which has existed between Fiji and the United Kingdom in the past, and which continues to exist now, there is a reluctance on the part of many to accept change. In particular, I am aware that the Fijians are apprehensive that any major change in the *status quo* will be detrimental to their interests. I can give the assurance, however, that any change which is made will make proper provision for the protection of legitimate Fijian interests, and in saying this I am thinking in particular of the ownership of Fijian land and of [the right of the Fijians to be adequately represented]<sup>6</sup> in the Civil Service.

Subject to such provision being made, it is unrealistic to suppose that the *status quo* can be maintained indefinitely, and neither do I believe that it is in the interests of the Fijians or Fiji that it should be. Countries and races, like individuals, must be encouraged to grow and mature by accepting responsibility for the running of their own affairs, and to retard this natural process by unduly prolonging the state of

<sup>4</sup> The section in square brackets was amended by the CO to read, 'and there is naturally a desire to know how Fiji is to fit into this process'.

<sup>5</sup> The CO deleted this paragraph.

<sup>6</sup> The section in square brackets was amended by the CO to read, 'adequate representation of Fijians'.



dependence frustrates the development of the potential for accepting responsibility which exists both in nations and individuals.

This reluctance to accept change means also that the constitution of Fiji continues to be based on a system which was not devised for modern conditions. Fiji has become an important centre in the Pacific. The opportunities for education are steadily improving, and increasing numbers of people from Fiji are obtaining higher education overseas. The economic development of the Colony is also progressing rapidly, and bringing with it new standards, wider horizons, and more numerous problems. With these changing conditions, both within Fiji and in the outside world, the time is approaching for the people of Fiji to accept greater responsibility for the government of the country.

I am glad to be able to inform you that the Under Secretary of State hopes to visit the Pacific early in 1963. [I therefore consider it desirable that members of the public as well as of the Legislature should think seriously about the future so that exploratory discussions on this subject may be held with him when he visits Fiji.]<sup>7</sup>

## Appendix B to 53

The Fijian attitude to land is that, providing their rights of ownership are respected and such land as they require for their own use is made available, chiefly by being set aside in reserves, Indians or anyone else can lease the remainder. The Indians do not dispute Fijian rights of ownership over native land, which forms 83% of the land in the Colony, providing they can lease, with reasonable security, land which the Fijians are not using productively. If land is not being used productively within reserves, the Indians feel strongly that it should be taken out of reserve. Much of the better land is in reserves and the Fijians will be vulnerable to severe criticism if this land is locked up indefinitely and denied to those who need it. But for some years at least this criticism should be confined to the cane growing areas where the Indian population is greatest and good land is in short supply. Outside the cane areas, not only is the population predominantly Fijian but there is an abundance of unoccupied land, a great deal of it outside reserves. In fact, the Director of Lands has estimated that there is sufficient to satisfy demand for at least the next ten years.

2. In the past, the Fijians have been at a disadvantage as agriculturalists, because the communal system has made systematic and efficient farming difficult. They have also suffered from lack of capital and training, a confused system of land tenure, and insufficient individual incentives due to their social organization. It is not surprising, therefore, that land occupied by Fijians has seldom been used properly. These disadvantages, however, are being overcome. The Land Development Authority will provide guidance and financial assistance, better opportunities for training are available, and the Fijians are slowly moving from a

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<sup>7</sup> The section in square brackets was amended by the CO to read, 'I know that he will want to take this opportunity to learn the views of all sections of the community on the future of the Colony. I therefore think it is desirable that members of the public as well as of the Legislature should think seriously about this question so that they may make their considered views known to him when he visits Fiji. Honourable Members, I pray that God's blessing may rest upon your deliberations.'

communal towards an individual approach to farming. An example of this change has been the acceptance in principle by the Fijians in some areas that the greater part of reserves should be subdivided for leasing to individual Fijians as independent farmers. Although pressure is already evident from Fijians in some areas for the extension of reserves, or for the resumption of leased land outside reserves on the expiry of leases, the Native Land Trust Board has recently announced the following policy decision:—

‘The Board does not propose to undertake a comprehensive review of decisions already made on the extent of reserves but it would investigate individual applications from native owners for the return of expired leases for their use, taking into account the state of cultivation of lands available to the native owners within twelve months of the date of expiry of the lease, the population trend of the native owners, and their capability to use adequately the lands requested as evidenced by their existing cultivation. The return of such lands will be conditional on their continued cultivation.’

This policy is a reasonable compromise between the rights of the Fijians, as owners, to regain possession of land which they require for their own use when a lease over it expires, and the claims of Indian lessees for their leases to be renewed on expiry, because the Fijians will not be given priority if they have other land at their disposal which they are not farming efficiently.

3. Because of the prospect that the Fijians will improve as agriculturalists, the reasonable attitude adopted by the Native Land Trust Board towards the leasing of native land outside reserves, and the large areas of such land which remain undeveloped, a *modus vivendi* may be achieved over land, in which event, it should be possible to avoid land becoming a crucial issue for at least some years. This assumes that the Native Land Trust Board will continue to adopt a liberal attitude towards leasing land outside reserves, and will give preferential treatment to the Fijians only to the extent that they are given reasonable areas to occupy which they farm efficiently. Although friction will arise, particularly in the cane areas, I think it reasonable to accept this assumption, providing Fijian rights of ownership are respected and the present method of administering Fijian land is retained until the Fijians themselves agree that it should be changed. By leasing their land, the Fijians benefit from rents, and they realize that if they, and the rest of the community, are to have the improved social services which they require, the land must be used productively. As Ratu Sir Lala Sukuna said in a speech to the Council of Chiefs in September, 1936:—

‘It is thoroughly understood that the control of our lands is in our hands, but the owner of property has an important duty to perform . . . It is the bounden duty of land owners to utilise what they possess for the benefit of all. An idle land owner neglects his duty to his State. Should his holding be more than he can utilise, he should lease 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 *Mataqali* lands for agricultural purposes, whether they be taken up by Europeans, Indians or Fijians.’

**54** CO 1036/703, no 16

18 Oct 1962

**[Fijian Pact]: letter from P D Macdonald to J E Marnham about an alleged secret pact between the Fijians and the UK**

This morning I received the following secret report from our Special Branch:—

*'Ratu K.K.T. Mara*

A source has reported that after the welcome ceremony at the Wharf for Ratu Mara on 2nd September, 1962, Ratu Mara, Ratu Penaia and Ratu George Cakobau<sup>1</sup> went to Ratu Mara's house at Lami where another ceremony of welcome was accorded to him by people from Lau.

2. After the second ceremony the Lauans left the house and only a few Fijian V.I.Ps remained. Amongst those who remained were Ratus Penaia and George Cakobau.

3. Ratu Mara is alleged to have told them that Ratu Sir Lala Sukuna had come to an agreement with the British Government on the future of the Fijian race and that while he, Ratu Mara, was in the United Kingdom, he saw a document purporting to be this agreement between Sukuna and the Government. He went on to say that the Fijian people, whose future had been arranged by this agreement, have now only to ask the Vunivalu to implement the agreement: when such a request is made the Vunivalu would pursue it with the British Government. The impression obtained was that the agreement may not be upheld by the British Government now and Ratu Mara is alleged to have said:—

“Me satini vakavinaka mada na nomu masi”—which means—

“Be prepared to go to war or be prepared to accept whatever is given to you”.

2. Mulligan, the head of our Special Branch, is desirous that a demi-official letter should be written to someone in the Colonial Office enquiring that such a document exists and, whether it does or not, what discussions occurred at the Colonial Office, with Ratu Mara in attendance which might conceivably impinge on this point.

3. Mulligan has been told that we are quite unaware of any such document and that its purported existence probably originates from some remark made by the late Ratu Sukuna about a despatch or letter to the Secretary of State with which he had been associated and that the story had grown in the telling until it has reached its present proportions. Mulligan said that his source of information was present at the meeting when Ratu Mara made these disclosures, and that, in his opinion, that source was reliable and competent. He added that apparently the rumour about the existence of this document has been circulating amongst Fijians since 1953.

4. I cannot believe that there is such a document in existence but, in view of Mulligan's insistence, and for his peace of mind, I feel that I must write to you if only so that you can deny the existence of the document and set his mind at rest.

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<sup>1</sup> All high chiefs with influence across Fijian society. Cakobau was the Vunivalu, warlord of Fiji.

**55** CO 1036/703, no 13

12 Nov 1962

[Fijian Pact]: letter from J E Marnham to Sir R Garvey requesting information from the former governor<sup>1</sup>

I enclose a copy of a secret and personal letter to me from Paddy Macdonald which explains itself.<sup>2</sup> I add as background that Mara, having preached to all of us while he was here the need for Fijians to emerge into the modern world, has since his return been playing the arch-traditionalist guardian of every jot and tittle of Fijian rights.

None of us here, including Philip Rogers whose memory I have tapped, knows of any document or conversation which could conceivably have given rise to all this. But before I say so to Paddy, it would be a great comfort to know whether you agree. Can you think of any document, or anything else, which might bear on Mara's claim? If so, can you give us a clue where to look for it? And if not, may we quote you to Macdonald as sharing our ignorance?

I am sorry to bother you, but proving a negative is always difficult and any light you can shed will be a great help.

I am due to go off to the Pacific immediately after Christmas with Nigel Fisher. We arrive in Honiara on New Year's Day (hoping to find at least one Sassenach around), and reach Fiji about 12th January. I am looking forward enormously to seeing it at last.

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<sup>1</sup> Marnham's letter was sent to Douglas, Isle of Man, where Garvey was now lieutenant-governor.

<sup>2</sup> See 54.

**56** CO 1036/703, no 3

14 Nov 1962

[Fijian Pact]: letter (reply) from Sir R Garvey to J E Marnham denying the existence of a pact

Thank you for your Secret letter of the 12th November enclosing a copy of a Secret and Personal letter to you from Paddy MacDonald with reference to the alleged existence of an agreement between the late Ratu Sir Lala Sakuna and H.M. Government on the future of the Fijian Race.<sup>1</sup>

I can say with absolute certainty, so far as I am concerned, that no such document exists. As you may probably know Joe Sakuna<sup>2</sup> and I were not only firm friends but came much into contact with each other on official matters during the course of my six years as Governor of Fiji, and I feel sure that during that relatively long period Joe would have made some reference to this document had it, indeed, been in existence.

Since we can be pretty sure that this document is purely mythical we should I think try to sort out what was in Ratu Mara's mind when he made reference to it, if indeed he did. There is just the possibility that the Fijian phrase he used was mis-translated and I cannot myself see any way of ascertaining what Mara really meant except by confronting him with his statement and asking him to explain it.

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<sup>1</sup> See 54 & 55.

<sup>2</sup> Ratu Sir Lala Sukuna.

I think I ought to say here that I know a little bit about Mara's present background of discontent. It so happens that Bishop Foley, the Roman Catholic Bishop of Fiji, paid me a visit a month or so ago and Mara, a prominent Roman Catholic, naturally formed the subject of conversation since he is very well known to us both. It appears that since Mara's return to Fiji he has been placed in charge of the Eastern District with Headquarters at—I think—Levuka. Whilst this is a perfectly logical thing to do for Mara is a Lauan and Lau forms part of this Division, I know that he feels disgruntled about this posting for his feeling is that better use should have been made of the recent course and training which he underwent in the United Kingdom.<sup>3</sup>

Unfortunately I did not manage to make a contact with Ratu Mara whilst he was here as he has been one of my mildly troublesome but lovable Fijian friends. As you know he is of high chiefly rank, very intelligent with a weird dose of immaturity mixed up with it and extremely ambitious both for himself and his people. In ordinary circumstances I myself should have felt that it would be worth while taking the risk of putting him in charge of Fijian Affairs and making him Secretary for Fijian Affairs, perhaps a little ahead of his readiness for that post. I made strenuous efforts to train a Fijian to succeed Ratu Sukuna in that post but failed to do so, but I did put Ratu M<sup>4</sup> in as Assistant Secretary with a view to training him up over a period of years so that he could ultimately take the post.

There is now, I assume, the difficulty of disposing of Archie Reid who I understand is now Secretary for Fijian Affairs, but it is of absolute importance to the orderly development of the Fijian Race that Mara should be kept on the rails. Nothing could be worse than for him to become a sort of mid-twentieth century Apolosi.<sup>5</sup> This, with Mara's strong leftish tendencies, could happen if he is not carefully handled which I admit I tried to do. I am sticking my neck out in making these comments to you because they are now not my concern and I hope that you would not pass them on to my successor for I am under the impression that he is critical of my administration of Fiji during my term of Governorship.

I see that you are off to the Pacific immediately after Christmas and I should be, naturally, delighted to have a talk with you as you suggested some time ago if you could manage to visit the Isle of Man for a day or so.

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<sup>3</sup> Mara was attending the London School of Economics for a Diploma in Economics and Social Development, 1961–62

<sup>4</sup> Mara.

<sup>5</sup> Apolisi Nawai, Fiji rebel of the early 20th century.

**57** CO 1036/618

4 Dec 1962

[Comparison with Malaya]: minute by I S Wheatley to C S Roberts<sup>1</sup>  
 asking whether the position of the Indians in Fiji is similar to that of  
 the Chinese in Malaya

In the context of the Fiji situation, the essential features of the Malayan constitution are:—

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<sup>1</sup> Principal, Far East Dept, CO.

- (i) The state is clearly a Malay state, by religion, language, the powers of the Council of Rulers, qualifications for acquisition of citizenship, and so on. No concessions seem to have been made in favour of the separate existence of the Chinese section of the population, but fundamental rights have of course been preserved.
- (ii) Special privileges are given to the Malays (who are defined in Article 160) in regard to
  - (a) their land (Articles 89 and 90);
  - (b) the civil service, scholarships and permits for trade or business (Article 153).

Please see the attached paper<sup>2</sup> prepared recently by the Malayan government for the Malaysian talks for details of these privileges.

It may be added that dereservation of Malay land under Article 89 requires a two-thirds majority of those voting both in the State Legislative Assembly and in each of the houses of the Federal Parliament, and a majority of the total membership of each. Again, under Article 159, to amend Article 89 or 153 (like any other Article in the Constitution) requires a two-thirds majority of the total membership of each house in the Federal Parliament. Article 153 is additionally safeguarded in that the consent of the Council of Rulers (who will always be Malays) is required for its amendment.

2. I have not been able to detect any privileges in regard to elections; but it may be that the constituencies have been drawn in such a way as to favour the Malay electorate, for example, if the Malays predominate in the rural areas, by making rural constituencies with smaller populations than urban constituencies. The electorate is of course determined by the citizenship provisions, which appear to favour the Malays, or at least to make it very difficult for the Chinese to become citizens.

3. It is difficult to say whether all this could be made to apply to Fiji without knowing more of the facts in the Malayan situation. The essential question is, I think, how like the position of the Chinese in Malaya is to that of the Indians in Fiji? Some relevant facts about the Indians are:—

- (i) they are almost all citizens of the U.K. and colonies;
- (ii) they are almost all born in Fiji, in turn very largely of parents born in Fiji;
- (iii) they have outnumbered the Fijians since 1945 and are steadily increasing their lead. (There are now almost 207,000 Indians (50.5%); over 171,000 Fijians (41.5%); and 35,000 others (Europeans, Fijian-Europeans, Chinese and Other Pacific Islanders (8%).

Can you please tell me how the Chinese compared with this in 1957 (the date of the Constitution) and how the Constitution was made acceptable to the Chinese and to international opinion?

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<sup>2</sup> Not printed.

**58** CO 1036/618

6 Dec 1962

[Comparison with Malaya]: minute (reply) from C R Roberts to I S Wheatley

Your minute overleaf.<sup>1</sup> I do not know how deeply you may wish to go into this. If very much so, then it would no doubt be worth your while to put the questions to which you require answers to the Far Eastern Dept. of the C.R.O., who have assured me that they would be glad to do any necessary research. (The Principal dealing with Malaya there is Mr. D. G. R. Bentliff.)

2. The Chinese have always been in a minority in Malaya (excluding Singapore). In 1957 the ratio of Malays to Chinese and other races was about 30 : 23 : 1. The distribution of the races is uneven, however, and the Chinese predominate in some of the south-western states and in Penang, the commercial and industrial area.

3. There is a long history of Chinese immigration. It begun in 1786 and continued up to the beginning of the last war. It can be inferred from figures published in 1957 that at that time about half of the Chinese population consisted of persons who were both UK citizens and born in the Federation. It would seem therefore that at any rate a majority, and I would have thought most, of the Chinese population had UK citizenship, even though many of them may have been of alien birth. I have not, however, been able to put my hand on any reliable figures which would substantiate this.

4. As for the reasons why the present Malayan Constitution was accepted by the Chinese, I would suggest the following:—

- (i) There was a long unbroken tradition of Malay rule and of legislative discrimination in favour of the Malays.
- (ii) The Chinese were in a minority.
- (iii) The Malays were united and knew what they wanted. The Chinese, on the other hand, were divided culturally and ideologically—some 'English-educated' others not; some sympathising with the CPR, others with the Nationalists, others politically neutral.
- (iv) Like most overseas Chinese, those in Malaya were more interested in trade and industry than in local politics. Those interests were best served by having the strong central government for which the new Constitution provided. The still continuing 'Emergency' emphasised the need for protection.
- (v) The leading Chinese political party—the Malayan Chinese Association—was cultivated by the dominant Malay party and assured of representation in the new Government (the present Finance Minister, among others, is a Chinese).
- (vi) Though the new Constitution recognised the special position of the Malays, it was not by any means unduly oppressive to minorities. There is freedom of religion, for instance, and the other fundamental liberties are also fully safeguarded. (It is interesting to note, in this connection, that even the Constitution of Singapore, which has of course a predominantly Chinese population, provides that 'it shall be the deliberate and conscious policy of the Government of Singapore at all times to recognise the special position of the Malays, who are the indigenous people of the island and are in most need of assistance . . .'.)

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<sup>1</sup> See 57.

5. I do not know that any need was felt to ensure that the new Constitution was acceptable internationally. It certainly did not cause any controversy in the UN or elsewhere.

## **59** CO 1036/775, no 33

18 Dec 1962

[Future of Fiji]: minute by J E Marnham on Mr Fisher's brief for his visit to Fiji

*Sir Hilton Poynton*

*Mr. Fisher*

The brief on the Fiji constitution for Mr. Fisher's visit is still in draft. Its lines were agreed with Mr. Thomas before he left and he thought it not necessary to trouble Sir Hilton with it since it is intended that policy decisions shall await Mr. Fisher's return. Its general line will be to advise that Mr. Fisher should start by assuring the Governor (subject always to whatever view is eventually taken by the Secretary of State himself) that we readily agree to drop any idea of 'shock tactics' on the lines we canvassed last summer; the brief will suggest that Mr. Fisher should go out with an open mind but thinking it likely that, after discussion with the Governor and all concerned, he will find himself agreeing to recommend to the Secretary of State a programme broadly on the lines suggested in para 22 of the Governor's despatch No. 676 (Flag A).<sup>1</sup>

2. I received yesterday three accounts of varying length and completeness of a recent debate in the Fiji Legislative Council which followed the Governor's statement at Appendix A of despatch No. 676.

3. If Mr. Fisher can possibly spare the time to read the full Hansard over Christmas, I think he will find it extremely useful background. Before then, I would only suggest that if you have time you look at paras 8–13 of Mr. Macdonald's letter of 14th December (Flag B); the Governor's short letter (Flag C) but not the enclosure; and the short summary of the main points made by speakers which I made myself (Flag D). (The Governor's letter covers a much fuller summary by the Public Relations, Office, but if anyone is going to read that it is probably more profitable and not much longer to read the full Hansard in the stiff cover below.)

4. The interesting points to my mind are the high standard of the debate; the accuracy with which it bears out the assessment of public opinion given two months earlier in the Governor's despatch No. 676; the predictable fact that Fijians and Europeans supported the motion; and perhaps most interesting of all, the fact that the Indians said pretty categorically that if only the motion had referred to 'all the people of Fiji' instead of merely the Fijians, they too would have accepted it, with its implication that constitutional change was only to come about when everyone in Fiji wanted it and was on no account to be wished on them from outside—least of all by the United Nations—on which body strictures were passed that will delight Sir Hilton if he has time to read them. Finally there is the brave speech of Ratu Mara: a Fijian chief publicly advocating change.

5. Apart from its value as background for Mr. Fisher and myself to take with us, there is in all this, I think, one point on which Mr. Fisher will be glad to have Sir

<sup>1</sup> See 53.



Hilton's advice. Mr. Fisher is going out to listen, to confirm a view, and to advise the Secretary of State on his return. Nevertheless, he is clearly going to have one or two awkward questions shot at him which it will be impossible to duck entirely. The main one, I suggest, is: 'Will you assure us that Britain is not going to abandon us or force constitutional change upon us unless and until we ask for it?' The second is 'Will you promise us that nothing will be done to weaken our links with the Crown?'

6. To give a considered answer to the first question would go very near prejudging the whole question raised in Sir Hilton's recent letter to Governors about the future of the smaller territories.<sup>2</sup> It would be very nice to give a categorical answer that H.M.G. will certainly not force changes on Fiji before all concerned want it; but I have an uneasy feeling (which may be accounted defeatist!) that we may at some stage during the next 5 or 10 years find ourselves under orders to put at least pretty strong pressure on Fiji to move faster than at least some sections of the community would like. It seems to me therefore that Mr. Fisher ought at this stage carefully to avoid saying anything which might be interpreted as a pledge not to introduce change until all sections of the community wanted it. On the other hand, he will want to avoid spreading alarm and despondency by suggesting that we may be about to force change upon them. I take it that all we can do is use our combined verbal ingenuity within these limits.

7. There are however two things on which I think Mr. Fisher could usefully be categorical. One is, to clear up the confusion in some local minds between self-government and independence; without declaring in favour of any particular solution, Mr. Fisher could I think point to the existence of possible alternatives to separate sovereign independence which would nevertheless give Fiji as full a measure of internal self-government as she wants and is ready for. If we need to elaborate on this theme, the Governor will have a copy of the big memorandum enclosed with Sir Hilton's recent letter.

8. The second point is that even independence within the Commonwealth in no way damages the link with the Crown. The Queen would be just as much Queen of an independent Fiji as she is today Queen of Great Britain and Queen of Australia.

9. This minute is too long and probably superfluous, but it would certainly help me to know whether these broad operating instructions are on the right lines.

10. I am sending a copy of this minute with copies of the short summary and a copy of the full Hansard to Mr. Wheatley. I should be grateful if he will consider with IRD and perhaps Information Dept. whether any use can be made of it in the U.N. or elsewhere (it is of course the record of a public debate). Not all of it is suitable: I doubt whether it would be productive to tell members of the United Nations that they have been described as an anatomical monstrosity with the backbone of a jellyfish, no teeth and a lack of intestinal arrangements, and one or two of the Indian members remarks might boomerang. But the fact that the Indian members would have been prepared to go along with the motion amended to imply that nobody in Fiji wants constitutional change forced by outsiders may perhaps be usable.

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<sup>2</sup> Dated 12 Sept 1962. This circular letter was not a statement of policy but rather an indication of provisional thinking about whether smaller territories might be capable of sustaining independence or whether instead they should either be 'freely associated' with an independent country or 'integrated' with an independent country (Ronald Hyam & Wm R Louis, eds, *The Conservative government and the end of empire 1957-1964* (BDEEP, 2000) part II, 566).

**60** CO 1036/392, no 40

Jan 1963

**'Political future of Fiji': memorandum presented to Mr Fisher by the  
Fijian Western Democratic Party***Introduction*

Since the 1959 mass riots in Suva, followed by the 1960 unrest in the sugar industry, Fiji seems to have settled down a little. But this is probably because the people have partially realized the futility of destruction rather than because they are any more satisfied. Thus, a friend recently told us:—

'I have a small shop in the Lautoka market selling fruits and lots of other things . . . The position is very bad with the people who have no job . . . Sometimes I think that in this country life is not worth while living. Fiji is a place where they should test nuclear bombs and not in Johnson Island. Sometimes I feel very bad. I am trying to get away from this place . . .'

We do not see any simple solution for the human unhappiness which exists beneath Fiji's smiling and tropical surface. We do not see any easy solution in terms of any ideology of any sort. The question of political independence, discussed in this memorandum, must be viewed in terms of pros and cons, and not as a simple solution for anything. This said, we will proceed:—

1. (a) In spite of optimistic reports in conventional newspapers, there has been little improvement in the condition of the ordinary people of Fiji in the last ten years. The Colony's economic growth is simply not keeping with its very rapid population growth. Thus sugar production over the last six years, 1957 to 1962, has been 196,100 tons, 198,300 tons, 283,00 tons, 147,100 tons, 143,000 tons, 250,000 tons (approx). Production and sales of subsidiary crops has been similarly erratic. And in this period the population has increased by about 20%. (Slightly more if anything.)

The problems of Fiji, have of course not been caused by the Colonial Administration. Nevertheless, this administration has not tackled such problems as vigorously as it might have.

The main defect of Colonial Administration springs from the difficulty of getting first-rate men to go to some outpost of semi-civilization in order to do well jobs which are unlikely to win them any fame. Men who think they have some chance of doing something notable or original usually like to stay close to what they regard as the centre and forefront of things. Those who do go to Colonies are often sincere and well-intentioned, but they also often lack the initiative, energy and ingenuity which is needed to fully solve the problems they encounter.

On the other hand, from what we know of the distribution of intelligence, the first-rate minds which there is difficulty in importing ought to be potentially available locally.

This we regard as the main argument against indefinite continuation of colonial rule, in Fiji or anywhere else.

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<sup>1</sup> Signed by Apisai Mohammed Tora on behalf of the Fijian Western Democratic Party.

(b) Against this argument it may be objected that a well-trained second-rate brain may be better than a relatively untrained first-rate brain. This is indeed true, but one of Fiji's most competent popular leaders has by now almost completed a degree in economics, administration, etc., on a United States scholarship and there other such well-educated local leaders in Fiji. If these people do not get a chance to run things in about 3 years, there is likely to be trouble. The suggestion that they and many other people in Fiji do not want an increase in political independence is quite false and is based on the statement of privileged people who are not likely to count decisively in Fiji in the near future.

2. (a) It cannot be denied that Fiji's balance of payments deficit seems to be chronic and is unlikely to decrease in the immediate future. Nor can it be denied that if, at any time in the immediate future, Britain should cease her financial assistance, the economic plight of Fiji would be very serious. The fact that Fiji is dependent on Britain economically may be regarded as a reason why Britain should continue to have political control over Fijian policy.

(b) In reply to this argument, it need only be pointed out that nations who have to borrow money to keep going can never be completely 'independent'. Fulfilment of the desire for greater political independence might lead to a more effective drive towards economic independence and self-sufficiency. This would reduce the cost of Fiji to Britain whereas under the present political set-up this 'cost' has steadily increased.

3. (a) The present administration has shown itself to be not very receptive to qualified advice.

As one instance among a number, there is a great need in Fiji to utilize unemployed or under-employed labour in worthwhile government projects, e.g., the replacement of grossly overcrowded slum housing in the towns, the building of halls in country areas for showing movie pictures and for other purposes, and so on. Such building projects could use local labour, timber and cement, and could be paid for by deficit financing. Properly handled, such a deficit-financed government development programme need have no unpleasant economic side-effects. Recently a very competent New Zealand economist prepared a statement to this effect into which he had obviously put some time and thought, and it was sent to the Financial Secretary in Fiji. The nett result, however, was a so-called 'stand-still' budget, no sign of a government plan to utilise under-employed labour, and a series of economically illiterate warnings in the local paper about the dangers of deficit financing.

(b) In reply to the above, it may be maintained that local political leaders would be equally unwilling to listen to qualified advice. This may prove to be so. Yet most local leaders are more deeply concerned about local problems than are people who have never suffered personally from material poverty. They should, therefore, be slightly more receptive to advice likely to help in raising living standards.

4. (a) Good leadership requires adequate communication with the feelings and aspirations of those who are led and with men of initiative in the community whose co-operation is needed to efficiently handle the details of changes and projects. In spite of differences of language, culture and standard of living, the best Colonial Administrators doubtless try hard to achieve the 'communication'. However, in this effort, junior personnel are hampered by European groups who socially snub and otherwise discourage those who fraternize too much with ordinary local people and

requirements of authority and 'dignity' hamper senior personnel who are immune to such efforts of the racially snobbish. And, as a matter of practical fact, lack of complete communication except with better-off civil-service-type local people has led in Fiji to a complacency among some government officials which has to be experienced to be believed. Such officials mouth platitudes about 'these people' needing 'little', being 'happy in a simple life', etc., which are often farcially unrelated to the actual facts. This was shown by the 1959 riots when the force of popular feeling was, as the government itself admitted, much greater than was allowed for, and was not altogether unpredictable. And, in the sugar industry, inept failure to judge dissatisfaction and do something to forestall its destructive effects cost the Colony millions of pounds.

Such miscalculations would be less likely to occur if local men, fully in touch with local feeling, had a majority influence in the government. (By 'local men fully in touch with local feeling' we do not mean unelected Fijian Chiefs, for they can also get out of touch with ordinary Fijians, as they often do.)

(b) It might be asked: 'If local people were more aware of the urgency for government action, why didn't more of them say so publicly?' The answer to this is that as long as Europeans hold a majority of the positions of power criticism of them can have unpleasant effects on the criticizers, and many keep silent who would otherwise speak. Given an elected majority in the Legislative Council, all this would tend to vanish and a less ill-informed European minority would probably play a more effective part in guiding progressive change than the present European majority. Moreover, the bad effects of the racially minded minority, those few Europeans in Fiji who would make good citizens of South Africa if they got the chance, would be substantially reduced.

5. (a) It is argued by some that the presence of the British in Fiji is necessary to prevent potential conflict between the Fijians and the Indians from becoming destructive.

We do not doubt that when the British Colonial Government can no longer be blamed for the troubles of the people, some of them will take to blaming each other, probably on a racial basis. The Fijians will resent Indian landlords and Indian control of commerce, and the Indians will resent Fijian control of land. However, there is a good deal of friendly fraternization and co-operation between Fijians and Indians, particularly in Labour Unions, and we do not personally believe that this fraternization and co-operation would ever entirely break down. Moreover both sides are fairly evenly matched in numbers and resources. It is not a question of a helpless minority being left at the mercy of an unprincipled majority.

On the whole, we believe the danger-of-racial-conflict argument has been exaggerated.

(b) At the same time, in the remaining period left to British rule, every effort should be made to reduce this possible danger to the welfare of Fiji, viz: Multi-racial government high school should be fostered. Uncontrolled population growth, which is the main source of the conflict over land, should be energetically grappled with. As the Governor himself has maintained, every effort should be made to achieve 'adequate representation of Fijians in the Civil Service'.

On this latter point we note: This threat (i.e. the Indian threat) is heightened in the Fijians's eyes by the *appearance* that the Indians are being given rapid promotion

and rising to great heights in the Civil Service. Although this is not seen as a long term plan to place the Indians in control of the government (which it is by a few isolated individuals), it has given them reason to think that the principle of the 'paramountcy of Fijian interests' on which much of their loyalty to Britain rests, may legitimately be doubted. If we may be permitted but one personal observation, we may remark that it seems disturbing that after 88 years of British Colonial rule in Fiji, the Fijians have been able to rise to the highest ranks of the government service only in the Fijian Administration and in the Army.

6. (a) On the subject of the Fijian Chiefs, we say: The chiefs are fighting to retain their position, and the sad part about it is that they know they are fighting against time. Fighting against time is fighting history. Fighting history is fighting Nature, and fighting Nature is fighting God. It is, of course, stupid to even entertain an idea that a mortal can ever fight, let alone win a fight against God.

The chiefs have been soundly thrashed by the Burns Commission. They (the chiefs) get fat on the milk and honey of the land through that primitive, out-dated and chaotic organisation called the Fijian Affairs Board.

It is not known whether they are actually our leaders (therefore we must listen to them), or our representatives (therefore they must listen to us). Although the members of the F.A.B. have their own opinions, they are precluded from 'imposing' these on Provincial Councils by their position, for they are merely 'representatives' of the Fijian people at Legco; they have no party organisation, no constituencies, and there is no clear formal mandate for them to lead Fijian public opinion, such as would be possible through election campaigns.

Now it is a Fijian Chief, Ravuama Vunivalu, who recently brought a motion before the Legislative Council that there should be no change in the present constitution. There is some chance that this same chief may be standing against an ordinary Fijian at the coming election, and some evidence of his wishing to back down or change his choice of a constituency rather than face the possibility of defeat at the hands of a popular commoner. All this must be acutely embarrassing to a proud and feudalistic mind. In these circumstances, can his opposition to constitutional change, and that of other Fijians who have been given power without having to earn it, be regarded as very significant. We do not think it can afford to be taken very seriously.

There is a good deal of evidence that if we exclude the Chiefs and their satellites, the majority of town and village Fijians want political independence almost as much as the Indians, although we cannot, perhaps, speak with much certainty about the Fijians in the villages. The freedom of these villagers—to assemble, to work for themselves, to move from the village, etc., is, however, considerably restricted, a fact which does create resentment against the present system. The government, we believe, should conduct a gallop poll to ascertain what percentage of ordinary Fijians are, like their chiefs, opposed to constitutional change. Fear of opposing the chief's would doubtless partially invalidate the result. Nevertheless, we believe such a survey of popular Fijian opinion should be made, and it should be made without delay.

### *Conclusion*

What the people themselves want must be regarded as very important, so that in the absence of fuller knowledge of what the ordinary Fijians want, an unqualified conclusion can not be arrived at. It is possible to say with some certainty, however:—

1. That the present constitution does not provide Fiji with a government with enough energy and concern to solve Fiji's problems.
2. That competent and reasonably well-educated local leaders exist who, if given a chance to rule, might tackle the difficulties of government more vigorously than the present type of government.
3. That unless they are given a chance to try (i.e. a majority in the Legislative Council) within about 3 years, a combination of popular discontent with their discontent is likely to cause serious social unrest.
4. That, therefore, unless Fijian opposition to change proves to be very strong, elected Fijian representatives should be given a majority over both local Europeans and 'Officials' or other appointed members by 1966 at the latest.

## **61** CO 1036/1392, no 5

10 Jan 1963

### **'Future development of Fiji': memorandum by H G Nicholls, chief inspector, Fiji, of the Colonial Sugar Refining Company**

During recent years there has been a growing awareness amongst some people close to the scene that the affairs of Fiji should be of increasing interest to the neighbouring countries of Australia and New Zealand.

The Chairman of Directors of The Colonial Sugar Refining Company Limited, in his address, delivered at the Annual General Meeting of that company held in Sydney on 18th July 1962, had this to say in connection with Fiji:—

'There is something more that should be said about the Fiji Islands. Compared with the land masses of the world they are small; nevertheless they are large in their South Pacific context. They are indeed located at the cross-roads of the South Pacific. They have a rapidly increasing population. They are strategically important and of political significance for the future. It is our considered opinion that Australia and New Zealand and the United Kingdom (whose Crown Colony the islands are), and the United States of America, should keep Fiji in mind when forming broad policies in respect of the South Pacific. Fiji needs considerate and constructive treatment from its stronger and more developed neighbours and friends, if it is to gain needed access to markets and to mature economically and politically.'

C.S.R. has been in Fiji for a long time and is considered to have acted responsibly in that territory. It has a comparatively large investment there, but apart from this it is genuinely interested in the future economic and political development of Fiji. The Company hopes to stay in Fiji and in thinking generally about future progress and development of Fiji, it would appear most desirable that Government's policies should include seeking the opinions and co-operation of the larger business firms such as C.S.R. in Australia and New Zealand, who make a point of being fairly closely in touch with overseas affairs and can contribute some expertise when the problems of Fiji are being studied.

It is fully appreciated by C.S.R. with its long experience in Fiji alone, that the future policies for this territory involve consideration of many sided and quite complex matters. One thing that does seem evident is that it would not be beneficial

to the people of Fiji to turn Fiji loose as a self governing territory without ensuring that it can depend in many essential ways on the neighbouring and friendly countries who are more advanced and economically stronger.

We believe that Fiji should seek to explore points of view with the neighbouring countries concerned in the expectation that the outcome would lead to the development of some firm links or even some forms of treaties between these countries and Fiji. The initial step would seem to be for the United Kingdom Government and the Fiji Government to get Australian and New Zealand Governments genuinely interested in the vital problems confronting Fiji, and to do this with the knowledge that some larger business firms such as C.S.R. are in a position to provide some of the thinking for the future economic advancement of Fiji.

**62** CO 1036/1392, no

12 Jan 1963

**'Fijian Cane Growers' Industrial Congress': memorandum presented to Mr Fisher by Ratu Latianara (president) and Tomasi Vunisina (general secretary)<sup>1</sup>**

On behalf of the Fijian Cane Growers' Industrial Congress we the representatives of the Various affiliated Associations extend to you our most sincere and cordial welcome.

It is visits such as yours that give us the opportunity to appreciate the speeches made by leading Statesmen that we are in the age of great scientific advancement and the world has shrunk in regard to time and space. Even so, we wish to welcome more of those Ministers in whose hands and wisdom rests the destiny of the Colonial peoples of the British Empire. At the outset we beg to request you to convey through the Secretary of State for the Colonies our deep loyalty to the Throne of Her Majesty the Queen. All of us were born under the British flag and are proud to regard it as a symbol of citizenship shared with people in the British Commonwealth itself.

The British Government of whatever party have always expressed a sincere and living desire to promote the general progress and welfare of the Fijian people. In your tour of this Colony we beg to request you to note the undermentioned with a view to finding solution for these problems which face us at the present time.

## *2. Constitutional changes*

We the Fijian Cane Growers' Industrial Congress, BA, RA and NADROGA, supported the motion passed in the Legislative Council recently which was moved by Hon. Ratu Ravuama Vunivalu about the Constitutional changes.

'WE FIJIAN WILL NOT GIVE UP OUR RIGHTS'. We would like to state that there should be no changes in the present constitution of the Colony until our Council of Chiefs and we Fijian people to [sic] express our desire for further Constitutional changes.

We Fijian people had not been fully informed what the future of the Colony was going to be. We interested to see the views and ideas to give some guidance to the

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<sup>1</sup> The Congress was based in the sugar belt of western Viti Levu.

kind of future, our children would see. We very much like to know whether our bond with Crown still the same as when our Fijian Chiefs ceded our land and people to Queen Victoria. 'OUR LOYALTY TO THE BRITISH CROWN WILL ALWAYS REMAIN'. We are apprehensive that any major change in the status quo will be detrimental to our interests.

### 3. *Population*

Our most urgent needs is a reduction in the rate of population increase that proposals for accelerating family planning will work rapidly. We Fijian people are very much worrying of the rapid population growth of Indians in this Colony.

### 4. *Indian people*

It is evident that Indians are the only troublesome people in this Colony. We the above mentioned affiliated Associations (Congress) had handed the attached *COPY*<sup>2</sup> of a Petition to His Excellency the Governor, dated 6th March, 1962 during his visit to the Western Division, stating how much trouble Indians done in the Colony's main export—Sugar Industry. This was also mentioned in the report of the Sugar Inquiry Commission on page 9 particularly by their two leaders, A.D. Patel and S.M.Koya.

In 1943, 1960–1961 these two leaders deliberate intention to cause disruption to the largest Industry of this Colony in the hope of gaining advantages for themselves and their people of trying to drive the millers out of Fiji. This was cooking and will remain in the hearts of their people (Indian). We hated to see it happened again as it was disrupting the whole economic of this Colony. If they still of the same opinions to drive the millers out of the Colony, it is far better and we Fijian people would be very much please to see them to quit the Colony.

We appeal that this matter to be considered.

5. In conclusion we express our heartfelt thanks for giving us the opportunity of placing our views before you and we trust that your sojourn in this Colony will be a pleasant one and beneficial to its people.

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<sup>2</sup> Not printed.

**63** CO 1036/1392, no 38

16 Jan 1963

'Suva Indian Chamber of Commerce': memorandum presented to  
Mr Fisher by M M Narsey (president) and K J Patel (secretary)

We extend cordial welcome to you and the members of your staff. We hope that you will have an enjoyable stay in this Colony and that your mission would be successful. We take this opportunity to present our views with regards to the future of this colony, as follows:—

1. Most of the members of our Chamber belong to a class of immigrants (and their descendants) who came to this colony otherwise than under the indenture system. They are all domiciled in this colony and possess substantial financial interests.



2. We rightly claim to be loyal and law-abiding citizens who have made considerable contribution in the development of this colony mainly in the commercial field. There should be no doubt that we shall continue to play our part in various fields in this country and will continue to discharge our duties as citizens in whichever capacity we shall be reasonably required to do so in the general welfare of the people. We should like to assure Her Majesty's Government and its administration in this Colony of our continued loyalty and support as British subjects.

3. We are deeply concerned regarding the future of this Colony and particularly our place therein. Statements recently made by certain responsible people in the press as well as in the Legislative Council and before various commissions have made us very apprehensive about our economic interest and our ordinary rights as citizens of this country. There is a growing fear that if the British administration in this Colony ceases, our rights as free citizens of a democratic state may be seriously affected. There is a grave feeling of insecurity amongst our members.

4. We have made this Colony our permanent home. We therefore respectfully urge Her Majesty's Government in the United Kingdom to give us an unequivocal assurance that in the event of constitutional changes in this country, adequate provisions shall be made to safeguard our economic interests and citizenship rights so that we may be able to do our duty as equal citizens for the general good of this country.

5. It is our candid opinion that by and large, the British administration in this Colony has been fair and just in accordance with British traditions. If the present system of administration be classified as 'dependency' it is benevolent to the people of Fiji rather than detrimental and any hasty step towards 'liberation' would do more harm than good to them.

6. We believe in the principles of democracy. We are in general accord with the present policy of training local people to take charge of various administrative functions. There should be a gradual expansion and encouragement of this policy in various spheres of activities in this country.

We support the opinion that appears to exist that people of this country should be required to take more and more responsibilities of general administration with an ultimate aim towards a sort of guided independence which would be in accordance with democratic principles of equal rights for all citizens and at the same time would not be in any way detrimental to the economy of this Country. To achieve this the Colonial administration should make haste slowly.

7. It is also our opinion that local government could be a very useful ground to train local people to shoulder responsibilities of administration. It is abundantly clear that the expansion of local government is over-due. The local Government (Towns) Ordinance was enacted in 1947. It has been over 15 years since this legislation was passed, yet only two areas, city of Suva and town of Lautoka, have elected councils. We do not see any reason why townships of Nausori, Tavua, Ba, Lautoka, Nadi, Sigatoka, Levuka and Labasa should not have their elected representatives to govern their own, areas in the same manner as in Suva and Lautoka. Further, it is our opinion that time is not yet opportune for local government in rural areas.

8. We are mindful of the fact as to what extend this Colony is economically dependent on the United Kingdom. We are appreciative and grateful to U.K. for all her economic aids. In return, we have nothing but our unalloyed loyalty to offer.

9. It is regrettable that while talking about political independence, some people tend to ignore our economic dependence. Economic independence is just as (if not more) important as political independence. We therefore feel that economic development should go side by side with political development.

We need more secondary industries in this country to help our balance of payment and to assist us to check the evergrowing unemployment problem. We sincerely hope that the United Kingdom Government will in future do more to assist us in this direction.

We are fully aware of many problems that face us in establishing local industries due to the smallness of our market. We seek technical assistance and advise and financial help in establishing small industries. We also realise that some established industries are facing difficulties. Some of the difficulties could be attributed to faults in operation and others to lack of active interest and cooperation from the Government and the people in general. We are, however, convinced that some more industries could be advantageously established and operated if there is a concerted effort from all concerned and assistance is forthcoming from the United Kingdom.

10. We should in the end express our appreciation to Her Majesty's Government for its genuine interest in colonial welfare and for sending representatives such as yourselves to obtain views of the people and to gain first-hand information of various matters affecting the colony and its people.

## **64** CO 1036/107, no 8

17 Jan 1963

**[Fijian Affairs Board]: memorandum on Fijian rights presented to Mr Fisher<sup>1</sup>**

1. We desire to place before you the following representations.
2. We consider that the Act of Cession had, for the Fijian people, a special implication. It was this. They envisaged their country as attached to the Crown—an integral part of the United Kingdom. Her Majesty's title, decided by the Chiefs after Cession, is 'Queen of Fiji and Britain' (Radi ni Viti kei Peritania) and the Council of Chiefs have from the beginning jealously maintained their right of directly addressing the Sovereign on the occasion of their meetings. It is the Fijian view that the possibility of severance of this link with the Crown—a link forged in a spirit of mutual trust and goodwill—should never be contemplated.
3. This special relationship would appear to have its closest parallel in the constitutional links between the Channel Islands or the Isle of Man and the United Kingdom. It is submitted that before any further constitutional change is considered and certainly before there is any move towards internal self government, the terms of the special relationship between Fiji and the United Kingdom should be clarified and

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<sup>1</sup> This became known as the 'Wakaya Letter' because it was written on the island of Wakaya. It was signed by Ratu Mara, Ratu Penaia Ganilau, Semesa Sikivou, Ravuama Vunivala, Ratu George Cakobau, A C Reid, J N Falvey, R M Major (financial adviser).

codified along the lines of the relationship between the United Kingdom and the Channel Islands or the Isle of Man.

4. We propose a new constitutional instrument which Would embody this understanding of the relationship and would make provision for the safeguarding of Fijian interests, building on and strengthening the spirit and substance of the Deed of Cession.

5. There would have to be a precise restatement of the guarantees on Fijian land ownership. We visualise that the Native Land Trust legislation should not be changed or added to without the prior consent of the Sovereign and the agreement of the Council of Chiefs. We also stand by the expressed desire of the High Chiefs in the preamble to the Deed of Cession that Fiji should be a Christian State and that therefore no constitutional or administrative changes should take place that would deviate from that intention. The provision in the Fijian Affairs Ordinance that all legislation affecting Fijian rights and interests should be referred to the Fijian Affairs Board or, on the recommendation of the Board, to the Council of Chiefs, should be retained, and likewise the Governor's direction to the Public Service Commission to work towards a balance of the races in the Civil Service.

6. Subject to a satisfactory solution of the issues we have raised in the foregoing memorial, we would be prepared to initiate, in co-operation with the other principal races, further moves towards internal self government. In this regard we wish to remind you of the terms of the resolution passed at the last session of the Legislative Council which records the insistence of the Fijian people that the initiative for any constitutional change should come from them.

## **65 CAB 134/2403, PFP(63)1**

**18 Jan 1963**

**'Strategic importance and security of the Pacific Islands Region':  
CO note for Cabinet (Official) Committee on Future Policy in the  
Pacific on a note by the US State Department. *Annex: Islands of  
strategic importance***

[The Committee on Future Policy in the Pacific (the CO, CRO, FO, MoD, Treasury and Home Office were represented) was set up in 1962 to consider (i) policy on the constitutional and economic future of UK territories in the Pacific, where possible taking into account the plans of other powers with Pacific territories, (ii) means of exchanging information; (iii) the future scope of the South Pacific Commission, (iv) the possibility of establishing a Melanesian Federation. By Apr 1963, a year on, decisions had been reached that a Melanesian Federation was impractical and that solutions short of independence had to be found for most Pacific territories. The alternatives to independence, and when to involve ministers in the deliberations, were next for consideration (CAB 134/2403, PFP(63)5, 25 Apr 1963) but the committee was wound up in November 1963 and its functions transferred to the Colonial Policy Committee. Running in parallel with the Pacific Committee was a Washington Study Group of officials from the US, UK, Australia and New Zealand. It was set up at New Zealand initiative. France declined to participate. The paper reproduced here emerged from discussion in the Washington Study Group.]

1. Free World Security arrangements in the Pacific are primarily based on the SEATO and ANZUS Treaties and on a series of bilateral arrangements between the United States and certain countries north of the SEATO region. The security aspects

of all these arrangements are implicitly based on the ability of the United States on the eastern rim of the Pacific and its partners whose forces are stationed on the western rim to communicate with each other quickly and effectively without serious enemy interference in time of war.

2. Owing to the size of the Pacific Ocean, ability to communicate effectively requires not only an absence of strong enemy forces in the area but a network of weather stations, air bases, communication sites and other installations. In addition to these, it is essential that the United States and its allies have the necessary forces based in the area to exclude or eliminate the enemy submarine and other forces which can be expected to attempt to cut communications in the event of hostilities.

3. Development of military techniques and of complicated weapons systems in recent years has imposed requirements for bases or sites for a variety of technical activities such as tracking and monitoring stations, partly for defense of the Pacific Islands area and partly for the effective application of these Weapons systems to potential enemy powers in Asia. Owing to the speed of development of new weapons and techniques, the precise base requirements will vary from time to time. As an example only, there is attached a list of installations currently in use by the United States in the Pacific for operations mentioned in the preceding paragraphs. The security of the Free World demands in addition not only that the United States and its allies have access to base sites as above, but that such sites be denied to any unfriendly powers. For security purposes the Pacific Islands area must be considered as an entity. The greatest weakness, for a defense viewpoint, is the tremendous size of the area and its greatest vulnerability is to submarine warfare.

4. In the event of hostilities, an enemy with the access to the Pacific would undoubtedly attempt to penetrate the area for the purpose of rupturing communications. To the extent that such attempts at penetration originate outside the Pacific Islands area, the enemy would be operating at great distances from his bases, and his activities could be substantially controlled by forces based within the area. The problem would be greatly intensified, however, if the enemy had succeeded in securing bases at any point within the area in peace time, or had succeeded in locating sites under the control of states which would be receptive to requests for support.

5. To summarize the foregoing, the maintenance of allied security in the Pacific area requires the use of a large number of base staging, and other areas, the exact description of which necessarily changes as weapons techniques change, as well as assurance that enemy forces would be unable to make use of land in the islands area for support purposes of any sort.

6. So long as all land in the Pacific Islands area remains in effective allied control, the danger of enemy penetration in peace time is minimized, with the corollary that enemy action in war time would be more readily controlled. From the point of view of military security, it is essential that no land areas in the Pacific be alienated from effective control by the allies. The creation of new independent states should be undertaken only if adequate arrangements for the security of the area involved can be assured.

**Annex to 65: ISLANDS OF STRATEGIC IMPORTANCE**

<b>ISLAND</b>	<b>ISLAND GROUP</b>	<b>PRESENT USE</b>
Angaur	Palau	NAF/LS
Arakabesan	Palau	SPF/AISRS/LS
Bikini	Marshall	ATS
Christmas	Northern Line	ATSS
Eniwetok	Marshall	PMR/ICBM
Guam	Guam	HF/AFB/NAF/ASB/CC/WS/APB+S
Kwajalein	Marshall	PMR/NIKI-ZUES
Kapingamarangi	Eastern Carolines	LS
Kusaie	Carolines	ATSS
Melakal	Palau	HF/PA
Ponape	Carolines	AISRS
Roi	Marshall	SSS
Saipan	Marianas	LS/NAF/Port
Tinian	Marianas	AFAAS
Tutuila	American Samoa	HF
Ulithi	Carolines	LS
Viti Levu	Fiji	HF

*Key to Abbreviations used in the List*

AFB	Air Force Base
AFAAS	Air Force Auxiliary Air Station
PMR	Pacific Missile Range
PA	Protected Anchorage
NAF	Naval Air Facility
AISRS	Army Ionospheric Scatter Relay Station
ASB	Air Staging Base
APB+S	Air Patrol a Surveillance Base
ATS	Atomic Test Site
ATSS	Atomic Test Support Site
LS	Loran Station <sup>1</sup>
FS	Fixed Surveillance Station
SSS	Space Support Site
STF	Satellite Tracking Station
SPF	Sea Plane Facility
HF	Harbor Facility
CC	Communication Center
WS	Weather Station

<sup>1</sup> The function of a Loran Station was to transmit a signal on a fixed line so that aircraft and ships having suitable equipment could determine their exact position from the direction of several Loran signals

**66 CAB 134/2403, PFP(63)3****9 Apr 1963**

**'Future policy in Fiji': CO note for Cabinet (Official) Committee on Future Policy in the Pacific. Annex D: Estimated voting strengths based on universal adult suffrage**

*I. Introduction*

The background to Fiji's problem was summarised in the paper on Fiji circulated with P.F.P. (62)15. It was implied that until some lasting solution to the racial

problem is achieved Britain must continue to hold the ring if the country is not to relapse into chaos.

## II. *The dangers of a constitutional standstill*

2. Until recently there has been little local pressure for constitutional advance. The Fijians fear that any advance towards internal self-government will lead to British withdrawal and consequent Indian domination. The Indians have been torn between a desire to play a bigger part in government, and the realisation that British withdrawal might lead the Fijians to take violent measures to entrench their own position.

3. It is therefore tempting to leave the constitution as it is and hope that time will soften racial antagonisms. There are two objections to this.

4. First, the internal situation if left to itself will get worse rather than better. The Indian leaders are beginning to press for constitutional advance, and this pressure will increase if nothing is done to meet it. Once a few of them lose patience, they are likely to say things which will drive the Fijians even more on to the defensive and spark off communal violence.

5. Secondly, outside intervention will make this worse. Fiji is likely to be discussed in the Committee of Twenty-Four in May or June. The Fijians dislike and distrust the United Nations. Discussion of 'decolonisation' in New York will make the Indians more impatient and the Fijians more reluctant to move at all.

6. Even if this U.N. interference were less imminent, it would have been bound to come. Both for this reason and because of the internal situation described in paragraph 4, it is in our interest to bring about at least the first steps towards internal self-government. How far and how fast it is practicable to go (unless we are prepared to impose a decision by force or abdicate and leave chaos behind us) depends on devising measures which will for the time being at least be acceptable to the Fijians and content the Indians.

## III. *State of opinion among the main communities*

### *The Fijians*

7. The Fijian leaders handed to Mr. Fisher in January, and later published, the statement at Annex A.<sup>1</sup> They are determined not to be swamped by the Indians. They insist on their ownership of land, their right to at least an equal share of posts in the public service, and the continued reference to the Fijian Affairs Board of legislation affecting Fijian rights and interests. They also desire the continuance of Fiji 'as a Christian State'. All these things, they insist, must be guaranteed, and they demand the assurance of a continuing link with Britain strong enough for us to ensure this. They will press for this link to be permanent, though they recognise reluctantly that Britain may find it impossible to go this far and they would probably accept a formula which assured them of a 'continuing link' provided no term were set to it. Only when such an assurance is given will they agree to any steps towards internal self-government. This Fijian insistence on a *prior* assurance of the continuing link with Britain is crucial.

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<sup>1</sup> Only Annex D is reproduced here. For Annex A, see 64.

### *The Indians*

8. The Indian leaders were at pains to stress to Mr. Fisher their willingness to meet the main conditions expressed to him by the Fijians, and their wish to live and work amicably together with the Fijians. But they pressed for constitutional advance leading to full internal self-government. Probably most of them are sincere to this extent, that they do not want a head-on clash with the Fijians; they think that time is on their side and they judge it tactically wise to display moderation and gain the confidence of the Fijians during at least the next few years.

### *The Europeans*

9. With one or two exceptions, they take a fairly extreme 'Fijian conservative' line and oppose change.

## IV. *Outline of possible policies*

10. We have the following choices:—

### (a) *Carry on as at present*

The objections to this are described above.

### (b) *Impose change regardless of the wishes of the people*

Whether or not we prescribed independence as the ultimate goal, the first steps would presumably be to introduce the 'Member system' which is the normal preliminary to a full ministerial system. This is unsatisfactory except for a fairly short 'running-in' period, and we should have to introduce a ministerial system shortly afterwards whether or not it was generally acceptable. The Fijians would oppose both steps. They would presumably decline to take office. They would be intensely resentful and it is likely that a threat to security would arise.

### (c) *Try to secure constitutional advance acceptable to, or at least acquiesced in, by all communities*

This is clearly the right course if we can do it. It involves carrying the Fijians with us without arousing Indian opposition of the sort that would lead to continuing instability. Proposals to this end are discussed below.

## V. *Proposed policy*

### *Recognition of the need for a continuing link with Britain*

11. We have seen that in Fijian eyes the essential preliminary to any constitutional advance is that H.M.G. should give a prior guarantee of a continuing link with Britain. We are convinced that if stagnation is to be avoided H.M.G. will have to do this.

12. We realise that this entails acceptance of a continued responsibility for what (however we dress it up) will look like colonial rule, at the instance of a minority, in a territory which in size and economic potential we could otherwise, by modern standards, reasonably expect to see independent before too long. It also entails continuing internal security and financial commitments.

### *The international difficulty: the United Nations*

13. Our only obligation to the United Nations is the transmission of information (Art. 73(e)), and our objective vis-à-vis them would be to produce a status which enables us to discontinue this. But the immediate question is how to mitigate the

likely repercussions in Fiji: and if we can also damp down argument in the United Nations that is helpful too. The crux of the problem is consultation with the people. We should expect most member governments of the United Nations to be tolerably well-disposed to any solution (even continuing association with Britain) which was based on full consultation of the people and was not opposed by the Government of India (see paragraph 18 below). The ideal would be a plebiscite, or a vote in a legislature elected on a common roll by universal adult suffrage. Failing this, we shall have to base our case on our responsibilities to the Fijian people and on such consultation as has taken place with the representatives of other races.

14. The only complete safeguard of our position would be a plebiscite in which an overall majority of the people of Fiji voted for a continuing link with the Crown. The vote need not be a choice between continuing association and independence: the question might e.g. be 'are you in favour of continuing association with Britain and development of self-government within that association', so that a negative vote did not support any particular alternative policy.

15. This would be risky. Despite what their leaders said to Mr. Fisher, the Indians in a secret ballot would probably vote solidly against continuing association. The calculations in Annex D indicate that the outcome of a vote on racial lines is unpredictable. The mere act of holding one would heighten racial tension. It would probably be necessary to have the votes of the different races recorded separately, because (a) the Fijians would object to a 'common roll' vote and (b) we should have to be free not to accept an overall majority vote but to pay regard to the balance of opinion within each community. And since adult Indian numbers are increasing, there would be continued pressure for further plebiscites over the years, creating the instability which we want to avoid. We could not commit ourselves to hold a plebiscite without consultation with the Governor and careful preparation of Fijian opinion. This could not be done in time for a May or June debate in New York, and the mere act of sounding the Fijians would probably harden their reluctance to accept our main proposals. We therefore hope we can avoid a plebiscite.

16. Similar objections apply to arranging a visit by one or more Independent Commissioners. A visit by the sort of Commission that would find favour at the United Nations would tempt the Indians to be much less moderate than they were to Mr. Fisher, since the prospect of gaining the United Nations' ear would be hard to resist.

17. We might secure a vote in the Legislature which would show a majority of unofficials, including at least some Indians, in favour of a continuing link. We cannot be sure of full Indian support, and time will again be needed to prepare Fijian opinion if we are to avoid an extreme 'Fijian conservative' vote which will lessen our chance of a constructive solution

18. If we cannot show widespread support among the Indians for our proposals it will be difficult to meet United Nations criticism on this point. This would be mitigated if we could gain support from the Government of India, and if our proposals are approved we could consider with the C.R.O. how this might be achieved. We should also wish to keep the Australians, Americans and New Zealanders informed and seek their co-operation in the United Nations.

#### *The internal security difficulty*

19. Short of risking chaos, we cannot in any case withdraw from Fiji for some time, and meanwhile we are faced with a difficult internal security commitment.



Despite our efforts to interest Australia and New Zealand there is no immediate hope of their relieving us of it. Our best course is therefore to avoid provoking local discontent. This means trying to make progress constitutionally, and the guarantee of a 'continuing link' is the necessary price of such progress.

### *The financial difficulty*

20. Continued presence implies continued aid. But experience with newly-independent countries does not suggest that in practice independence brings much slackening of the demand for aid. It would be difficult to deny a measure of aid to an independent Fiji which at best can only barely be viable.

### *Counter-attraction*

21. There is advantage in not littering the Pacific with tiny independent countries. Australia, New Zealand and the United States are anxious that we should avoid this and they may be able to help us in the United Nations. We are ourselves not anxious to swell the numbers of independent members of the Commonwealth. The disadvantage of doing so would be particularly strong if we left behind us communal tension and possibly civil war.

### *Balance of advantage*

22. We conclude that despite the United Nations problem the balance of advantage is strongly in favour of giving the Fijians a public assurance in the minimum terms which they will accept as the necessary price of securing constitutional advance by consent. We therefore wish to propose to Ministers that (whilst they should avoid saying anything which would explicitly commit Britain *for ever*) they should give a public assurance to Fiji that H.M.G. do not envisage separate, sovereign independence for the territory in the foreseeable future but will be prepared to work out, in consultation with the people of Fiji (i.e. all communities, not just the Fijians) a status designed to preserve for the territory a continuing link with Britain.

### *The nature of the continuing link*

23. To be acceptable to the Fijians the link in paragraph 7 must enable us to protect their essential interests as defined above. This entails continued reserve powers held by a Governor appointed by the Crown, coupled with a power of disallowance (or similar device) wielded by some authority in Britain. It also entails power to ensure the continued employment of expatriates in at any rate the key top posts.

24. These conditions could be met by continuing the present system, with the addition of a guarantee that it would continue indefinitely. But this would be open to attack both by the Indians in Fiji and internationally; the Fijians would recognise this and distrust our ability to maintain it.

25. The Fijians, as will be seen from Annex A, are much attracted by the analogy of the Isle of Man and the Channel Islands. Many details of the constitutional arrangements of these islands would be unsuitable for adoption by Fiji, but the essential features are these: link with the Crown; separate legislatures, fiscal systems and courts of law and generally a wide measure of internal self-government; appointment to some key posts by the Crown; local laws not valid without the concurrence of a British body (in their case the Privy Council). The Colonial Office

are studying the details in consultation with the Home Office, but we think that, provided we avoid talking of the 'Channel Islands arrangement' as something which can be taken over *holus-bolus* by Fiji, we can devise a constitution which will preserve essential Fijian interests whilst looking sufficiently different from the indefinite continuance of 'Colonial rule' to command at least a fair degree of international acquiescence. It might not command the Fiji Indians' acquiescence indefinitely; but they will probably go along with it for a few years at least, which is as much as we can hope for.

#### VI. *Implications for other colonial territories*

26. Apart from a proposal made for Malta 10 years ago, this would be the first offer of continuing association made by H.M.G. to any colonial territory. A summary of the discussions on this subject since 1949 is at Annex C. An offer to Fiji of continuing association might attract attention in Mauritius, Barbados or the eleven territories mentioned in Annex C. But (a) these eleven are all small places, most of them with populations of less than 100,000, and whatever is done in Fiji most of them are likely to be candidates for some sort of continuing link with this country; and (b) an offer to Fiji would be based on the unique conditions there and need not necessarily be interpreted as setting a pattern for adoption elsewhere. Policy for Fiji need not therefore be inhibited by its possible implications for other colonial territories.

#### VII. *Timing*

27. It is not at this stage necessary to decide exactly what form a 'continuing link' should take. It *is* necessary, however, if we are to avoid a worsening internal situation, for H.M.G. to say publicly at an early date that they are prepared to introduce such an arrangement when the time comes. The timing of such a statement would have to be considered in relation to United Nations tactics, but we should prefer it to come before a debate rather than afterwards. We should therefore like to recommend to Ministers that, as soon as possible after the Fiji elections which are due this month (April), and in any case not later than May or June, H.M.G. should send to Fiji a despatch for publication locally, of which the key paragraphs would be on the lines of Annex B to this paper.

28. In its present form the draft stops short of a firm guarantee: it simply records that 'H.M.G. have no wish to see the link severed' and commits H.M.G. only to 'examining' the idea of arrangements analogous to those in the Channel Islands and to introducing it 'if an arrangement . . . can be devised which will command general acceptance'. To that extent we could make it clear in New York that its implementation would depend on its reception in Fiji. But (a) it will have to be cleared in draft with the Governor, who may well advise that it does not go far enough (he will probably think it essential to consult the Fijian leaders confidentially before it issues); and (b) anything we say in New York calculated to appease the anti-colonials will automatically infuriate the Fijians and tempt the Indians to demand more.

29. We think the best way of making progress is to submit the draft at Annex B to Ministers in its present form (suitably 'topped and tailed') and, subject to their instructions, try it on the Governor and consult our Mission in New York. The final decision, including precise wording, timing in relation to United Nations debates, and instructions to New York, would be decided in the light of the Governor's comments and the United Nations situation at the time the despatch was ready for issue.

The attitude of the American, Indian, Australian and New Zealand Governments will be important and we should welcome the advice of the F.O. and C.R.O. on how and when to present our policy to them (cf. paragraph 18 above).

30. The views of the Committee are invited on the proposal in paragraph 29.

#### Annex D to 66

The total estimated population at the end of 1961 was 414,000, of whom 176,500 were over 21. The figure of 176,500 may be subject to an error as high as  $\pm 10,000$ . We have no racial breakdown of the 1961 total, but at the end of 1960 the Indians outnumbered the Fijians by 30,000 and the disparity was increasing.

2. Present electoral qualifications include a literacy test. The electorate is therefore less than the figure of 176,500 by the number of illiterates (mainly Indian women) and of Chinese and 'Other Pacific races' who have no vote. It was estimated in mid-1961 as 76,000 Fijians, 48,000 Indians and 8,000 'Europeans', a total of 132,000, which is 44,500 short of the estimated adult population.

3. We can assume that all 'Europeans' are literate. There are slightly fewer Chinese and 'Other Pacific races' than there are 'Europeans' and so we can guess their over-21 population at 7,000. This gives a total of 8,000 + 7,000, or 15,000 for the over-21 non-Fijian, non-Indian population.

4. This leaves a total of 176,500 - 15,000, or 161,500 for the Fijian + Indian over-21 population. How to break this down depends on a guess as to how many in each race are illiterate: the total of illiterates is 161,500 - 76,000 Fijians - 48,000 Indians, or 37,500. As a pure guess there are probably 3 or 4 times as many Indian illiterates as Fijian. This gives say 9,000 Fijian illiterates and 28,500 Indian. On this basis *the total Fijian over-21 population is 76,000 + 9,000, or 85,000; the Indian 48,000 + 28,500, or 76,500; the 'Europeans' 8,000, and the 'Other Pacific races' 7,000.*

5. The result, that there are more Fijians than Indians over 21, although in terms of total population the Indians are more numerous, may be explained by the fact that there are many more Indians than Fijians under 21. We may also have underestimated the number of Indian illiterates. The figures are of course also subject to the overall doubts about their accuracy.

6. It may therefore be that at present the Fijian and other votes, if everyone voted, would outnumber the Indians. But this is far from certain, and every year the margin will rapidly narrow as the Indian under-21's grow up. It will have narrowed already, bearing in mind that our figures, such as they are, are already over a year old.

## **67** CAB 134/2403, PFP 1(63)2

8 May 1963

### **'Future policy in Fiji': minutes of Cabinet (Official) Committee on Future Policy in the Pacific**

The Committee considered a memorandum by the Colonial Office (P.F.P.)(63) 3) on future policy in Fiji.<sup>1</sup>

<sup>1</sup> See 66.

*Mr. Marnham* said that the Parliamentary Under-Secretary of State for the Colonies (Mr. Nigel Fisher) had, in the light of his recent visit to Fiji, reached certain provisional conclusions about the political future of the territory on which he had instructed the Colonial Office to seek the views of the Committee before he formulated his advice to the Colonial Secretary. There was racial friction in Fiji between the native Fijians who were of a traditional and hierarchical temperament and were strongly attached to their links with the British Crown, and the Indian immigrants, who out-numbered the Fijians and who sought, though not yet openly, political advance towards independence. The situation could be expected to get worse rather than better since internal friction was increasing and outside intervention by the United Nations, whose Committee of Twenty-four was shortly to discuss the territory, would be likely to increase it further. The Colonial Office therefore considered that the first step should be taken towards internal self-government by the introduction of a 'member system'; but the Fijians had indicated to Mr. Fisher that they would not be prepared even to consider this unless they had assurances that the Fijian link with the Crown would be continued together with safeguards for their existing position on the ownership of land and the filling of posts in the Civil Service and for the continuance of Fiji as a Christian state. The Colonial Office therefore wished to propose to Ministers that, whilst they should avoid saying anything which would explicitly commit Britain forever, they should give a public assurance to Fiji that the British Government did not envisage separate sovereign independence for the territory in the foreseeable future but would be prepared to work out in consultation with the people of Fiji a status designed to preserve for the territory a continuing link with Britain.

In discussion other members of the Committee considered that their Ministers would wish in due course to have the opportunity of discussing the wider implications of continued British involvement in Fiji; it would be helpful if when the matter were brought before Ministers these could be more fully brought out. The political and military burden of continuance of British sovereignty with the associated responsibility for internal security, possibly against opposition in the United Nations, appeared likely to increase when British burdens in the area were also increasing because of the opposition to Malaysia and because of SEATO commitments. Defence interests regarded more narrowly on the other hand weighed in favour of maintenance of British sovereignty over Fiji to safeguard the use of the civil air-field and telecommunications facilities.

In further discussion the following main points were made:—

- (a) The situation in Fiji could be expected to alter with time and an assurance about the continuance of the link with Britain should therefore be the minimum necessary to persuade the Fijians to agree to constitutional advance.
- (b) The memorandum suggested that the support of the Indian Government should be sought for the proposals as a means of mitigating United Nations criticism. It was important, however, to avoid any implication that the Indian Government was thought to have influence over Indians in Fiji; and there were wider objections to seeking help from the Indian Government whilst the difficulties with them over independent finances continued.
- (c) The draft notes for a possible constitution despatch (Annex B to P.F.P. (63) 3) stated that there was not any desire on the part of any section of the community

for sovereign independence for Fiji in the foreseeable future. It would be wiser to omit this statement since it might well be challenged at the United Nations with the request that it should be substantiated by the holding of a plebiscite.

(d) The draft notes also referred to the possibility of retention in constitutional arrangements for Fiji of Crown appointment of certain key senior officials. Such a reference should be drafted so as not to prejudice by implication the question whether expatriate officers would be given the right to retire with compensation.

*The Committee:—*

(1) Invited the Colonial Office:—

(i) when pursuing their proposals for future policy in Fiji to take account of the points made in the Committee's discussion.

(ii) in consultation with the Treasury and the Home Office to give further thought to the terms of the draft constitution dispatch annexed to P.F.P. (63) 3.

(2) Invited the Ministry of Defence to provide the Colonial Office with a statement of British defence interests in relation to Fiji for conclusion in a paper for Ministers.

## **68** CO 1036/1067, no 93

15 Aug 1963

### **[Constitution]: despatch from Mr Sandys to Sir K Maddocks on a proposal to convene a constitutional conference**

I have the honour to refer to the discussions about the constitutional future of Fiji which the Parliamentary Under Secretary of State, Mr. Nigel Fisher, held with representatives of all communities during his visit to the Colony last January. Mr. Fisher gave me a full account of those discussions, and I have studied carefully the letter dated 17th January, 1963,<sup>1</sup> which was addressed to him by the members of the Fijian Affairs Board and which was subsequently published.

2. The British Government accept that the time is approaching when the future relationship between Fiji and Britain should be clarified and codified, and will be glad, in consultation with representatives of the people of Fiji, to work out a constitutional framework which will preserve a continuing link with Britain and within which further progress can be made in the direction of internal self-government.

3. The precise nature of this framework will require further study and consultation between the British Government and the Government and people of Fiji. I therefore have it in mind to convene a conference at an appropriate time at which the British Government and the leaders of representative opinion in Fiji would try together to agree upon concrete proposals. This conference might take place in London during 1964 or early in 1965.

4. I note that it has been suggested that a form of constitutional relationship with Britain comparable with that of the Isle of Man or the Channel Islands might provide the basis for an enduring constitutional framework. The circumstances of those islands are of course in many respects different from those of Fiji, and their

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<sup>1</sup> See 64.

constitutional arrangements could hardly be adopted in their entirety. Nevertheless, the experience afforded by the working of their constitutions may be useful in deciding upon suitable arrangements for Fiji, and at the conference we should examine, among other questions, which features of them can be adapted to suit conditions in Fiji.

5. Although the precise nature of the future relationship between Britain and Fiji requires further study and discussion, I hope it will be agreed, in the light of the assurance which I have given in paragraph 2 above, that this need not prevent some advance meanwhile towards a greater degree of internal self-government than exists at present. I believe that Fiji has leaders well qualified to bear added responsibilities, and that a suitable step would be the introduction of the 'Member system' on the lines described as 'Stage 1' in Legislative Council Paper No. 8 of 1961, modified to accord with the constitutional changes introduced last February. This will not involve any amendment of the existing constitutional instruments.

6. I shall be glad if you will lay this despatch before your Executive and Legislative Councils and seek their agreement to the introduction of a 'Member system' at a convenient date, perhaps early in 1964.

**69** CO 1036/1263, no 11

15 Oct 1963

[Executive Council]: letter from P D Macdonald to J E Marnham on the emergence of Ratu Mara as the leading Fijian political figure

1. Many thanks for your in confidence letter No. PAC/A. 137 of the 6th October, 1963, on the subject of the activities of Penaia<sup>1</sup> and his family in England. He has indeed left, because Mara received a postcard from Laisa from Gibraltar.

2. I am glad that Nigel Fisher, Trafford Smith and yourself were able to discuss the constitution despatch with him, and I was particularly interested in his views as recorded by you. But, I should perhaps issue a word of warning here; unfortunately, the Fijian leaders have one marked failing; in conversation with them individually they will often express a particular—and usually a sensible—view but, alas, if one meets them together at a meeting of the Fijian Affairs Board or some other similar body, they will only too often express a contrary—and often, I fear, cautious and reactionary—view. Too often, alas, each is looking over his shoulder at the one next to him, either seeking a lead, or being somewhat fearful of expressing an opinion which may not be acceptable to the others. This may be particularly so in discussions concerning proposals for constitutional advance, since opinions amongst the Fijian leaders range from the liberal and progressive (indeed somewhat radical) views of Mara, to the conservative and somewhat reactionary views of Edward and George Cakobau.

3. I have addressed you in a separate letter about my conversations with representatives of different races regarding constitutional advancement. In this connexion, I regret to say that it is proving in many ways a great pity that my original proposal (*not* Maddocks's) that one European should be dropped from the Executive Council and be replaced by a Fijian (Mara) was not accepted by the Colonial Office.

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<sup>1</sup> Ratu Penaia Ganilau.

Unfortunately, I had gone on leave when the reply was received from the Colonial Office to our initial telegram, otherwise I would have advised against acceptance of your view without a stern struggle! I say this because Ratu Edward is, I fear, very much of a *roi fainéant*,<sup>2</sup> apart from his conservative and slightly reactionary views. It is of little or no use consulting him about matters such as constitutional advance, first, because I do not think he fully represents Fijian opinion; secondly, because of his cautious and conservative nature; and, thirdly, because the undisputed leader of the Fijians at the present time appears to be Mara. But one simply cannot, of course, omit to consult the Fijian member of Executive Council; on the other hand, one must consult Mara who, as I have said, at present appears to be the undisputed Fijian leader and who is certainly more seized than the others of the need to make use of the short time which is left at our disposal.

4. I have never believed, and I do not now believe, that the non-appointment of a second European on Executive Council and his replacement by a Fijian, would have elicited any protests from the Indians, who are at present 'leaning over backwards' to cooperate with both Government and the Fijians. In this connexion you will recall that Patel's line (and that of other Indians) during some of the troubles in recent years, has been rather one of evicting Europeans from the higher seats of Government and the commanding heights of the economy, than taking action to hold back, or stop, the advance of the Fijians.

5. There are other reasons, besides those which I have given in paragraph 3, as to why it is desirable that Mara should be frequently consulted and should have been on the Executive Council. If you have read my annual confidential reports upon him, you will know that he is a mass of complexes and contradictions, with a load of chips on his shoulders. But I am happy to say that at last he and I now work in very close harmony indeed and can be entirely frank with each other; indeed, I venture to think that I am probably one of the very few officers, if not the only officer, in Government who can deal with him on a basis of complete frankness. Be that as it may, I have always warned that he will be liable to explode from time to time over this or that. Thus, a case in point has recently arisen in connexion with the forthcoming salaries review and I attach a copy of his letter to the Secretary to the Salaries Review Commissioners.<sup>3</sup> I have not had time to examine his letter in detail and see whether the history he has given of this matter is factually correct—although I rather doubt it. But I am appalled at the bitterness which this scheme still causes within him; I had very much hoped that he had accepted the necessity for this scheme even though he might not entirely agree with it.

6. But it is because of such explosions, coupled with his great potential for political leadership, that he must be treated with the greatest care and given his due—and more—wherever possible. I am convinced that it is a bitter disappointment to him that he is not on the Executive Council (though we can probably remedy this when the 'member system' is introduced) and certainly the fact that he is not will make our work in various fields that much more difficult unless, as I am sure we must do, he is taken into our confidence as a sort of extra-Executive Council member. We need his support so much for progress in so many fields and we cannot afford to fritter away his influence and powers of leadership.

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<sup>2</sup> Ineffective king.

<sup>3</sup> Not printed.

7. Although this letter commenced as a reply to your letter concerning Penaia, I now seem to have got far distant from that subject! However, I hope that the above thoughts which I have dictated this morning at 7.30 a.m. just before leaving on tour of the Western Division, will be of interest and value to you.

## 70 CO 1036/1067, no 6E

Dec 1963

### [Constitution]: confidential note by J N Falvey on Fiji's future relationship with the UK and the member system

[This note was enclosed with a letter from Trafford Smith to P D Macdonald on 23 Dec. Discussions with a European delegation from Fiji took place at the CO on 6 Dec, and Trafford Smith saw them again on 10 Dec when Falvey handed over the note reproduced here. The note revealed the close liaison between Europeans and Fijians in Fiji. Falvey asked that it should be treated in confidence, especially in view of the final sentence of para 9.]

The Fijian Affairs Board's letter of the 17th January, 1963,<sup>1</sup> to Mr. Nigel Fisher proposed, (para. 3), as a pre-requisite to *any* constitutional change that a new constitutional instrument should be drawn up to clarify and codify the special relationship between Fiji and the United Kingdom. The relationship envisaged is on the lines of that subsisting between the United Kingdom and the Isle of Man or the Channel Islands. It is envisaged that the relationship should be permanent, not transitional.

2. It followed from this proposition that a membership system, even on a trial basis, would necessarily follow the making of the constitutional instrument, which would incidentally involve an Order-in-Council or possibly, according to Mr. Fisher, an Act of Parliament.

3. The response from London contains an acceptance of the codification proposal and in general terms an acceptance of the Isle of Man/Channel Islands conception. London points out, and we must agree, that certain features of this conception would be inapplicable to the Fiji/United Kingdom relationship.<sup>2</sup>

4. Pressure already being exerted by the 'Committee of 24' and the likelihood of further pressure from the General Assembly of the United Nations seem now to dictate a revision of the timing of change.

5. The United Kingdom delegation at the United Nations will be saved much embarrassment, if not vilification, if it is able to announce that Fiji has of its own initiative proposed a membership system, on a limited scale, as a first step towards the evolution of a system of internal self-government.

6. The proposals which follow are suggestions for the reconstitution of Executive Council. It is suggested that at the same time as these proposals are being discussed the United Kingdom Government should be urged to formulate draft material which might form the basis of the constitutional instrument.

7. The reasons for this are two-fold:—

(a) the authors of the letter of the 17th January, 1963 are entitled to stronger assurances than have been received that the 'special relationship' is acceptable to

<sup>1</sup> See 64.

<sup>2</sup> See 68.



the United Kingdom Government and that the necessary enactments will present no insuperable difficulties;

(b) unless there is some broad measure of agreement amongst the Fiji delegation before the London conference the outcome of the conference may be an enforced compromise which is unpalatable to Fijian and European members and those they represent.

8. As to the unofficial composition of Executive Council the Fijian members would like to have a majority representation on the basis of 2–1–1. The European members take the view that while they do not regard the present composition (2 Europeans, 1 Fijian, 1 Indian) as conferring entrenched rights, and while they fully understand the motives of the Fijian members, they feel that the switch could entail unfortunate consequences.

9. Indian members might as a matter of expediency agree to the 2 Fijian, 1 European, 1 Indian set-up. But in no time they would raise a demand that the Indians have parity with the Fijians. On a population basis this would be virtually irresistible. The result would be to weaken, irreversibly, the Fijian/European alignment, which we regard as essential to the political survival of both races.

10. The membership system involves collective responsibility and therefore a change which would create an unofficial majority in Executive Council would have no great significance. Under the membership system the Governor continues to act on the advice of Executive Council and is not necessarily bound to accept the majority opinion.

11. We therefore propose that Executive Council should be constituted as follows:—

<i>Official</i>		<i>Unofficial</i>
Colonial Secretary	} ex officio	2 European
Attorney-General		2 Fijian
Financial Secretary		2 Indian
Secretary for Fijian Affairs		
Development Commissioner		

12. So long as the post of Secretary for Fijian Affairs exists the holder should have the portfolio of Fijian Affairs, including native land. It should be understood as a constitutional instrument, that either the Secretary for Fijian Affairs or a Fijian Member of Executive Council should always hold the native land portfolio.

13. A typical order-in-council providing for a membership system speaks of the Governor's assigning to 'two or three' appointed (i.e. unofficial) members certain 'responsibility'. The sphere of responsibility can be enlarged or contracted as time goes by. Such a system would therefore permit of the part-time functioning of a Member and could also permit of the interchange of areas of responsibility.

14. In Fiji there would clearly need to be three Members—one of each race. On the principle of collective responsibility the other three members of Executive Council who are not for the time being changed with responsibility would presumably be expected to support any decisions emerging from Executive Council. The enlarged unofficial membership of Executive Council would minimise the embarrassment which might otherwise be encountered if a measure were brought

into Legislative Council and met solid opposition from unofficial members who are not members of Executive Council.

15. There is room for further discussion of the points mentioned in the last paragraph. The purpose of this note is to record the opinions unanimously reached at the meeting held today, viz:—

- (i) a membership system should be put on trial in advance of the constitutional conference in London;
- (ii) membership of Executive Council should be enlarged to include 2 European, 2 Fijian and 2 Indian Members, the Secretary for Fijian Affairs being an *ex-officio* member and charged with responsibility for Fijian affairs including matters pertaining to native land;
- (iii) every effort should be made to form a consensus regarding the terms of the constitutional instrument by which Fiji's link with Britain is to be permanently codified, well in advance of the conference. Inter-governmental discussion of this point should be got under way immediately.

**71** CO 1036/1067, no 24

19 Mar 1964

[Reflections from Fiji]: letter from Ratu Mara to J E Marnham on relations between Fijians and Indians

Dear John,

By the time you receive this letter you will probably have met Henry Hall who left Nadi early this morning and will be arriving in London 9 pm tonight. The Halls spent a few days with us on their way home from Sarawak and I took them to Wakaya for a couple of days. We had lovely weather out there and they enjoyed themselves swimming & fishing. We did think about England & its cold and foggy March days.

Henry mentioned to me that in 1959 he came across some papers on the background of the Indian immigration to Fiji. He sent copies of these papers to Sir Kenneth Maddocks. I have never heard of these papers but I think they can be very useful in my collection of facts in preparation for the London Constitutional Conference. I shall be most grateful if you will be able to let me have a copy of these papers.

No further progress has been made since the January Leg. Co. in which we approved the adoption of the Member System. H.E. is touring the islands and I shall be accompanying him to Lau tomorrow.

A.D. Patel and Koya have been very mischievous in their speeches lately. They have been very provocative about land matters and have aroused strong feelings amongst our own people. While we Fijian members (with the exception of Ravuama) have strictly followed Nigel Fisher's advice not to say anything that will exacerbate racial relations, A.D. & Koya have gone out of their way to provoke us. Our people are getting restive as they interpret our reticence as a sign of weakness and are beginning to listen to Fijian demagogues who are very critical of our so-called tame and unwarrior-like attitude on the eve of the Conference.

I am inclined to think that A.D. & his confederates do not really want the Conference to succeed and would much prefer intervention by the United Nations. He has of course been feeding the United Nations Indian & other Afro-Asian delegates with his version of information on Fiji. His right-hand man Krishna Murti,

librarian at Nadi & editor of the *Jagaiti*, collapsed & died while actually asking a question at Cecil King's<sup>1</sup> press conference. Fijians now want Cecil King to come here more often!

Yours sincerely  
Kamisesse Mara

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<sup>1</sup> Chairman in the UK of the Daily Mirror group of newspapers.

## **72** CO 1036/1067, no 25

9 Apr 1964

[Reflections from Fiji]: letter (reply) from J E Marnham to Ratu Mara

My dear Kamese,

Many thanks for your interesting letter of 19th March.<sup>1</sup>

I will see whether I can track down the papers you mention, but it may not be easy to identify them and may take a little time. You might be able to get on to them more quickly if you were to ask Sir Derek,<sup>2</sup> since if copies were sent to Sir Kenneth Maddocks they are presumably on record somewhere in Fiji.

You may find what you want, in enough detail for your purpose, in a couple of books which I have just seen. One is 'Indians in Fiji' or some such title by Adrian Mayer, published by the Institute of Race Relations.<sup>3</sup> I have read this, & it is short, simple and clear. The other, which is on my desk but which I haven't yet read, is 'Fiji's Indian Migrants' by K. L. Gillion, published by the OUP in Melbourne in 1962. It looks to be a good deal more solid and detailed. You may of course have seen these already, but if you haven't you may find them useful.

This is a sad morning: I am writing under the shadow of Ravuama's death and am just going down to the funeral. For all his enigmatic and sometimes difficult character, he will be a sad loss and it is tragic that his end should have come the way it has. It is particularly hard on Adi Davila and the children but I am sure everyone will do all they can to comfort her when she gets home.

All good wishes to you and Lala and the family. I hope we shall see you again before too long. I am delighted that Brian Pearce is going to see something of Kero & hope the turtles answer the call! That *was* a good trip that you gave me.

Yours ever  
(signed) John

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<sup>1</sup> See 71.

<sup>2</sup> Jakeway, the incoming governor.

<sup>3</sup> OUP for Institute of Race Relations, 1963.

## **73** CO 1036/1458, no 64

31 Aug 1964

[Land tenure]: letter from Trafford Smith to Sir D Jakeway.

*Enclosure*: CO brief

When John Marnham wrote to you on 29th June he promised that we would let you have a paper on the land problem prepared during Lloyd's<sup>1</sup> visit to Britain. Here it is.

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<sup>1</sup> D T Lloyd, director of land, mines and surveys, Fiji.

After we had cleared it with him and with Simpson, Brian Pearce<sup>2</sup> and I ran through the general ideas in it with Mr. Fisher and it has his blessing too. We hope that you feel that the paper meets the criteria set out in paragraph 4 of your letter of 9th June. We should be most grateful if you would let us have in due course your reactions to it with any suggestions you may have on how it should be modified.

2. I do not think I need take up in detail the points made in the enclosures to your letter of 9th June, which were a great help to us in clearing our minds on the problems involved. (In any case we are now I think sufficiently in agreement on this problem for us not to need to be deliberately controversial!) I should, however, make a comment on paragraph 6 of your letter where you refer to a possible extension of the length of leases recommended by the Landlord and Tenant Committee. We did examine this possibility with Lloyd, but our agreed view was that to a large extent, with the protection offered by the proposed legislation, the length of lease becomes somewhat academic. The guarantee of security of tenure rests not so much in the actual length of the lease as in the stipulation that the tenant may only be evicted on limited and justifiable grounds. (Indeed under the proposals in the enclosed paper one is close to tenancies on the English pattern which are, of course, annual. We have provided for new leases to be heritable. This goes further even than English law. We think it desirable but would not think it should be a sticking point.) It could in fact be argued that a *longer* tenancy might militate against the interests of the tenant as the tribunal would be more disposed to consider that greater hardship would be caused to the landlord in the event of renewal for 30 years than it would in the case of a renewal for 10 years. But we have suggested retaining the 10 year lease primarily for the reason that it is recommended in the Landlord and Tenant Committee report, and thus has already gained a measure of acceptance. There seemed to us to be little to be gained from getting too embroiled in arguments on the length of the lease.

3. You will note that we have recommended that the new provisions should apply to all existing tenancies including those of lands within reserve. To exclude the latter would be detrimental to the increasing number of Fijians taking out individual tenancies of reserved land, and Lloyd considers that such a measure is not as drastic as it might first appear. His view is that by the time the new act is introduced the Native Land Trust Board under its present policy will have dealt with most of the tenancies affected by reserve which have already been announced. However, we have suggested in the memorandum that the Governor should have discretionary power to prescribe the areas of Fijian reserve land where the legislation shall apply and this would provide room for manoeuvre in cases of particular difficulty or where the new provisions are not strictly necessary—because most of the land is owner occupied—(though in the latter case it might be better to bring these areas within the scope of the new legislation for the sake of conformity).

4. There is one additional point which I should specifically mention and that refers to the recommendation about compensation for tenants in respect of improvements made before the new legislation takes effect. We did look at the possibility of including some provision for a fund to meet this problem (which will of course gradually disappear) but did not feel justified in proposing one. We give our reasons in the paper. It might be that there is residual injustice here but we cannot

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<sup>2</sup> J B Pearce, principal, Pacific and Indian Ocean Dept, CO.

hope to provide a complete panacea for all ills in this legislation. We think the best approach to the problem is by Government action to provide a safety net through resettlement schemes and other help, rather than through the erection of a statutory one.

5. In preparing the paper we have made the basic assumptions that the policy of setting aside reserves cannot be undone, and also that no major changes can be initiated by legislation (at this juncture at least) to amend the present customary system of Fijian tenure through mataqali ownership or the management organisation of the N.L.T.B. (which will, however, be reduced in effect under the proposals in our paper to the status of an estate manager). Changes in these respects, we imagine, are more likely to come about through pressure from among the progressive Fijians themselves who will find the protective shackles on their economic initiative increasingly frustrating. We should however be very interested to have your views on how far Government can or should encourage this process.

6. In conclusion I should say that we all recognise that it will be a considerable political feat if you are able to 'sell' the package contained in the enclosed paper. In our view it would in fact achieve a revolutionary improvement in the situation. We are however encouraged by Lloyd's opinion that there is more than a 50% possibility of getting it accepted. Above all, please do not think that we fail to appreciate how much harder it is to solve the land problem on the ground in Fiji as opposed to sitting in an office in London!

### Enclosure to 73

1. This paper attempts to set out the basis of a new approach to present problems of land tenure in Fiji without depriving existing owners of their fee simple. It is clear that the policy of setting aside reserves of land which may be used only by Fijian farmers has contributed to these problems (as was pointed out by the Burns Commission Report of 1959). The Fijian owners are deprived of the rents which they might otherwise be receiving and they cannot freely dispose of their land in order to acquire land outside reserves which might be more suited to their requirements. The policy has also distorted the pattern of land holding outside reserves as a result. The traditional communal system of Fijian land-holding places additional obstacles in the way of Fijian economic advancement. (This is being increasingly recognised with the granting of individual holdings on Fijian land.) Also, the high management costs of the Native Land Trust Board result from having to operate within this complicated framework and lead to a reduction in the amount of rents available for distribution to the owning mataqalis. However, these are matters on which the Fijian owners themselves must judge where their best interests lie in a developing economy. The Native Land Trust Board in its statement of 10th August, 1962, affirmed that there would be no review of decisions already announced by it on the extent of reserves of native land. It is recommended that the proclamation of reserves in areas where this work has not yet been completed should take place as rapidly as possible and the N.L.T.B's declared policy should be given statutory effect by removing the legal power to extend these reserves.

2. The remainder of this paper is based on the conviction that many of the problems of land tenure spring from the absence of an adequate statutory framework

for the conduct of relations between landlord and tenant; (a shortcoming which will assume increasing importance to Fijians themselves as more and more of them take out individual leases inside reserves). The succeeding paragraphs summarise proposals for legislation to remedy this. To a large extent the paper follows the recommendations of the Agricultural Landlord and Tenant Committee of 1961 (published as Legislative Council Paper No. 30 of 1962). It does however modify these recommendations in certain respects (which are specified) and in particular it proposes that the legislation should apply to *all* leasehold agricultural land outside reserves (*including* land in reserves and land outside reserves leased by the Native Land Trust Board), where the area of the land on lease exceeds 2½ acres. (*In the case of reserved land only* the Governor may prescribe from time to time the areas to which the ordinance would apply.) One of the principal effects of this would be that the N.L.T.B. would have to justify its claim to the resumption of leasehold land before an independent tribunal if such a claim were challenged by the tenant. (In the case of any tenancy of land in reserve the tenant could, of course, only be a Fijian). Those factors which the tribunal will be required to consider are already taken into account by the N.L.T.B. in arriving at its own current decisions. The suspicion that this is not the case because the Board is at present 'judge in its own case' will however be seen no longer to have any possible foundation and this will help to free the N.L.T.B. from criticism of its actions.

3. Under the new legislation, all tenancies falling within the application of the legislation as set out in paragraph 2 (whether on the basis of written or unwritten agreements) should be converted with effect from the enactment of the legislation to statutory tenancies which should carry the following conditions. (This widens the scope of the legislation to affect all *existing* leases whereas these were only affected to a limited extent by the recommendations of the Committee).

4. As set out in the Committee's report, tenancies should run for the remainder of their current term and on expiry should be renewable unless notice of termination has been given by the landlord at least one year prior to the expiry of the tenancy. The landlord should only be permitted to give such notice on one of the five grounds set out in paragraph 27 of the Committee's report. The tenant should have right of appeal to a Lands Tribunal against notice of termination by the landlord and the aim should be for such an appeal and any further appeal therefrom to be settled during the twelve month period of the notice. In any event the tenant should not be evicted until his appeal has been heard. Some transitional provision will be necessary to deal with current leases due to expire within less than twelve months from the enactment of the legislation. It could be provided for notice given by a landlord under such a lease to be deemed to take effect on the expiry of the lease but that a tenant who lodged an appeal with the Tribunal could not be evicted until after the appeal had been heard.

5. New leases should, in accordance with the recommendation of the Committee, be granted for a minimum period of ten years and should be heritable. Tenancies should be terminable during the period of the lease by agreement between the landlord and tenant or on one of the grounds set out in paragraph 32 of the Committee's report, with protective rights of appeal to the Lands Tribunal as there described. (Paragraph 32(b) (i) of the report should however be amended for clarification by the addition after the words 'previously obtained in writing' of the words '(but the consent of the landlord shall not be unreasonably withheld)').

6. The recommendations of the Committee for the review of rents by a Lands Tribunal should be adopted and extended. Rents of *all* leases (including current leases) should be liable to revision by the Lands Tribunal on appeal by either tenant or landlord. It is recommended that such appeals may be made *at any time* but *thereafter* at intervals of not less than five years. The maximum permissible rent for statutory leases should be 5% of the fair market value of the land (assuming that it were held in fee simple) not taking into account any improvements on the land. The Committee's view was that the initial rent on the granting of a tenancy should not be controlled. It was feared by the Committee that this might lead to an overloading of the Tribunal. Under this recommendation, however, there is a danger that tenants might be subjected to rack renting for a period of five years because of the shortage of land and it is suggested that this recommendation should not be adopted. Special provision will, however, be needed to avoid an over-loading of the Tribunal in the period immediately after enactment of the legislation now that all existing leases are to come within the legislative provision for rent revision. This might be achieved in so far as arbitration on rent is concerned by bringing existing leases within the scope of the law gradually e.g. by extending these provisions of the act to leases with ten years or more to run during the first year of the act's operation and to the remainder of existing leases as the work-load on the Tribunals permitted. In addition, the possibility of providing for a measure of retrospection in the decisions of the Tribunal might be considered as a transitional measure only, while not accepting this as a general principle.

7. The recommendations of the Committee on the liability of the landlord to payment of compensation for improvements made (on the basis set out in paragraphs 53/55 of its report) and the provisions in paragraphs 57/58 of the report on dilapidations similarly should apply to *all* leases and not simply to new leases. However, compensation should only be payable for improvements made after the date of enactment of the new legislation. Otherwise, in equity, retrospective adjustment of rents would also be required and this is clearly out of the question here. It is recognised that some hardship may be felt by tenants whose tenancies are not renewed and who receive no compensation for considerable improvements made during their tenancies but prior to the new legislation. However, moveable improvements can be removed and the tenant has at least had the benefit of the other improvements he has made for the period of the lease. Also he has had the benefit of lower rents than might otherwise have been the case if the landlord had known that he was to be liable for compensation for improvements made. At the same time it is suggested that Government should accept the obligation to provide the maximum help with the resettlement of displaced tenants to prevent hardship wherever possible. (The new proposals recently announced which will enable cane farmers whose leases expire and are not renewed to withdraw their contributions to the Sugar Stabilisation Fund should help here).

8. The procedure for the creation of a system of Lands Tribunals should in general follow the proposals in paragraphs 59/64 of the Committee's report subject to any modification found necessary. If a number of Area Tribunals have to be established, as seems likely, consideration might be given to the establishment of a Central Lands Tribunal to which appeals from the Area Tribunals could be made. The Chairman of such a Tribunal would need to be a person of considerable ability who was able to secure and retain the trust and confidence of all sections of the community in Fiji.

9. The recommendations of the Committee in relation to share farming, premiums, sub-letting, licences, distress, documentation, offences, prohibited conditions, implied covenants and other subjects in paragraph 41/50 and paragraphs 64/76 of the report should also be drawn upon in drafting the new legislation. One amendment, however, is recommended to paragraph 66 of the report. Paragraph 65 refers to the case of a tenant who falls ill during a tenancy and wishes to sub-let until his health has recovered. In such a case the tenant might well wish to sub-let the holding as a whole. It is recommended therefore that there should be no statutory bar on sub-letting the whole though such a course would still be subject to the provision in paragraph 66(ii) for control by the Tribunal. Additionally provision will have to be made in the legislation to cover the position of existing sublettings now that it is proposed that existing leases should be brought within the scope of the legislation.

## **74** CO 1036/1215, no 71

18 Jan 1965

### **'Fijian Association': Fiji Special Branch report of a meeting on 16 January. Annex: Translation of presidential address by Ratu Mara<sup>1</sup>**

A special general meeting of the FIJIAN ASSOCIATION was held at the Ratu Sir Lala Sukuna Memorial School on Saturday, 16th January, 1965. It was attended by approximately 300 Fijian men and women. Ratu K.K.T. MARA chaired the meeting.

2. Ratu PENAI A GANILAU, in presenting the report of the Committee, said they were fully aware that the Association was undergoing a period of financial difficulty. Some success had been noted in the recovery of outstanding debts however and it was hoped that the Association would now go forward on a sounder footing. He appealed for support with a view to achieving a strong Fijian front which would withstand any challenge from other communities in Fiji.

3. Ratu K.K.T. MARA prescribed his Presidential Address (Translation attached).

4. The meeting then discussed the proposed constitution—particularly that clause which permitted membership to all races. This issue was discussed at length and resulted in the proposal being defeated. The Association therefore will remain mono-racial. URAIA KATISAWANI KOROI voiced his objection to the proposed clause stating that it clashed with the objects of the Association 'To promote the rights, liberties, privileges and freedoms of the Fijian people.'

5. SEMESA SIKIVOU expressed concern as to what should be released to the Press and Radio as a result of the meeting. His suggestion was that nothing should be released since other political organisations had not publicised any of their proposals for the London Conference. He further suggested that copies of the Presidential address circulated to the meeting should be withdrawn.

HUNT SILA (Manager of the Nausori Fijian Secondary School and Member of the Rewa Provincial Council) spoke against the suggestion of SEMESA. He said that Fijians had nothing to fear. They claim ownership to the land and no one could dispute the claim. Provided they were making genuine demands then they should broadcast it to the world for all interested parties to note.

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<sup>1</sup> Forwarded to CO for background information by Macdonald, 22 Jan.



RUSIATE NAYACAKALOU suggested that the decision for releases should rest with the Committee. This was agreed to.

6. Elections were then held, resulting in the following:—

<i>President</i>	— Ratu K.K.T. MARA.
<i>Vice-Presidents</i>	— Ratu G.K. CAKOBAN. Ratu P.K. GANILAU. Hon. JOSUA RABUKAWAQA.
<i>Secretary</i>	— Ratu N.N. NAWALOWALO.
<i>Treasurer</i>	— WILLIAM KENI NAULUMATUA (Clerk to Central Fijian Treasury)
<i>Committee</i>	— DAVID TOGANIVALU EMOSI VUAKATAGANE TOMASI VAKATORA PENIAME NAQASIMA HUNT SILA ISIRELI NABORISI

7. URAIA KATISAWANI KOROI stated that Fijians had not been informed the basis of the London Conference. He said that members of the Legislative Council had no doubt been informed by His Excellency the Governor as to the views of the British Government for future political changes in Fiji. He added that such information should be made known to Fijians to enable them to express their views. URAIA appealed to Fijian leaders to keep their own people fully informed of any proposed change. URAIA was supported by MANASA BUTADROKA (Ex-Secretary, FIJIAN GOVERNMENT WORKERS' UNION) who appealed to Fijian leaders to tell the British Government to transfer the trust given to them by the Fijian Chiefs in 1874, back to Fijians. He added that Fijians were determined to achieve this claim of right at the cost of their lives. Bloodshed would mean nothing if their demands were not acceptable to other races in the Colony.

Numerous other speakers appealed to Fijian leaders to ask the British Government to honour the Deed of Cession.

Ratu NOA NAWALOWALO said the Deed could be interpreted in many different ways and advised those present not to rely too deeply on it. He said that at the time of Cession it was impossible for the Chiefs to foresee present racial problems. Any talks should be between the signatories to the Cession only. Ratu NOA advocated the setting up of a Royal Commission or Magisterial Enquiry to determine the present validity of the Deed. This suggestion was challenged, however, by a member of the audience who said the Deed of Cession was quite clear and that any challenge over its validity would not be acceptable to Fijians.

8. URAIA KOROI enquired of Ratu MARA whether or not leaders of all races in Fiji had met to discuss the basis of the London Conference. Ratu MARA said that discussions were currently underway and that the Council of Chiefs would be notified of results. He further added that an official of the Colonial Office would be visiting Fiji about the middle of this year to seek the views of all people in Fiji pertaining to the Conference.

9. The meeting, generally, was disjointed with little regard for procedure. Many people aired views which are not worthy of comment. There was a distinct anti-Indian feeling which is perhaps best expressed in the President's Address, attached.

## Annex to 74

Review of activities from the time the Committee was elected on 27th August, 1964, to this meeting.

The Executive Committee met eleven times during this period while sub-committees met six times.

At these meetings were discussed:—

- (1) The preparation of a new constitution for the Association copies of which you now have. You will notice that in the new constitution, subbranches of the Association may be formed in other parts of Fiji. It was not possible to do this under the old constitution.
- (2) Also discussed were action to be taken to bring the financial position of the Association up to date. Efforts were made to refund loans from the Association, pay off its debt and to have all receipt books circulated to other parts of Fiji, returned.
- (3) Also discussed were important matters which are thought necessary to be clear to us in view of the coming Constitutional Conference.

These are the headings of the important matters discussed by the Committee and which I should make known to you:—

- (1) Ownership of Native land.
- (2) Native Lands Ordinance and Native Reserve Ordinance.
- (3) Reference to Council of Chiefs and Fijian Affairs Board of Bills affecting the Fijians.
- (4) The constitution to be in line with Christian principles.
- (5) The confirmation of equal distribution of Fijians, Indians and Europeans in Government service.
- (6) Policy of granting citizenship of Fiji to individuals.
- (7) The Legislative Council.

### 1. *Ownership of native lands*

This subject was not discussed at length for it is clear as daylight, and in existing Government ordinance is definitely stated that native lands are owned by natives. It is also clear that ownership by natives of native lands is on 'mataquali' basis as was resolved by the Council of Chiefs at Mualevu in 1881, and which was confirmed in 1958 when the Council of Chiefs rejected a motion by Mr. J.S. THOMSON, the Commissioner of Native Lands that the land-owning unit should revert from the 'mataquali' to the 'yavusa'. Many honourable statements have been made by former Governors and these were confirmed by His Excellency the Governor Sir DEREK JAKEWAY's speech to the Legislative Council on 27th November, 1964, that ownership of land in this Colony is clear, and not to be debated.

### 2. *Native Lands Ordinance and Native Reserve Ordinance*

The foundation of the ownership of native lands is embodied in the Native Lands Ordinance which originated from the Deed of Cession.

The Native Reserve Ordinance defines the policy of usage of native lands, especially so to lands outside the native reserve.

As ownership of native lands is secure it is believed unlikely that these two Ordinances would be threatened by major changes. But in view of development

projects it is necessary to alter some clauses of the Native Reserve Ordinance to facilitate assistance on present land development methods to owners. Firstly, the Ordinance does not permit the use of Native Reserve fund to open up and prepare a piece of land for development. Secondly, the deduction of  $\frac{1}{4}$  of all leases for the use of the Native Land Trust Board. As there has been an increase in the number of leases, there has also been a corresponding increase in the number of  $\frac{1}{8}$ s. But the work undertaken by the Board is limited. It is therefore necessary to consider a reduction of the fraction of a lease to be used by the Native Land Trust Board.

It is clear from development plans that our lands in, and outside the reserve are not sufficient if we were to be equally provided with a piece capable of providing economic stability. A large number of us are not suited or are not desirous of becoming farmers. They want or are suited to take up other professions. The only means by which we can be equally provided with the products of the land we own is the distribution of the money obtained from the lease to the owners of the land who are farming it and those who are only owners though not using it. It is also necessary to hasten the leasing of our own land within the Native Reserve, to us and other races of people outside the Native Reserve. But the lease should accordingly be increased to suit the distribution of the money obtained from the land being leased.

### *3. Reference to Council of Chiefs and Fijian Affairs Board of Bills affecting the Fijians*

As the Council of Chiefs will remain, it is necessary that its important function must also be maintained and that is to consider and advise Government before any Bill affecting the Fijians is passed.

### *4. The constitution to be in line with Christian principles*

The desire to ensure that Christian principles are followed in the Administration of Government did not only originate from the success of this kind of leadership in Fiji. From its emergence as a Colony up to this day, or in the world as a whole, it originated from the desire of the Chiefs who ceded Fiji as it can be seen from the Deed of Cession. The clause reads:—

‘And whereas the Fijian Chief Cakobau styled Tui Viti and Vunivala and the other high native chiefs of the said islands are desirous of securing the promotion of civilisation and Christianity and of increasing trade and industry within the said islands, . . .’

This is one of the important clauses of the Deed of Cession which appears to be neglected when considering constitutional reforms. The Chiefs who ceded Fiji were desirous of securing the promotion of civilisation and Christianity, and of increasing prosperity. Christianity is founded on the creation of man to be like the Almighty, and the foundation of our life be compassion, tolerance and obedience to law and Government.

### *5. Confirmation of equal distribution of Fijians, Indians and Europeans in government service*

This system of Government Administration is intended to avoid an excessive number of only one race compared with the other two in Government service. What is meant here is the number, and does not concern the equal distribution of posts in

Government service. This system of administration was meant to protect us natives as higher education was lacking to us. This is by no means a sound protection device as numbers can be equally distributed but not the posts.

#### 6. *Policy of granting citizenship of Fiji to individuals*

At present there is an accepted policy recognising a person to be a citizen of the Colony and Great Britain. When the time comes to give Fiji some of the major powers of control now vested with Britain, a new legislature should be enacted to determine individual claim of right as a citizen of Fiji. The present policy is to recognise all Fiji-born as citizens of Fiji. It only remains to determine the policy of granting citizenship to non-Fiji born.

#### 7. *Legislative Council*

Before reviewing the structure of the Legislative Council, we think the following create the bond between Fiji and Britain:—

- (a) The Queen in Council retains the power to amend or repeal the Constitution, and to enact legislature which promotes and guarantees social, economic and political welfare.
- (b) Appointment of the Governor will continue to be vested with the Queen.
- (c) The Queen is to appoint Chief Justice and Judges.
- (d) Defence and Foreign Relations should be the responsibility of Great Britain with the exception of other branches of such responsibility which may be delegated by Britain to Fiji.
- (e) Citizens of Fiji, should be British subjects but the policy of determining citizens of Fiji is to be reviewed. We believe with continued observance of Christian ethics within Government Administration similar to our present policy of offering prayers in important Assemblies.

We wish to insist and support the present racial composition of elected members of Legislative Council but we believe that the two nominated members from the Council of Chiefs should be excluded from this composition. They should be additional members to Fijian elected members since they represent the oldest Council in Fiji. Such Council looks after the interest of the Fijians.

We support the election of a Representative for Rotumans, Chinese and people of the Pacific Island Territories resident in Fiji.

When branches of our Association are formed and extended to other parts of Fiji, it will broadcast the news of placing upon the shoulders of the present generations, the responsibilities to lead and to govern which were carried by the High Chiefs of Fiji when they negotiated with the British Government over the Deed of Cession.

One indication of the changing of time is the privilege extended to Fijians and other races in Fiji to discuss and decide major issues about Fiji. It is hoped with the formation of branches of the Association it will make it possible to invite the general views of the Fijians from all parts of Fiji.

The responsibilities now placed upon us are to consider, resolve and draft a new constitution to suit the transfer back to the people of this Colony of the power to administer with the acceptance of the bonds which I have already mentioned in the report of the Committee whereby our bond with the British Government under the British Crown should continue to be honoured.

One thing that is creating apprehension amongst Fijians at the present time is the demand by other races for land. It is our wish to retain for ever the ownership of our land. We know that it is controlled by legislation and statements made to this effect by past Governors. The present Governor Sir Derek Jakeway said in his address at the opening of the Legislative Council on the 27th November, 1964, 'The ownership of land in this Colony is clear and cannot be disputed.' Considering the statements made by Governors which have had wide publicity, it is surprising to us that a certain class of people in the Colony are ignorant, or refuse to understand our right of ownership and believe that this should be discussed at the forthcoming Conference. It has been published in the newspapers that some organisations (not Native) have demanded the abolition of the Native Land Reserve. This is unwarranted interference in our affairs. We do not have to look for the answers, e.g.

1. *New Zealand* — Native lands for the natives—Maoris.
2. *Australia* — Native lands for the natives—Aborigines.
3. *Canada and the United States of America* — Native lands for the natives—Red Indians.
4. *Malaya* — Native lands for the natives—Dyaks.
5. *India* — Native lands for the natives—Nagalands and N.E.F.T.
6. *South Africa* — Native lands for the natives—Kaffirs and Zulus.

Parts of the land not in the possession of the natives of these countries were forced from them through wars. This system did not happen in Fiji.

It is clear that the system of land ownership is accepted throughout the world and is based on Christian principles. The right to possess property or land necessitates their protection and preservation if the people are to carry out their various commitments and retain their self respect and it is essential that they do so if we are to have a prosperous Government.

From these contentions which maintain our rights to continue to own our lands, we are able to see the path to stability and prosperity of our government in times to come. On the question of daily economic means, it is plainly clear that the natives are the poorest. If the constitution of this Colony is changed to enable the removal of native lands from our hands it is possible for us in future to be floating about like rubbish and our race will become extinct to be forever forgotten from this world.

It is now clear that it is unthinkable for we natives to allow any discussion or debate on the ownership of native lands to come up in the Conference to be held here or in London. I believe it proper for our representatives to walk out and leave the conference if ownership of land is to be debated.

The procedure used by Government to facilitate the use of our native lands by other races is no secret. Before the Native Land Trust Board was founded, it was the duty of the District Commissioner to send applications for leases to the Tikina Council before sending them to the Lands Department for approval. This authority to grant leases was transferred to the Native Land Trust Board when it came into being. Let us ask to whom does this Board grant leases to? We see today that the Indians grow 80% of the cane. On whose land? Why be too greedy and why want to claim other peoples property? If we rent a house I do not know of any law which enables us to own that house through the length of tenancy. It is the same concerning land. I do

not know of any law which gives the right to the leasee to own the land he leases through the period he has held the lease.

When our main cause of anxiety is known it is very hard for us to consider common roll. We fear this type of election as it is possible that we will be in the minority and the other races in the majority. If the other races are elected in majority to the Legislative Council, it would enable them to amend the Ordinance which governs our ownership of land.

We natives should be united in the two matters I have mentioned, and I impart to the other branches which will be formed to discuss and submit in the utmost urgency their decisions.

## **75** CO 1036/1551, no 1 Mar 1965 ‘Interviews with political leaders in Fiji’: note by Trafford Smith after his recent visit<sup>1</sup>

What follows is summarised from notes of a number of meetings I had with the various leaders. I have chosen the material primarily to illustrate the personalities and general point of view. As regards the actual state of play, some of what follows has been overtaken by events—notably the meeting with the representatives of other races in the Legislative Council recently organised by Ratu Mara and reported in the Governor’s latest letter.

### *Ratu Mara*

(For his career, see the entry in the separate personalities note).<sup>2</sup>

As you can see by looking at him, Mara is not a pure Fijian. His mother was Tongan. He is not typically Fijian in temperament either—much less open and gay: much more thoughtful and reserved. Not quick to react to a situation. Likes to take his time and think it over. For a Fijian, almost donnish in outlook.

But he has much more foresight and a shrewder political instinct than other Fijian leaders, and suffers consequently from the necessity to look back over over his shoulder continually to make sure they are keeping up. The main burden of leadership and negotiation on the Fijian side falls on him.

### *At a Native Lands Trust Board meeting on March 10th*

The land problem generally was discussed. Mara thought there was a good chance of settling the issue before the London Conference. A settlement was essential, he said but beyond the proper organisation of leases, renewals, compensation, etc. the Fijians had much to learn in the economic use of land.

At the same meeting another member, Mr. Lloyd, expressed the view that there was too much concentration on land and that some of the political pressure on the land problem would be relieved if there was more diversification into light industry. There may be something in this.

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<sup>1</sup> Trafford Smith visited Fiji in Mar 1965 ahead of Mrs White’s visit in Apr.

<sup>2</sup> Personality notes not printed.

*At a Fijian Affairs Board meeting on the same day*

Mara put forward the view that local government was the best training ground for Legislative Council representatives and Ministers. He sees the need to broaden the Fijian Administration into a more general local government system.

*At a personal interview on March 11th*

Mara began by saying that the initiative for the Conference had come mainly from London, but the more forward looking Fijians had already realised the necessity for change. As regards the land, he thought he could persuade the Fijian Affairs Board to accept the new landlord and tenant proposals, and if they did, the Indians should be pacified and ought to be willing to make some concession from their side in return.

He will be producing a paper for the Conference setting out the Fijian view. He thought the Conference should move towards a *Ministerial system*, but not try to go too far in one step. The Fijians like living with the devil they know, hence there should be a continuous series of steps, little by little, each step as short as reasonably possible to maintain the confidence of the Fijians, but made with the next step in view.

The present system of 3 Members should be expanded to a Ministerial system with 6 Portfolios, the officials (Chief Secretary, Financial Secretary and Attorney-General) remaining as they are at present. The next move after a short time could be to give the officials Portfolios (the Chief Secretary—Defence and Foreign Affairs, the Financial Secretary—Finance).

For the next stage it would be essential to keep the Governor in the Chairmanship of the Council of Ministers. It was much too early to consider the thorny problem of a Prime Minister.

As regards *Communal Rolls*, any step away from them at the present stage would be looked upon by the Fijians as a defeat. Progress towards a Common Roll (he seemed to regard this as something to which the Fijians must become resigned in the long run) should come later. He was not particularly impressed by Mr. Falvey's idea of a trial balloon of 3 Common Roll seats at the next election. The Fijians would regard this as the thin end of the wedge, and it certainly should not be tried until the land settlement was firmly established. The great Fijian fear was that a Common Roll Legislature would change the law on land and deprive them of their security of ownership, and the Fijians are not convinced that written safeguards against such action would be adequate.

Referring to the *Fijian Association*, with its demand for 'Fijian paramountcy', Mara said that he had revived it to try to contain the Fijian extremists. As regards their demand that the Prime Minister must always be a Fijian, coming from a Fijian majority produced by having one extra Fijian seat for the Vunivalu (= something like 'Paramount Chief'—the present Vunivalu is Ratu George Thakombau)<sup>3</sup> he thought that there might be a certain amount of latitude in this for negotiation.

Reverting to *the local government question* in our private talk, Mara said that he thought 3 years would be sufficient to make enough good results visible to attract the Fijians. The Lomaivuna scheme (the new banana development project with many Fijian peasant farmers) was an example, and what was happening in the Singatoka<sup>4</sup>

<sup>3</sup> Cakobau.

<sup>4</sup> Sigatoka.

Valley (a similar development project, mostly rice and passion fruit) was revolutionary. The Fijians established there as individual peasant farmers were saying ‘Why didn’t we do this before?’

*Mr. A.D. Patel*

(For his career see the separate personalities note).

A charming man to meet, not the bogey-man the Fiji Times makes him out to be. Very pro-British in some practical ways—he is spending what must be a small fortune in having 3 of his children educated at boarding schools in England. But not without some chips on his shoulder and a certain tendency to look for sinister motives in British actions which are in fact either completely innocent or unthinking—e.g. the Governor’s speech in Australia.<sup>5</sup> In the course of a superficially cordial conversation it is noteworthy how many points emerge on which he feels or professes to feel a grievance. Checking up on some of these afterwards, the grievance is not always well founded.

*At a private meeting on March 11th*

Mr. Patel said that he and his colleagues in the Federation Party were working on a considered constitutional scheme which would be ready before your visit. Consonant with his line in the Executive Council at that time, he would not show his hand in more detail.

The main stumbling blocks at the Conference would be (he said) the method of election and representation in the Legislature (meaning common roll versus communal rolls) and the composition of the Executive.

With relief he slid off into more general remarks. What Fiji most needed was for all races to work towards common nationhood. With this in mind he had been considering the ultimate possibility of a coalition between the Federation Party (his own) and the Fijian Association (the group Mara revitalised to contain the Fijian extremists). One of the present troubles with the Fijians was that their European advisers (he meant primarily Mr. Falvey) play on their fears because they (the Europeans) want to prolong the *status quo* as long as they can. He went into a long narration of attempts to bring about talks between Ratu Mara, Mr. Falvey and himself and suggested they had broken down because of Mara’s unwillingness (which is not true). He would himself try to start direct talks with Mara—except that if he did Mara would be considered by the Fijians as selling them down the river: while on his side the Indian extremists would consider him to be doing the same. Hence the bringing of the two sides together must be the main task of the Conference.

There followed a long passage directed primarily at the Fiji Times, about the Europeans whipping up feeling and playing on the fears of the Fijians (there is a good deal in this, at least where the Fiji Times is concerned). Then came a diatribe on the iniquities of the local broadcasting system,—broadcasting having originally been offered to Mr. Patel as part of his social services portfolio and then withdrawn on threats of European resignations. The cracks were finally papered over by an arrangement by which Mr. Macdonald, the Colonial Secretary, consults Mr. Patel in

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<sup>5</sup> In which Jakeway said the UK government would not allow the indigenous population to come under the heels of an immigrant community.



his ministerial capacity on broadcasting matters. The Europeans were continually trying to get Indian stooges appointed on broadcasting and other statutory boards in order that they might have the appearance without the reality of multiracial control. These boards were, indeed, 'islands of autocracy', and could not be criticised in the Council. 'In this way self-government is an empty shell. The Native Lands Trust Board, the sugar, broadcasting, price stabilisation and housing authority boards are all immune from question in the Legislative Council.' (The Governor says this is considerably overdone.)

*After dinner at Government House on March 12th*

Getting him on his own, I asked him point blank: 'Would you be prepared to move away from common roll to some kind of compromise if necessary?' He answered: 'I would try to find a form of common roll having safeguards which would make it acceptable to the Fijians.'

*At a meeting with the Indian members of Legislative Council, March 10th*

(Mr. Patel, Mr. Deoki, Mr. Shah, Mr. Madhavan, Mr. C.P. Singh—see separate personalities note).

Here the tables were thoroughly turned. Most of the meeting was spent in my answering their questions, not the other way round.

They were mainly interested in the procedure of the Conference, how long it would last, whether papers should be put in and so on. One question asked was whether 'agreement had to be reached beforehand'. I gave the obvious answer about the need to secure the widest area of agreement beforehand so that the Conference could get straight down to the crucial issues. Asked how long it would take, I said—emphasising the wide variations and different circumstances of different conferences—that it might take a week or ten days to get to the point when it could be seen what the outcome might be, and there might then be an adjournment for consultations, seeking instructions, etc. then a further period of a few days to clinch the agreement.

Mr. Patel expressed great interest in Professor de Smith's book<sup>6</sup> and asked me to arrange for a meeting with him in London.

There was much talk about a supposed Australian and New Zealand interest in the outcome of the Conference. Was the Colonial Sugar Refining Company (the Australian parent of the Fiji Company)<sup>7</sup> pulling wires? Were the Australians anxious that Fiji should go slowly to prevent the heat being turned on New Guinea and Nauru? Why was the Australian Commissioner in Fiji (Mr. Hamilton) always trying to ferret out people's constitutional position? Had he been instructed by his Government to do so? Had the date of the Fiji Conference been postponed so that it could be after the Commonwealth Prime Ministers' meeting? (The thought here being that at the Prime Minister's meeting the British, Australian and New Zealand Governments would together decide the outcome of the Conference before it opened.)

<sup>6</sup> Stanley A Smith, *The new Commonwealth and its constitutions* (London, 1964). De Smith was a constitutional expert who reported on electoral systems in post-colonial constitutions.

<sup>7</sup> South Pacific Sugar Mills Ltd.

Mr. Deoki showed interest in the Mauritius example. Were there formal steps laid down on the road to full internal self-government? How long does each take? Why cannot Fiji go forward to full self-government in one?

Mr. Patel then launched out into one of his favourite grievances, that the balance between Fijians, Indians and Europeans in the Civil Service, police and Fiji Military Forces is weighted against the Indians. (There are for various reasons appearances of this but it is not a policy, and the Government goes out of its way to try to bring Indians in.) If H.M.G. had wanted to bring the people of Fiji forward towards self-government they would themselves have insisted on a balance. There was not one Indian in the Colonial Secretary's office.

The races had been kept in watertight compartments too long. Common roll would mean that many Indians would vote for Fijian candidates and *vice versa*, by sectional interests and not by race.

The only spokesmen I have noted were Messrs. Patel and Deoki. The former let slip 'common roll' once in a context making it look like his objective: similarly the latter referred once to 'full internal self-government' as an objective.

### *Mr. Falvey*

(For his career see the separate personalities note).

Reputed the best brain among the Europeans, and likely to be their main spokesman at the Conference. He made no very great impression at our few meetings, but still less did the others. Perhaps his eminence may be due to some extent to the features of the surrounding country. It is rumoured that he may be giving up politics after the Conference to return to his legal practice.

### *In a private interview on March 11th*

(Remember that Mr. Falvey is the Fijians' main adviser in constitutional and land matters.)

He started off by referring to the land problem as capable of solution. The Indians' basic need is to get the land problem settled, and if and when that happens, Patel would be able to come off common roll. The land is the Fijians' trump card and they know it. They do not want to make the concession too soon as they would lose the card. The Fijians would also see in any whittling down of European representation the beginning of a move towards Indian domination.

The reason for the alignment of the Europeans with the Fijians (Mr. Falvey continued) is that they see no future in any kind of relationship with the Indians, some of whom have declared their objective of getting the Europeans out. This is the purpose of the Indians attempt to get together with the Fijians. Apart from the land question, there are no anti-Fijians among the Indians, who would like the Fijians to align with them against the Europeans. But hardly any Fijians want to line up with the Indians—perhaps only some very young and disgruntled ones.

The Fijians are shifting more and more away from any acceptance of common roll, even in the future. They would not favour such compromises as multi-member constituencies with block voting, as the result would simply be that unrepresentative stooges would be elected.

The Fijians attach great importance to 'Fijian paramountcy' as a token recognition of the Fijian status as the landowners and indigenous inhabitants. The Europeans would be happy to give up a seat to make this possible, but they could not propose to

do this—the suggestion must come from outside. He then made the trial balloon suggestion of 3 general seats, one of each race elected on a common roll, but gave his view that of differing candidates, the communal man would get elected, at least at first.

Up to six months ago the Fijians might have been ready to accept the Rotumans on their roll, but not now because this looks like a form of common roll. Their thinking has hardened.

The advanced Fijians cannot go beyond the point to which they can bring the main body of Fijians. Nevertheless there are signs of movement—e.g. Semesa Sikivou (see personalities note) got in, to everybody's surprise, at the last election, against a Fijian candidate supported by the Vunivalu, Ratu George. In fact, the influence of the Chiefs is waning and, looking back, it seems that the British have maintained it for too long.

### *Meeting with the Fijian Association on March 10th*

(Particulars in the separate notes on political and similar organisations in Fiji.)

This is the Association that Ratu Mara said he had revived in an attempt to contain the more extreme Fijians. Its attitude was however fairly typical of most of the ordinary run-of-the-mill Fijians I spoke to in various parts of the country.

Though Ratu Mara is President, and Ratu Penaia Treasurer, they deliberately did not attend this meeting in order that the others could speak without inhibition.

The Fijians began by underlining the fact that they were a political party. They then launched into the only set-piece constitutional lay-out presented to me during my visit. I record it in detail primarily as an indication how far the main body of the Fijians still have to go.

They want full internal self-government, NOT independence.

*The Governor* should continue to be appointed by Her Majesty.

*Defence and External Affairs* should continue to be the responsibility of Britain.

*The Legislature* should be elected on a communal roll, and this system should be retained to ensure political stability and economic growth. They were firmly against any form of common roll.

The Fijians should have an absolute majority in the Legislature—more than half the total number of members, the non-Fijian seats being allocated in ratio to populations. 'Fijian paramountcy' should be entrenched. Controversial changes should be made only by a three-quarters majority of the whole confirmed by a three-quarters majority referendum of each communal roll. This might seem rigid and a bar to progress: but the majority of Fijians desired it. 'Put the situation back where it should be, that is what we are demanding—our rights must be given legislative recognition'.

The Indians would be provided for by minority safeguards—e.g. as regards land.

The salaries of members would be £1,500 a year.

*The Chief Minister* should be a Fijian derived from the Fijian majority in the Legislature. At first, the *Council of Ministers*, which should also contain a Fijian majority should be under the Chairmanship of the Governor, and there should be a gradual transfer of powers to the Fijian Chief Minister.

*The Constitution* should be written, but British Parliamentary conventions should apply. There should be a Bill of Rights defining basic human rights, and government should be 'according to Christian principles'.

*Citizenship:* Aliens should be disqualified from voting: British subjects not born in Fiji should qualify after 7 years residence.

*Immigration:* This is at present under the police, but should be brought under political control with more stringent legislation.

*The literacy qualification* should be retained.

*The Civil Service* should maintain a balance between races. More scholarships should be given to Fijians to enable them to catch up. Civil servants should resign on election to the Legislature.

*Local Government:* The Fijian Administration should continue, but in urban areas there should be racial representation on Municipal Councils.

**76** CO 1036/1263, no 20 27 Apr 1965  
**[Federation Party attack on Public Relations Office and Fiji Broadcasting Commission]: inward telegram no 51 from Sir D Jakeway to Trafford Smith<sup>1</sup>**

Press release issued by Federation Party after Annual General Meeting 25th April contains serious attack on integrity of Public Relations Office and Fiji Broadcasting Commission (as well as Fiji Times) alleging *inter alia* that they have ‘deliberately published distorted news concerning proposed constitutional changes for Fiji, concerning inter-racial harmony in Fiji and concerning political rights and views of the Indian Fijian’ and that ‘they have transmitted such distorted news overseas with the sole objective of creating animosity, misunderstanding and disharmony between the different racial communities living in Fiji.’

2. At this meeting two Executive Councillors Patel and Madhavan,<sup>2</sup> were elected President and Vice President respectively. I am satisfied that these attacks are without foundation. I am also advised that statements relating to the Public Relations Office are libellous (Fiji Broadcasting Commission is independent statutory organisation). Whatever legal action may be taken I cannot let these attacks go unchallenged and I am issuing a statement in tomorrow morning’s press and radio reaffirming my confidence in the impartiality of the Public Relations Office and Fiji Broadcasting Commission. I am also addressing letters to Patel and Madhavan pointing out that unless they dissociate themselves from the attack on the Public Relations Office their continued membership of the Executive Council must come into question. I have taken this action with the concurrence of Mrs. White.

3. Whether I shall have to recommend the removal of persons named from the Executive Council will depend on their answers to my letters.

4. The Federation Party General Committee resolution went on to say that because of distortion mentioned (? it had omitted) directed the four party Legislative Councillors to have no more discussion on constitutional matters with other Legislative Councillors before the London Conference. It also gave full authority and discretion to the four members to present the Indian community case at the Conference. On the strength of this Patel at his meeting with the Legislative

<sup>1</sup> cf Trafford Smith’s report on his meeting with Mr Patel in 75.

<sup>2</sup> James Madhavan.

Councillors yesterday merely read a short paper arguing in general terms the merits of the common role and declined to enter into any discussion (this was the meeting the Indians undertook to convene—see my letter of 8th April).

5. The meeting then broke up, but the Legislative Councillors (including Deoki and C.P. Singh) continued it in another place and issued a statement afterwards saying that they had had a full and frank discussion and proposed to have further meeting amongst themselves.

6. This is wretched turn of events and one is left to guess at motive. But whatever the consequence I cannot condone such flagrant violation of the principle of collective responsibility. Patel's good trust is now particularly questionable in that the previous evening I saw him and urged on him the need for a forthcoming attitude at his meeting in view of the recent encouraging indications of Fijian willingness to meet Indian anxiety on land occupation. He made no mention of the party resolution passed earlier that day and gave no indication that he was not prepared to enter into full discussions with other Legislative Councillors before the London Conference. Fuller report follows by savingram but I may have to ask for very early action in relation to Patel and Madhavan's continued membership of the Executive Council. Next meeting is due on 30th April.<sup>3</sup>

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<sup>3</sup> Greenwood minuted: 'I shall like a note on this please. Are the two members of Ex. Co. also members of the executive body of the Federation Party?'

**77** CO 1036/1263, no 19

27 Apr 1965

[Federation Party attack]: outward telegram (reply) no 55 from  
Trafford Smith to Sir D Jakeway

Your telegram Personal No. 51.<sup>1</sup>

Following from Trafford Smith.

This is indeed a disturbing development. Since you have Mrs. White and Galsworthy with you I hesitate to intervene but I thought that in view of my recent visit to Fiji,<sup>2</sup> you might like to have my own reactions.

2. I naturally agree that Federation Party's attack cannot be allowed to go unchallenged, but inclination would be to play it cool. I wonder whether statement you propose to issue coupled with letters to Patel and Madhavan would not be sufficient, particularly if anything like an apology is offered in reply.

3. Removal of Patel and Madhavan from Executive Council could have serious and far reaching consequences. Would this not wreck prospects of a successful conference and lead Indians to adopting more extreme positions than they have in the past and than we had hoped that they would at the conference? This in turn might:—

- (i) make it difficult for a long time to re-establish any trust between the races;
- (ii) affect security (it is perhaps not fanciful to bear in mind the situation in British Guiana);
- (iii) render satisfactory government of Fiji difficult to ensure.

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<sup>1</sup> See 76.

<sup>2</sup> See 75.

**78** CO 1036/1263, no 24

27 Apr 1965

[Federation Party attack]: letter from Sir D Jakeway to Mr Patel and Mr Madhavan. *Annex: Press release*

The press release of the Federation Party on its Annual General Meeting held on April 25th, signed by the Secretary-General (Mr. C.A. Patel), contains the following statements:—

- ‘(a) that certain vested interests and organisations in Fiji particularly the Fiji Times, Public Relations Office and the Fiji Broadcasting Commission have in the past deliberately published distorted news concerning the proposed constitutional changes for Fiji and concerning the political rights and views of the Indians in Fiji.
- (b) That they have transmitted such distorted news overseas with the sole objective of creating animosity, misunderstanding and disharmony between the different racial communities living in Fiji, and
- (c) that they have created an atmosphere of mistrust and misunderstanding among the people of Fiji on matters aforementioned at a time when Fiji is going through its critical stage of political development . . .’

and

‘That this Annual General Meeting of the Federation Party declares (and) deplores the action of the staff of the Public Relations Office, Suva, when they intentionally and deliberately translated the “Jagriti” version of the address given by the Party’s President, the Hon. A.D. Patel, at a meeting of the Party held on Sunday, April 4th, 1965, at the Century Theatre, Suva, which said translation has been published in Fiji and abroad and declares that it has no confidence in the staff of the said office.’

I must ask you to say, explicitly and immediately, whether you associate yourself with these statements in so far as they affect the Public Relations Office, which is a Government Department.

You will realise that anything other than a public disassociation from these attacks on the Public Relations Office must bring into question your continued membership of Executive Council.

I attach for your information a copy of a press release which I am issuing.

### Annex to 78

For issue to press and radio on the morning of Wednesday, 28th April.

A press release issued by the Federation Party after its Annual General Meeting on April 25th, and signed by the Secretary-General (Mr. C.A. Patel), contains attacks on the integrity of the Public Relations Office and the Fiji Broadcasting Commission.

The Governor wishes it to be known that he repudiates any suggestion of bias in the Public Relations Office, and has no reason to doubt the impartiality of the Broadcasting Commission.

**79** CO 1036/1263, no 21

28 Apr 1965

**[Federation Party attack]: CO minute for Mr Greenwood<sup>1</sup>**

In telegram No.51 of the 27th April<sup>2</sup> the Governor of Fiji reported that the Federation Party in a press release issued after its annual general meeting on the 25th April made a serious attack on the integrity of the Government's Public Relations Office and the Fiji Broadcasting Commission on alleging that they deliberately published distorted news with the object of creating unrest between the different racial communities in the island. The Governor is satisfied that the attacks are without foundation.

2. Two Executive Councillors, Mr. Patel and Mr. Madhavan (who are both Indians) were elected President and Vice-President of the Federation Party at the meeting of the 25th April. Before these elections Mr. Patel was already President of the Party; Mr. Madhavan was a member of the Working Committee of the Party. The constitution of the party is not known sufficiently well in the Office to answer your enquiry as to whether Mr. Patel and Mr. Madhavan are members of 'the executive body of the Federation Party'. But the party is Mr. Patel's creation and Mr. Madhavan is 'a Patel man'. It is inconceivable that the attack on the Public Relations Office and the Broadcasting Commission could have been made except on Mr. Patel's authority.

3. The Governor has written to them pointing out that unless they dissociate themselves from the attack on the Public Relations Offices their continued membership of the Executive Council must come into question.<sup>3</sup> Mrs. White has concurred in this action. The Governor states that whether he will have to recommend the removal of the two members from the Executive Council will depend on their answers to his letter.

4. In a personal telegram<sup>4</sup> to the Governor Mr. Trafford Smith, while agreeing that the Federation Party's attack cannot be allowed to go unchallenged, has suggested that the Governor's statement of confidence in the Public Relations Office and his letters to Messrs. Patel and Madhavan may be sufficient, particularly if anything like an apology is offered in reply. He has suggested that dismissal of these two members from Executive Council could well wreck the prospects of a successful conference in July and lead the Indians to adopt more extreme positions. It might also make it difficult for a long time to re-establish any trust between the races, affect security on the British Guiana pattern, and render satisfactory Government of Fiji difficult to ensure.

5. In considering what if any further action to take the Governor will of course be able to discuss the situation with Mrs. White and Mr. Galsworthy. The formal position is that appointments to the Fiji Executive Council are made by the Governor in pursuance of instructions given to him by Her Majesty through a Secretary of State. Office is held during Her Majesty's Pleasure. There is no detailed provision for dismissing an Executive Councillor for misconduct but there is provision in section 16 of the Fiji (Constitution) Order in Council 1963 for suspension, by the Governor,

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<sup>1</sup> See 76, note 3.

<sup>2</sup> See 76.

<sup>3</sup> See 78.

<sup>4</sup> See 77.

in his discretion. Every such suspension must be reported forthwith and remains in force until removed by the Governor or by Her Majesty through a Secretary of State, or the persons suspended ceases to be a member of Executive Council.

6. At this stage the situation is reported for information only.

## **80** CO 1036/1551

Apr 1965

‘General economic and constitutional background’]: CO brief A for  
Mrs White’s visit to Fiji

[Extract]

...

### *Background*

14. During discussions in December 1964 between the Governor and unofficial members of the Legislative Council, a request was made for a visit to Fiji by the Secretary of State prior to the Conference. It was suggested that if representation at the Conference was to be limited to members of Legislative Council, such a visit, in addition to enabling him to see something of Fiji, would provide representative bodies outside the Legislative Council with an opportunity to express their views to him in person.

15. It was subsequently agreed that Mrs. White should visit Fiji shortly after Easter. This would acknowledge the desirability of enabling representative bodies outside the Legislative Council to express their views before the Conference to a British Minister, but would avoid the obvious danger of a visit by the Secretary of State developing into a kind of pre-conference at which it would be difficult to avoid commitments. It was agreed that Mrs. White should make it plain on all issues of substance which might be raised with her that she could not anticipate the decisions of the Secretary of State at the Conference. She would emphasise that the purpose of her visit was to listen to representations and report them to the Secretary of State.

### *Issues likely to arise at the conference and during Mrs. White’s visit*

#### 16. (a) *The continuing link with Britain*

The Fijians will press for a closer definition and firmer assurances on the continuing link in the future. There has been discussion in the past of using the Isle of Man or the Channel Islands examples as a basis for a new constitution in Fiji. We have made efforts to resist this. As Mr. Sandys’ Despatch of 15th August, 1963 said, ‘the circumstances of these islands are, of course, in many respects different from those of Fiji and their constitutional arrangements could hardly be adopted in their entirety’.<sup>1</sup> However, the Despatch did promise that the Conference could examine features which might be adapted to suit the conditions in Fiji. To some extent the Fijians mis-understand the whole question of the continuing link. All those points on which they have sought safeguards, (e.g. appointment of the Governor by the Crown, appointment of judges by the Crown, U.K. responsibility for defence and the need for

<sup>1</sup> See 68.



the assent of the Crown to legislation), would be preserved in any ministerial system likely to be worked out at the coming Conference. We are likely however to be faced by a demand for a further assurance that there will be a *permanent* continuing link with Britain, and this might involve us in some discussion of *ultimate* constitutional solutions for Fiji. It would be preferable if at all possible, to avoid this by pointing out that there is no question of these ties being dissolved as a result of the Conference; that it has been agreed and publicly stated by all the unofficial members of the Legislative Council (including the Indians) that independence should not be discussed at the coming conference; and that it would be better to postpone consideration of ultimate solutions until the new constitution has been in operation for some time. The people of Fiji are then more likely to have clearer ideas of their needs in the way of a permanent solution.

In discussion of this point during her visit, Mrs. White is advised to avoid any appearance of favouring any particular ultimate solution. She might urge on all concerned the importance of full discussion locally at the appropriate time of such matters, but could stress her understanding that it is generally agreed in Fiji that independence should not be discussed at the Conference, and say that she presumes therefore that there will likewise be no need to discuss alternative ultimate solutions. Finally she might usefully emphasise the fact that, whilst we have in the past always made it clear that we have no wish to withhold independence from Fiji should this be the desire of the people of Fiji, it is just as truly the case we are prepared to retain our links with Fiji if this should be their wish. The most important thing is for all the inhabitants of Fiji to agree on their constitutional objectives. Our minds are entirely open on the subject and we are quite prepared to try to work out in consultation with their representatives arrangements designed to give constitutional expression to their wishes, both at the Conference and in the more distant future. (Faced with this problem Mr. Trafford Smith took the line during his visit<sup>2</sup> that H.M.G. have no desire to lay down a pre-determined pattern for the development of Fiji. Their desire is to bring the people of Fiji forward to a state of full internal self-government in which the people themselves will be able to make a choice as to their ultimate destiny—whether independence, or some form of continuing association with Britain. The time for such a choice is not yet).

(b) *Land ownership (see separate brief on land problem).*<sup>3</sup>

The Fijians will insist on the sanctity of the Fijian ownership of land. The Indians will probably not resist this. They will however seek assurances of improvements in the conditions of tenure of Indian farmers. We hope that the proposals now under review in Fiji and discussed in the brief on land problems will gain acceptance and go far to satisfy the Indian demands.

It will be useful to discuss the general line to be taken on land problems with the Governor, but it is suggested that Mrs. White need not become involved in details on the subject. When it arises she might say that, so far as she is aware, no one challenges the Fijian ownership of their land. It is, however, important to agree on a

<sup>2</sup> See 75.

<sup>3</sup> The only other brief included in this volume is that on the Channel Islands and the Isle of Man (see 81). On the land problem, cf 73.

satisfactory system of land user, i.e. on the provision of an adequate statutory framework for the conduct of relations between all landlords and all tenants which will prove satisfactory to all concerned; and she has been glad to learn that progress on this matter is being made.

(c) *The Christian state*

The Fijians have demanded that Fiji should remain a Christian state. We do not know how firmly the Fijians will insist on provision for this in the new constitution; nor are we quite sure what they mean by it. It is to be hoped that we may be able to convince them that the acceptance of the principle of non-discrimination in the context of a code of human rights, on the usual lines, will be sufficient. Ratu Mara made clear to Mr. Trafford Smith that the Fijians are not contemplating Fiji becoming constitutionally a Christian State with Christianity a state religion in the way that e.g. Pakistan is a Muslim state. They want to be sure that Fiji will continue to be governed according to generally accepted Christian principles. Mr. Trafford Smith pointed to the difficulty of securing Indian agreement to a formal statement of this, not because Indians had any objection to Christian principles, but because they would feel that their religions deserved equal mention. Ratu Mara came some way towards agreeing that something on the lines of chapters on Human Rights in some recent constitutions might in fact serve to meet this point.

(d) *Racial balance in the Civil Service*

This is a common demand on the part of the Fijians who are worried that the more able Indians will become entrenched in the more senior posts in the Public Service. (Conversely, the Indians demand a racial balance with armed forces and the Police, now predominantly Fijian.) The need to preserve a balance between the races in the Civil Service is widely recognised in Fiji. In 1961 the Governor issued a directive to the Public Service Commission 'that entry to the Civil Service should be controlled in such a way as to secure as far as possible a balance between the number of Fijians and Indians within the service'. This instruction has since been written into the Public Service Commission Regulations. A *balance in numbers* is not of course entirely satisfactory to the Fijians, as their concern is that there should be an equitable distribution of the *senior* posts. Mrs. White might refer in discussion of this issue to the present policy of the Public Service Commission; she could add that the question of whether this principle might be affirmed in some way in the constitution is a matter which would no doubt be looked into at the Conference. (It might be possible to insert a provision on the lines of that in the Malayan Constitution—a copy of the relevant provision is attached.)<sup>4</sup> It is of course most probable that, in the new constitution, which we hope will be evolved at the Conference, the Public Service Commission will still remain advisory; this should serve to set Fijian fears at rest and also to avoid the need for a compensation scheme for expatriate staff who are still needed in considerable numbers in Fiji. Normally Public Service Commissions do not become executive until full internal self-government is reached and a compensation scheme for expatriate staff is then introduced at the same time. It is most unlikely that the Conference will decide on a move as far as this.

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<sup>4</sup> Not printed.

(e) *The Fijian administration (see separate brief)*

The future of the Fijian Administration may be raised by some Indians but we hope that this will not be an issue at the Conference. If this question is raised Mrs. White might simply say that the need to make changes in the Fijian Administration has been widely recognised by the Fijians themselves, whose prime concern this is; that she welcomes the steady development of multi-racial local government in Fiji, particularly in urban areas; and that it is important for the people of all races to work together in Fiji on a local, as well as on a national level.

(f) *The new constitution*

(i) This franchise, and the related questions of the composition of the Legislative Council and the makeup of the Executive Council, are the major constitutional issues on which acceptable compromise will have to be found at Marlborough House. On the franchise the Indians may well demand the introduction of common roll voting. This would result in the Fijians being swamped electorally and both the Fijians and Europeans are insistent on the need to maintain communal rolls. In our view it is impossible to envisage the introduction in Fiji now of a common roll in the simplest form. It might, however, be possible to devise an electoral system which introduces elements of the common roll principle while maintaining the principle of communal rolls as the basis to a greater or lesser extent. This will require careful consideration and will need detailed study and discussion. (Mrs. White is aware of the possibility, which is still under consideration, of Professor de Smith (who is a constitutional expert with specialist knowledge of franchise arrangements) being asked to be available to be called in, if necessary, at the Conference.)

It is, however, generally agreed that provisions should be made in any new franchise arrangements for the vote to be given to the Chinese, the Rotumans, other Pacific Islanders and part Europeans who are at present without the vote (now limited to Fijians, Indians and Europeans). Some solution for this will have to be devised; possibly there should be a 'general' roll on which all other than Fijians and Indians would be registered; it would be of interest to test European reaction to this proposal. The Europeans may insist on the preservation of a separate European roll: as they number only about 10,000 against over 25,000 'others' their case for this is, however, weak.

It is suggested that on the franchise question Mrs. White should limit herself to saying that the aim of the Conference must be to work out provisions which will be fair and reasonable to all concerned and which will not place the interests of any one community in jeopardy; there are many methods of voting which could achieve this and which might be examined, both beforehand and at the Conference. There would be no objection to Mrs. White expressing herself as being in favour of extending the franchise, whatever the precise method eventually adopted to those groups at present excluded from it completely.

(ii) *Legislative Council*

The composition of the Legislative Council is, of course, closely related to the franchise; the basic divisions in the Council remain, and are likely to remain, racial ones. It is unlikely that we shall be able to escape from a strict parity of numbers between Fijian and Indian members. However, in equity the European representation should no longer enjoy similar parity. If there were a 'general' roll on

which all voters not registered as Fijians or Indians were included, this could provide a third group in the Council. The number of seats in this category should, however, be less than that in either the Fijian or Indian category. The Indians may protest that, as the 'general' group is likely to side with the Fijians on all major issues, they will, as now, be placed at a disadvantage unless they have greater representation than the Fijians in proportion to their preponderance in the population. This objection will probably have to be overruled if a settlement is to be reached and the Indians themselves may not press it too strongly. There may have to be safeguards such as provision for, say, a majority of each community's representatives, or a 75% majority of the whole house, for legislation dealing with certain claims of subjects.

There is also the question of nominated seats. At present there are six nominated members of the Council: two Europeans and two Indians (one of whom is in practice normally a Muslim) all nominated by the Governor, and two Fijians chosen by the Council of Chiefs. It may be that a small number of nominated seats should be retained to provide seats for minority groups unable to secure representation through elected seats for one reason or another e.g. a Muslim Indian, a Chinese, a Rotuman, a part-European. It would, however, be preferable to get away from nomination altogether, if possible.

In any case, the number of seats in the Legislative Council can usefully be increased to provide for wider representation. It might be possible to think in terms of a council of between 30 and 40 members e.g. a House with 40 members (15 Indians, 15 Fijian, 6 'General' and 4 nominated) or with 35 Members (15 Fijian, 15 Indian, 5 'General' and no nominated). There might in addition be a number of ex-officio official members: this point also requires consideration.

Mrs. White is advised not to commit herself in any way on the composition of the Legislative Council; she should restrict herself to noting and undertaking to consider any suggestions that may be put forward. Here again she could usefully stress the importance of attempts being made locally to reach agreement on this matter.

### (iii) *Executive Council and chief minister*

We hope that at the Conference it will be possible to secure agreement to the introduction of a Ministerial system. The same considerations will apply to racial balance in the Executive Council as in the Legislative Council. It is likely that we shall have to attempt to maintain the multi-racial coalition government which exists in embryo under the Membership system. However, the question of the appointment of a Chief Minister, if it arises, will be a difficult one. The Fijians would probably insist that the position should be reserved for a Fijian: on the other hand Mr. A.D. Patel (the leading Indian politician) has referred publicly to his ambitions to take this post for himself. It is certainly important to avoid making any commitment on this point. Perhaps the most likely outcome at this stage will be to leave the Governor as Chairman of the Council of Ministers—the Fijians may well insist upon this. If they do, the whole Chief Minister problem can be relegated to a subsequent constitutional conference.

The question of the retention of officials on Executive Council will also have to be considered; this involves consideration of e.g. whether an unofficial should take over the portfolio of finance and the future of the post of Colonial (i.e. Chief) Secretary. Under the type of constitution which is likely to emerge from the Conference we may well have to allow finance to go to an unofficial Minister; it is practically certain,

however, that the Chief Secretary would continue to exercise Ministerial responsibility for such matters as defence, external affairs, internal security and the public service.

(iv) *Second chamber*

It may be suggested that a second chamber should be established in Fiji. It is to be hoped that this can be avoided, not only on grounds of expense, but also because if the Legislative Council is to be expanded in size all the abler politicians should be able to find a place in it. It would be better to establish proper constitutional checks and balances within the Legislative Council rather than to seek to achieve this by establishing a second chamber.

(v) *Legislative safeguards*

It is likely that there will be requests from the Fijian side for entrenched safeguards on legislation which might affect their interests adversely. We should probably have to concede some provisions on these lines; the Indians would probably accept this. As pointed out above, possibilities would be to make provision whereby certain categories of legislation needed to secure either a 75% majority in the Legislative Council or secure the assent of a simple majority of each racial group in the Council. This is, however, a matter which has not yet been thought out in detail; it will no doubt have to be considered by the Conference.

(vi) *Qualifications for candidates*

At the moment Fijians in the Public Service are allowed to stand for election and to sit as elected members of the Legislative Council. This is because of the dearth of suitable Fijian candidates outside the Public Service (which includes the Fijian Administration). It would be preferable to move away from this in future, but there is likely to be strong Fijian pressure to preserve this position for the present. It might, however, be pointed out in discussion with Fijians that this is a most unusual arrangement which might cause their representatives and the Government some embarrassment. A possible compromise might be to allow Fijian civil servants to contest elections without having to resign their posts but to provide that they should do so if elected.

## **81** CO 1036/1551

Apr 1965

**‘The Channel Islands and the Isle of Man’: CO brief N for Mrs White’s visit to Fiji**

*The Channel Islands and the Isle of Man*

The Channel Islands and the Isle of Man are dependencies of the Crown, outside the United Kingdom, and are distinguished from the overseas dependencies by their proximity to Great Britain and by the antiquity of their connection with the Crown. The Channel Islands came under the English Crown in 1066, being then part of the Duchy of Normandy; the claim of the English Crown to the Isle of Man was established about the end of the fourteenth century. Because of the proximity of these Islands to Great Britain they are included by the Interpretation Act within the

'British Islands'; in the Merchant Shipping Acts trade with the Islands is classed as 'Home Trade'; and in the Post Office Acts postage to and from the Islands is classed as 'Inland' postage.

2. The distinction between these ancient dependencies and the overseas dependencies was recognised by the provision of the British Nationality Act 1948, by which a Channel Islander or a Manxman is authorised to call himself a 'citizen of the United Kingdom, Islands and Colonies'. Recognition of their distinctive position may have contributed to the decision taken in 1801 that business connected with the Colonies should be transferred from the Home Secretary to another Secretary of State while business connected with the Channel Islands and the Isle of Man should remain (as it still remains) with the Home Secretary.

3. The Channel Islands and the Isle of Man have their own legislative assemblies, systems of local administration, fiscal systems and courts of law. Subject to the prerogative powers mentioned in paragraph 4 below, the islanders have general responsibility for the regulation of their local affairs. Most of the laws by which they are governed emanate from their own legislative assemblies, and most of their public services are provided by these assemblies and administered by committees of these assemblies, in much the same way as local government services are provided and administered in Great Britain.

4. Appointment to some of the chief posts in the local administrations rests with the Crown; and legislative measures passed by the Island assemblies depend for their validity on ratification by Orders made by Her Majesty in Council. Occasions for asking for such measures to be reconsidered seldom arise, but it is the Home Secretary's duty to see that each measure is scrutinised before submission to the Council. It is the Privy Council which the Islanders recognise as the authority for decisions concerning their affairs, and there is a Committee of the Privy Council to entertain petitions from the Islands.

5. Acts of the United Kingdom Parliament do not apply to the Islands unless, exceptionally, they are so applied by express provision or necessary implication. The more usual procedure is to enact that the provisions of United Kingdom Acts may be extended to the Islands by Order in Council 'with such exceptions, modifications and adaptations as may be specified in the Order'. This procedure is preferred by the Islanders because it gives them the opportunity to ask to argue their case before a Committee of the Privy Council if they take exception to some provision; and some modifications are often required in any case. The United Kingdom Government are responsible for the international relations of the Islands; but the Island authorities must be consulted before any international agreement is concluded which binds the Islands.

6. The *Channel Islands* are divided into two Bailiwicks, one comprising Jersey, the other comprising Guernsey and the adjacent islets of Hern and Jethou, together with Alderney and Sark. For each Bailiwick there is a Lieutenant Governor representing the Crown, who has certain executive functions in connection with immigration, naturalisation, and passports. In each Bailiwick there is also a Bailiff appointed by the Crown, who presides over the local Court and over the representative assembly (the States of Jersey and the States of Guernsey). All members of the States who have the right to vote are elected directly or indirectly by an electorate which includes all British subjects over 21 resident in the Islands.

7. The Islanders are immune from taxation for Crown purposes. Proposals by the States for raising revenue by local taxation are petitions to the Crown for permission to impose a tax and require authorisation by Order in Council; but the responsibility for deciding how the revenue shall be raised and spent is in practice left to the States.

8. The *Isle of Man* has a Lieutenant Governor appointed by the Crown who is the executive authority for certain 'reserved services' including police and prisons. The local legislature or Tynwald comprises two bodies, the Keys (24 men elected by an electorate comprising all men and women over 21 who have resided in the Island for six months) and the Legislative Council (which comprises the Lieutenant Governor as President, the Bishop of Sodor and Man, the two Deemsters or local Judges, the Attorney-General, two persons nominated by the Lieutenant Governor and four persons elected by the Keys). All Acts of Tynwald require the consent of both the Legislative Council and the Keys, and depend for their validity on confirmation by Order in Council. The public services, other than 'reserved services', are provided by Tynwald and administered by Boards of Tynwald.

9. The Lieutenant Governor is responsible for initiating proposals for raising and disbursing revenue: all such proposals require the assent of Tynwald except proposals for expenditure on the 'reserved services', about which Tynwald is nevertheless consulted. There is a standing body of members of Tynwald, known as the Executive Council, with whom the Lieutenant Governor confers before making proposals for raising or spending money. In practice the major share of responsibility for the financial affairs, as for the other public affairs, of the Island rests on Tynwald. A percentage of the revenue is paid to the United Kingdom Exchequer.

## 82 CO 1036/1263, no 24

30 Apr 1965

[Federation Party attack]: letter from Mr Patel to Sir D Jakeway arguing he is not in breach of collective responsibility in his criticism of the Fiji Broadcasting Commission

I beg to acknowledge receipt of your letter dated the 27th April, 1965.<sup>1</sup> In reply I wish to draw your attention to the statement of the previous Governor in the Legislative Council in 1961 on the proposed membership system. In which he stated that:—

*'On appointment members would be required to give an undertaking to accept collective responsibility; that means that when policy matters are considered in Executive Council all members both official and unofficial would as at present be free to advise and express their views according to their conscience. Once a decision has been taken in Executive Council, however then all would be bound by it. Whether it represents their personal views or not, or must resign.'*

<sup>1</sup> See 78.

This was the extent of collective responsibility when the Portfolio of Social Services was offered to me and I agreed and accepted it.

When you informed me by letter dated the 29th June, 1964 that I shall be designated the Member for Social Services from 1st July, 1964 you sent me notes for the guidance of the members for Executive Council under the membership system with the said letter.

Under the heading 'FUNCTIONS OF THE EXECUTIVE COUNCIL AND ITS MEMBERS' the notes say:—

'Executive Council will continue to be advisory to his Excellency the Governor as at present and all important matters or matters of policy will continue to be decided by the Governor-in-Council. There will be, however, one very important change in that there will in future be collective responsibility of members of the Executive Council in the formulation and implementation of Government Policy. If any unofficial member disagrees with any *policy decided in Executive Council* to the extent that he is not prepared to bear his share of collective responsibility *for that decision* then the proper course for him is to resign.'

In paragraph 7 under the same heading reads as follows:—

In view of the doctrine of collective responsibility all unofficial members of the Executive Council will be required 'fully to support and defend *Government policy* in Legislative Council and in public.'

I have supported the decisions taken in the Executive Council and shared responsibility both in the Legislative Council and in public. When I accepted the office I accepted responsibility only to the extent mentioned in the notes and no further.

Considering that under the Membership System I am supposed to undertake collective responsibility as stated above without any power or authority whatsoever I am not prepared to agree to the extension of the responsibility to defend the actions of civil servants or to defend them against public criticism.

I found it difficult to carry on as a Member when all that I can do is to persuade the Heads of the Department on the one hand and you on the other. Sometimes I have succeeded, at other times I have failed. But I have continued, in the face of difficulties, to give such a one-sided system a fair trial and you must admit that I have faithfully carried out responsibilities in the formulation and implementation of government policies.

I do not consider myself responsible to defend the wrongful acts of civil servants or defend them against public criticism.

Sometime ago Mr. S.N. Koya, Mr. J. Madhavan, Mr. C.A. Shah and myself complained to you about the Fiji Broadcasting Commission calling the members of the Federation Party 'Badmash' in its Hindi broadcast, which term is grossly abusive, insulting and provocative. Your reply was that you did not know the meaning of the word and Government had no control over the Fiji Broadcasting Commission as it was a self-financing body. You can hardly expect me to say that the Fiji Broadcasting Commission was impartial in applying that epithet to me and my colleagues.



As regards the Public Relations Office; if it wants to translate what appears in Hindi periodicals and disseminate translations in English within the Colony and abroad, it is the duty of the office to ensure that the translations are correct and accurate.

Any translation of a Hindi article into English must of necessity be a deliberate and intentional act on the part of the translator. How can it be said that the translation of the 'Jagriti' version of my speech by the Public Relations Office was not deliberate and intentional? I know Hindi and English languages very well and therefore I personally know that the translation is wrong, misleading and mischievous. While you and Mr. Hackett,<sup>2</sup> neither of whom possess any knowledge of Hindi Language and who have therefore to depend upon hearsay opinions, wish me to uphold the action of the Public Relations Office on its translation!

I assert that my view of the translation is correct and I am entitled to ask you, what steps you have taken against the person who translated that article?

In the end I wish to emphasize that I have joined the Government to serve my people—not to forsake them; and I am not prepared to sell my soul for a mess of potage.

I am prepared to resign if you or the Secretary of State so wish.

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<sup>2</sup> E J F Hackett, public relations officer, Fiji.

## **83** CO 1036/1554

1 May 1965

### **[London conference]: press release by the Public Relations Office, Suva, on Mrs White's comments about arrangements and issues at the forthcoming conference**

Mrs. Eirene White, Under Secretary or State for the Colonies, gave an interview to 14 Press and radio representatives in the Executive Council Chamber at Government Buildings on Saturday. Mrs. White said that since coming to Fiji she and Mr. Galsworthy had received excellent co-operation from His Excellency downwards both from the officials and unofficials.

She explained that no statements were being issued about details of the talks with individuals and organisations. If the organisations themselves wished to publish the statements they had made that was up to them. The purpose of the visit was to get as far as she could in a short time some sort of picture of the various opinions which she could put before the Secretary of State.

Mr. Usher of the Fiji Times asked about the procedure to be adopted at the London Conference. Would there be for instance a fixed agenda?

Mrs. White replied that they had not really got quite that far. It was still one of the things to be discussed with His Excellency and the Administration in Fiji. The representation from Fiji had been fixed as the members of the Legislative Council. There had been one or two requests from various organisations representing different interests that there should some additions. She had said definitely that was out. The delegation was fixed. If one were to go wider then there would be so many people present that the thing would become impossible. She had also been asked

whether official observers could be sent. This was a subject which could be discussed in London but she thought not for the same sort of reason.

If observer status was given to one then it would have to be given to another and instead of having a real negotiating table, you would have a gallery to which some people might wish to speak and that might make the negotiations difficult.

Asked by Mr. Usher if there would be Press arrangements, Mrs. White replied that Press arrangements would be made as they always were. The general pattern was a plenary open session and then very often a delegation split into groups, not always, and then there were private sessions and at the and a full public session. It rather depended on the nature of the conference as to how Press statements were issued in between. Everything would be done to make things as easy as possible for the Press to be able to carry satisfactory reports of the conference.

Mr. Carter of the Fiji Times suggested that if there were long gaps between the issue of official statements about the conference then rumours in Fiji would become rife.

Mrs. White said that they would have to do the best they could for the Press. One wanted to give the general public as good a service as they could and they would be entitled to it. On the other hand during negotiations the point might arise where you did not know the outcome and any statement would be premature and could cause damage.

Alipate Sikivou representing Volagauna asked Mrs. White's views on the refusal of certain people to continue preliminary discussions in Fiji and Mrs. White replied that it would not be right for her to comment on it.

Mr. Shankar Pratap representing Kisan Mitra asked Mrs. White if she thought that the delegates should sit down in Fiji and come to some decision.

Mrs. White said it was obviously sensible if people were making a long expensive journey to London for a conference that there must be some preparation.

In reply to another question by Mr. Pratap, Mrs. White said that it was not for her to comment on what method of preparation seemed to be the most suitable. Some preparation was obviously necessary but how it was organised was a matter for the delegation and not Her Majesty's Government.

Asked if she had received any representations from the Federation Party, Mrs. White said that she had not received any representations from them as a party.

Mr. Usher pointed out that Mrs. White had come to Fiji mainly to hear the views of individuals and organisations who would not be directly represented at the London Conference.

Asked by Mr. Pratap if she thought it possible that more thought could be given to observers being invited to the conference, Mrs. White said it was something which could be discussed in London with the Secretary of State but she pointed out that once permission was given to one observer then the door would be opened wide to any other organisation that could say it represented any substantial interest of any kind.

Mr. Carter asked if Mrs. White would say who had the right to decide what Fiji wanted, Were the elected and nominated representatives on Legislative Council the ones?

Mrs. White replied that this was a partnership. The Conference was not intended to be an independent conference and therefore the partnership remained. Her Majesty's Government also had some concern with what was done.

Mr. Usher commented: 'That is a statue that was incorporated in the Deed of Cession'. And Mrs. White observed: 'Quite, a mutual agreement'.

Mr. Usher said that in statements about Gibraltar he had gained the impression that the policy of Her Majesty's Government was that it was the people of the country who were paramount. Did that apply to Fiji?

Mrs. White replied that the position of Gibraltar was still a partnership. Britain had declared that they believed they were in Gibraltar completely legally and they did not think that was a matter of dispute. However, if the overwhelming feeling of the people was that they wanted to bring the British connection to an end then they would have to consider it. However, that was not the case and the people wanted to stay British and both Government and opposition in Gibraltar had made this clear.

Mr. Usher asked if she thought that the delegation chosen to go to London was capable of representing the views of Fiji and if measures had been taken to ascertain whether these views could be adequately presented. Mrs. White replied: 'Were the measures adequate? I don't know. I should have thought the members of Legislative Council are pretty broadly based and there is, of course, official advice.'

In reply to another question Mrs. White said that the partnership was between the United Kingdom and Fiji Governments and the Fiji Government included people of all races. Mr. Pratap asked if Mrs. White was aware that all Indians did not want a common roll.

She replied that she was aware of the diversity of opinion on almost every matter presented to them.

Mr. Pratap asked what would be the outcome if there was deadlock at the London Conference.

With a smile, Mrs. White replied: 'Now, I will turn into a Parliamentarian. In Parliament a Minister can refuse to reply to a hypothetical question. I regard that as very hypothetical.'

Mr. Andrew Joseph of Pacific Review asked if there were pressure from Fiji was it likely that there would be wider representation at the London Conference.

Mrs. White replied that frankly she did not think so for this conference. If this was to be a conference for independence when things would be really ultimately settled one would have to be very careful indeed to make sure you had the widest possible consensus. This was not intended to be anything as definitive. Eighteen members of Legislative Council of all shapes and sizes, plus the official advice, plus such impressions as she had obtained and the various written documents sent in would, she thought, be fairly representative.

In reply to Mr. Shankar Pratap, Mrs. White said they had not received any representations from the Part-European community as such.

Mr. Usher asked: 'What do you expect the end product of the conference to be. A fully fledged scheme or just ideas?'

Mrs. White replied: 'If I knew what the end product would be we needn't have a conference.'

Mr. Usher said he thought this point was very important because if something cut and dried was brought back and imposed then it could cause resentment.

Mrs. White said she hoped that they would get a little further than ideas. Ideas had to be translated into proposals for action. She did not think you could expect the conference to confine itself to general ideas.

Alipate Sikivou said they anticipated that there would deadlock at the conference and Mrs. White commented: 'You are a pessimist'.

Alipate asked for her opinions on certain people who he said were trying to disrupt 'our society and way of life.'

To this Mrs. White replied: 'You are not going to draw me on that brother. I don't think that is my business. I have come here for a particular purpose and that does not include commenting on Fiji's politics'.

Mr. Gandhi of Fiji Samachur asked: 'Do you think Fiji is ready for self-government?'

Mrs. White replied: 'I think it is ready for a step forward'.

Mr. Usher asked: 'Have you any evidence of a desire for radical change?'

Mrs. White replied: 'In some quarters yes but in others a desire to stay put or even put the clock back.'

Luke Vaidreketi of Volagauna said that it had been agreed that the question of land ownership was not going to be brought up at the London Conference. If one or two members raised this question, would it be allowed?

Mrs. White said she would hope that perhaps some agreement might be reached here . . . not on land ownership because she did not think that was under discussion . . . but on land tenure, the leasehold position. She did not think that the conference would deal directly with land although they realised how important land was. She said another important matter was education. Trying to get people of different communities to live together, they should at least consider how they were brought up but it was not a matter for constitutional discussions.

Mr. Usher said the 18 members had agreed that land ownership was not a proper subject for the agenda of the Conference and Mrs. White said that at the moment they were not expecting it to come up.

Mr. Usher; Would you agree that any proposal for constitutional change in Fiji should be judged by its effect on the economy of Fiji—as to whether it encouraged or discouraged investors and production and provided more jobs?

Mrs. White: That is one of the factors people would expect to be in people's minds.

Mr. Gandhi: Would the British Government encourage a party political system in Fiji?

Mrs. White: We would be very much interested if it developed in Fiji.

In reply to Mr. Pratap, Mrs. White said that the information which she had gathered in Fiji and the opinions which had been expressed to her would be available to the Secretary of State and other senior officials in London. There were certain organisations which would not be directly represented in London, such as the Rotumans and the Chinese, and it was part of her duty to make sure that their representations were included on the Agenda for the Conference.

Replying to another question by Mr. Pratap, she said that the Muslim League had asked that the Muslim point of view should be represented at the London Conference.

Alipati Sikivou asked: After listening to the Muslim case, would you consider representations from Catholics and Methodists?

Mrs. White explained: There has been previous correspondence with a Minister of the British Government on this and our attention has been drawn by the Muslim League to that correspondence. At least the attention of the London Conference will be drawn to that correspondence.

Mr. Pratap: Do Muslims in other Colonies have representation?

Mrs. White: That is not necessarily relevant at all but there has been some official correspondence with the British Government about Muslim representation in Fiji.

Mr. Gandhi: What sort of Government should there be to foster peace and harmony in Fiji?

Crisply, Mrs. White answered: That is the purpose of the London Conference.

Mr. Usher: Would you expect the Agenda to be published in advance so that the people of Fiji would know specifically what was being discussed at the Conference?

Mrs. White replied: 'I would suppose not'. A draft Agenda is first prepared and then it is put to the delegates for items to be added if they think necessary'.

Mr. Usher: So the people of Fiji will not know what is going to be discussed at the Conference?

Mrs. White: They may or may not agree to publish the Agenda in broad outline in advance.

Mr. Usher: That is at a very late stage and we are halfway round the world.

Mrs. White: There is the telegraph.

Mr. Galsworthy explained that at previous constitutional conferences, a brief communiqué was issued at the end of each day's discussions saying what points had been discussed. Because of the difficulty of operating at different times, the Press Section of the Colonial Office always telegraphed the information which was usually available a little while after the Reuter cable arrived.

Mr. Usher: Or a newspaper might have a direct representative there.

Mrs. White exclaimed: Oh, these rich newspapers!

Alipati Sikivou remarked: The Indians here can always go back to India; the Chinese can always go back to China; and the Rotumans and other people can also go back to their own places but the Fijians will always be here. Some birds of passage come here and create trouble and then go again.

Mrs. White: That is not something for me to comment on.

Mr. Niranjan Singh (Public Relations Office): Indians who have land in India and property there can go back to India but the Fiji-born Indian has nowhere else to go. The Indians are here to stay.

Mrs. White, who was once a journalist herself on the Manchester Evening News, sister paper of the Manchester Guardian, thanked the journalists for their attendance.

## **84** CO 1036/1263, no 26

6 May 1965

[Federation Party attack]: letter (reply) from Sir D Jakeway to Mr Patel

Thank you for your letter of 30th April.<sup>1</sup> The Governor in Council is the supreme executive authority in this Colony. The Civil Service is its agent for the execution of

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<sup>1</sup> See 82.

policy. Members of Executive Council, whether with or without portfolio, are by convention expected to refrain from public criticism of the organisation which serves them. No one is called upon to 'defend the wrong acts of Civil Servants or defend them from criticism'.

If members of Executive Council have cause to be dissatisfied with the actions of a Government department of officers thereof, the correct procedure is to report to the Colonial Secretary. In this particular instance, I am quite sure that the Colonial Secretary will carefully investigate any complaints made to him. If a prima facie case of negligence or misconduct is established, disciplinary proceedings as prescribed in Colonial Regulations will be instituted.

As regards the Fiji Broadcasting Commission, it is correct to any that I have no administrative control over the organisation. Nevertheless, the Commission is by statute required to maintain a broadcasting service 'as a means of information, education, and entertainment and to develop its service to the best advantage and interests of the Colony'. By virtue of my power of appointment to the Commission I have a responsibility for ensuring that the statutory duties of the Commission are faithfully carried out. The offensive reference which you quote in your letter was mentioned to me in the course of a discussion with you and other members of the Federation Party but I did not construe it to be in the nature of a complaint that I should take up. The correct procedure, if you wish to pursue this, or any other instance of bias on the part of the Fiji Broadcasting Commission, should be to make representations direct to the Fiji Broadcasting Commission or to the Colonial Secretary.

Membership of Executive Council involves participation in the Government. It does not stifle criticism of Government, its officers or statutory bodies but it does imply direction of such criticism through different channels. A member cannot enjoy the advantage of operating from the inside and retain all the freedom of being on the outside. He cannot have it both ways.

I value your membership of Executive Council and believe it to be in the national interest that you should continue to be a member and to retain your portfolio. I realise that this from time to time presents you with a conflict of loyalties, and I have hitherto much admired the way in which you have reconciled that conflict. At this juncture, in particular, it would be a setback to the ideal of national unity for which we are both striving if the leader of the majority Indian party withdrew from the Government. If you share this view I hope you will refrain from active association with words or deeds which make it impossible to reconcile your continuation in the Government with the principle of collective responsibility and the conventions which surround that principle.<sup>2</sup>

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<sup>2</sup> Jakeway forwarded his letter to the CO on 7 May and received a reply from Trafford Smith on 17 May: 'I feel sure that your decision that the balance of advantage lies in giving Patel the opportunity of remaining in the Government is the wise and right one. Let us hope that he does so and that the whole incident has not so seriously undermined the confidence of the other communities in the Indians as to make progress between now and the conference impossible' (CO 1036/1263, no 27).

**85** CO 1036/1127, no 3

July 1965

[London conference]: CO note on the views of the Fiji delegates on  
the Legislative Council

[Extract]

...

B. *Attitude of Fiji delegates*(1) *Fijians*

11. The Great Council of Chiefs recently laid down guide lines for the Fijian representatives at the Constitutional Conference. The Council also agreed however, 'that members going to London should not be tied to the points agreed by the Council as a mandate beyond which they could not go. They should be free to go beyond what had been agreed to, lest the keeping to a mandate should bring discussions to a full stop.'

12. The Council agreed that:—

(i) the Legislative Council should in future consist of eight Europeans, eight Fijians, eight Indians, one Rotuman, one Chinese, one other Pacific Islander, all to be elected, plus two Fijians from the Council of Chiefs, plus the Colonial Secretary, Financial Secretary, Attorney-General and Secretary for Fijian Affairs. (One Chief thought it undemocratic to have eight Europeans but Ratu Edward Cakobau thought it better to keep racial parity in spite of democratic principles. Ratu Edward's view was generally accepted);

(ii) except possibly for four persons there should be no more nominated members. (This may refer to the ex-officio members; or it could be that the Council has in mind that nomination might be the most appropriate way of providing for the representation of the Chinese, Rotumans and other minorities);

(iii) existing Fijian members who were civil servants should be permitted, but apparently not required, to retire from the Civil Service on pension and with compensation for the loss of further pensionable service. At the next election Fijian civil servants should be allowed to offer themselves as candidates but if elected would be required to retire with pension and compensation. At any stage Fijian civil servants seeking election would be required to resign before nomination. As a corollary to these provisions it was considered that all unofficial members should be paid salaries;

(iv) property and income qualifications should be discarded;

(v) candidates should pay a deposit of £50;

(vi) candidates should be British subjects, 21 by the date of nomination, and able to speak and read English with sufficient ability to take an active part in the proceedings of Legislative Council;

(vii) candidates should have not less than two years residence and possess unlimited immigration permits (if not exempt);

(viii) a candidate must be registered as an elector in some constituency but can stand for any constituency, irrespective of where he lives;

(ix) the Speaker should be chosen by members of Legislative Council either from among themselves or from outside;

- (x) the present system of communal electoral rolls should be retained;
- (xi) there was no need for two Houses (Upper and Lower). Legislative Council and The Queen in Council were quite sufficient;
- (xii) the present reserved powers in respect of legislation should be retained.

13. The Governor has commented that Ratu Mara, Ratu Penaia and Ratu Edward Cakobau were to thank for the Fijian representatives being given a free hand at the Conference. He says that some gentle selling of the attractions of a limited common roll element in the next constitutional stage has been done with all three and it does not appear to have fallen on entirely unreceptive ground. It is true that the Council of Chiefs has come out in favour of a communal roll but there was really no discussion on this point and the Governor thinks that this was deliberate on the part of Mara and Penaia. He thinks the position is that they are prepared to listen to proposals from the British side and to give them a fair hearing. He has made the point that their confidence in British integrity is complete and that we have good reason to be grateful for this and must do nothing to damage it.

(2) *Indians*

14. The Indian members of the Legislative Council are split into two groups. Mr. Deoki and Mr. Singh are generally in line with the Fijian and European members, and although they have advocated the introduction of a common roll they would undoubtedly be prepared to accept communal elections.

15. The *Federation Party*, which is the strongest political party (it claims to have 21,000 members) and is led by Mr. A.D. Patel, favours the immediate introduction of a common roll for all seats. The constitution of the party says that its objectives include:—

- (a) 'To ... promote ... national consciousness among the citizens of Fiji irrespective of ... race';
- (b) 'To promote the political, economic and social rights of the citizens of Fiji irrespective of ... race'; and
- (c) 'To obtain self-government for Fiji by all legitimate and peaceful means'.

16. In preliminary discussions with the Fijian and European members of Legislative Council the party agreed that full independence was not an immediate issue and that:—

- (a) Fiji should remain a British territory, and the link with the Crown should be maintained;
- (b) Great Britain should continue to be responsible for defence and external affairs;
- (c) the Governor, the Chief Justice, and the Judges of the Supreme Court should continue to be appointed by The Queen; and
- (d) land ownership would not be discussed at the London Conference.

At subsequent meetings the party members were unwilling to discuss such issues as the future composition of Legislative Council and the method of elections. In April they arranged for a special general meeting of the party at which a resolution was passed authorising them to take no further part in local discussions on constitutional issues. At a meeting with other Members of Legislative Council Mr. Patel read a



prepared paper on the reasons why the party supported a common roll. In brief these are to develop national consciousness and avoid racial attitudes. The meeting broke up when the Federation Party leaders said they had been instructed to hold no further local discussions on constitutional issues and they have since declined to attend all further meetings between the unofficial members of Legislative Council.

17. The National Congress of Fiji which bitterly apposes the Federation Party (and is not represented at the Conference) recently reiterated their already announced opposition to a common roll. The Governor has commented, however, that in spite of this support for the Fijian/European platform the party has recently been markedly anti-European and he can only regard the support for communal rolls as a piece of political opportunism.

18. The Governor advises that at the Conference Mr. Patel will advocate a common roll, even though he knows that it is unacceptable to the Fijian and European leaders. However, if he sees no alternative, he will probably accept a limited number of common roll seats in a Legislative Council which is otherwise elected on communal rolls. He will also press for a reduction in the number of European seats in Legislative Council. Whether he will also oppose the Fijian demand for two additional seats for representatives of the Council of Chiefs will probably depend on whether the Fijians agree to a limited number of common roll seats and/or whether they agree to definite concessions on the question of land tenancy.

### (3) *Europeans*

19. The European view regarding the future composition of the Legislative Council is identical with that of the Fijians and does not require separate discussion. (A number of leaders of the Methodist Church in Fiji have, however, recently issued a statement advocating 'that some positive step' should now be taken towards democracy, 'e.g. some members now elected on the common roll, while the majority of members are elected communally'. This led to an angry demonstration by Fijians in favour of communal rolls.)

### C. *Departmental recommendations*

20. The question of the composition of Legislative Council (in particular the elected element) will be the crux of the Conference and our objective must be to try to find as large a measure of agreement as possible between the views of the Fijians and Europeans on the one hand and of the Indians on the other on this particular topic. A considerable amount of probing will no doubt be necessary in order to discover exactly how much common ground there is and the Governor has warned us that it would be most dangerous to give the Fijians the idea that the Secretary of State's mind was already made up on the question of introducing even a limited common roll.

21. The theoretical possibilities as regards the elected members range from the retention of the present system under which all elected members are elected on communal rolls, as advocated by the Fijians and Europeans, to one under which they are all elected on a common roll. It is recommended that we should aim at some limited introduction of a few common roll seats into a mainly communally elected chamber as being the most to which we can have any hope of obtaining general agreement.

22. It will almost certainly be necessary to preserve at least parity between the Fijians and Indians and to allow each of them some increase in their representation. The Fijian/European suggestion of eight members for each major race is not unreasonable for these two races. It would, however, still leave the Europeans very much over-represented. A more equitable basis, which would also introduce a common roll element, was canvassed during discussions between Mrs. White and the Governor. This would give the Fijians and Indians 12 seats each (of which 3 from each race would be common roll seats) and the Europeans 9 seats (of which 3 would be common roll seats).

23. It will almost certainly be necessary to have separate discussions with the delegates from each community to find out to what extent they are prepared to compromise on the issue of the common roll. It would, therefore, probably be desirable to avoid allowing this issue to be raised in full conference at an early stage as to do so might well lead to the striking of attitudes and deadlock. If agreement is reached in principle that some common roll seats should be introduced it will then be necessary to decide how many such seats to create and what should be the electoral basis.

24. It is difficult for us to improve on the electoral proposals contained in a memorandum prepared by Mr. Macdonald after the discussions with Mrs. White at which it was tentatively agreed that a solution should be sought by endeavouring to create three common roll constituencies, each of which would return one Indian, one Fijian and one European. It was suggested that Administrative Divisions should be used as the basis for constituencies. A copy of Mr. Macdonald's paper is attached. Briefly, his conclusion is that the most appropriate basis would be three constituencies composed of the Western Division (population 183,000), the Northern and Eastern Divisions (124,000) and the Central Division (147,000). These results are not unsatisfactory from the point of view of the 2 main races since the Western Division would be predominantly Indian and the Eastern predominantly Fijian. In the Central district the electorate would have a slight preponderance of Indians. It is, however, considered likely that the majority of the others (Europeans, Chinese, Pacific Islanders, Part-Europeans) in this division would tend to vote for the Fijian candidates and redress the imbalance between the two main races.

25. If proposals discussed in paragraph 24 were accepted this would leave constituencies based on communal rolls for 9 Fijians, 9 Indians and 6 Europeans. Mr. Macdonald's paper discusses the methods by which such constituencies could be superimposed on the divisional common roll ones (a number of communal constituencies being grouped in each division). The results, though not entirely satisfactory in that there would be considerable disposition of members between different constituencies in each racial group, are at least feasible and could be used for purposes of illustration. There is, of course, no reason why, if the communal roll constituencies cannot be grouped into divisions the common roll constituencies should not be based on areas other than divisions. Those are, in any case, details which can be worked out by an expert or by a Constituency Delimitation Commission if the major issues of policy, viz. whether to have a common roll at all and how many seats to cater for on each roll, have been settled. It will be appreciated that the more the Conference reaches detailed and specific decisions on the allocation of Constituencies the less scope there is for an independent Boundaries Commission to operate. If the major outlines of the constituency arrangement are

settled the Conference and it is intended that this arrangement should endure at least for the lifetime of this Constitution the determination of constituencies would be best left to local law, preferably Governor's Regulations and we should drop the proposal for a Constituency Delimitation Commission. (See also Brief No.11.) As against this however there is, looking to the future, a good deal to be said for introducing such a Commission (which would have to be introduced at some stage) now so that Fiji becomes used to the idea.

26. It is also necessary to consider how to deal with the Chinese, the Rotumans and the Other Pacific Islanders none of whom are at present represented in the Legislative Council. If there are to be common roll elections they will presumably take part in these and this may be sufficient difficult if not one possibility might be for them together to constitute a fourth group for the purposes of the common roll elements, thus making the three constituencies into four-member constituencies, each elected one Fijian, one Indian, one European and one Chinese/Rotuman/Pacific Islander. Alternatively the constituencies could remain 3-member constituencies and they could vote with the Europeans, electing in each constituency one European/Chinese/Rotuman/Pacific Islander. In any case it will be necessary to consider whether they should be brought into the communal roll system. Whether this is necessary will depend in part on the manner in which they are included on the common roll. The Fijians have suggested that each of these groups should be given a separate communal seat. It would be retrograde to introduce yet more communal rolls at this stage and this suggestion should accordingly be strongly resisted. Alternative suggestions if anything at all is needed might be:—

- (1) they should be grouped with the Europeans;
- (2) they should be allowed to choose their own communal roll;
- (3) the Rotumans and other Pacific Islanders might be grouped with the Fijians and the Chinese with the Indians or Europeans. This seems the best of these possibilities.

27. If this major question of the composition of Legislative Council is settled on the lines recommended above, the other questions that have to be settled should not give rise to great difficulty. The Department's recommendations on them are as follows:—

(a) *Official members of the Council*

The ex officio members should be the Colonial Secretary, the Attorney-General, the Financial Secretary (probably) and the Secretary for Fijian Affairs (possibly). If there is pressure for finance to become the responsibility of an unofficial Minister, at any rate at a later stage, and if this is accepted (see Brief No.4), the Financial Secretary's office will disappear. This also applies to the Secretary for Fijian Affairs. An alternative way of dealing with the position of the Secretary for Fijian Affairs (who is *not* at present a member ex-officio of either Legislative or Executive Council) would be to give the Governor a discretion to appoint 2 member of nominated official members of the Council of whom the Secretary for Fijian Affairs could be one. Subject to such an arrangement being adopted, we should endeavour to get away from nominated official members altogether. (See in this connection Brief No.4—paragraph 14.)

(b) *Nominated members*

Except perhaps as a means of giving representation to the minority communities if they cannot be satisfactorily fitted into the elected-member system, there should be no nominated members. (The two Fijian members elected by the Great Council should also not be retained.) These are obviously necessary changes in the direction of 'one man, one vote' type democracy.

(c) *Franchise for elected members*

Apart from the racial qualifications for members elected on the communal rolls, the franchise should be based on universal adult suffrage. This differs from the present franchise only in that it would mean abandoning the present residence qualification and the present simple literacy test. If there is a general desire to retain either of these, we need not resist very strongly. The basic principles of the franchise should be spelled out in the Constitution itself but the details should be left to local law.

(d) *Electoral system*

We should stick to the 'first-past-the-post' system in all cases, i.e. we should make no attempt to introduce proportional representation. We should also not press for any system of communal primaries in the common roll elections; in theory of course these make a good deal of sense but the Governor is against them. . . .

## 86 CO 1036/1287, no 30

July 1965

### [London conference]: CO note on Fijian Affairs

(This brief is provided primarily for background.) The problem of the future of the Fijian Administration, which is closely related to the development of local government in Fiji, is for various reasons unlikely to be raised directly. The main reason is that everybody in Fiji (including the Indians) knows that any attempt by non-Fijians to interfere in this matter at this stage would instantly cause the Fijians to stop in their tracks and refuse to make any constitutional progress at all for the present. Hence it is to everybody's interest to keep them sweet by letting them go on at their own pace, especially as Ratu Mara had made it clear that he is pressing on as fast as the Fijians will let him.

The problem is, however, continually there in the background, and it could come to the fore when the future of the present arrangements under which two members of Legislative Council are elected by the Great Council of Chiefs is discussed.

The Governor (whose view it is that this will not come up at the Conference) recently summarised his attitude in the course of his Budget address to the Legislative Council, as follows:—

'Several attempts have been made in the past to devise a comprehensive pattern of local government covering the whole country. There was the Cooper Report in 1947 and the Henderson Report in 1952. Neither achieved translation into action. The fact remains that the establishment of vigorous and viable local authorities is an important object of policy. I do not propose that we should have yet another investigation but that we should build pragmatically on the organisations which exist. We have two effective municipalities. Other towns may become ripe for municipal status in due course. We shall promote the election principle in township boards. The

Fijian Provincial Councils already have many of the characteristics of rural district councils. I believe they can be developed on these lines.'

The Fijian Administration is a local government system with jurisdiction over all Fijians in the Colony. It was established in 1876, and the current statutory authority for the system is the Fijian Affairs Ordinance of 1944. For the purposes of the Administration, the Colony is divided into 14 Provinces based on the old tribal boundaries, each of which consists of a number of Tikina which comprise groups of villages. Each Province and Tikina has its council which has power to make orders in the case of the latter. At the apex of the structure, is the Council of Chiefs presided over by the Secretary for Fijian Affairs. (With the introduction of the membership system the Governor has redesignated this post as 'Secretary for Fijian Affairs and Member for Local Government' retaining the seat on Executive Council with a local government 'portfolio'.)

2. The Fijian Affairs Board is established under the provisions of the Fijian Affairs Ordinance. Its main duties are to make appointments, and regulations, to control provincial revenue and expenditure and to submit to the Governor such recommendations and proposals as it may think fit for the benefit of the Fijian people. Any new legislation proposed by the Government involving the rights and interests of Fijians is first referred to the Board for its consideration.

3. In 1962, the increasingly precarious condition of the Fijian Administration was recognised by the appointment by the Council of Chiefs, of a Special Committee to examine and report on the remaining Fijian Affairs Regulations and the Administration. Financially, there was a marked resistance among the Fijians to paying their provincial rates, which resulted in serious economic difficulties. Secondly, many of the Fijian Affairs Regulations which gave authority to the Fijian Administration and provided the basis on which Fijian society was organised were out of date. Thirdly, the new electoral regulations which gave Fijian adults the right to vote for the first time had led to an increased Fijian interest in politics.

4. The Committee reported that it did not feel any further minor amendments to the existing Fijian Affairs Regulations could usefully be made in the absence of a decision on the future structure of the Fijian Administration itself. It proposed instead, in very broad terms, a number of changes in the overall structure of the Fijian Administration, the general effect of which was to widen the composition of Provincial Councils and to give them much more responsibility. In August 1963, the Council of Chiefs generally accepted the report and recommendations of the Committee and resolved to appoint Dr. R.R. Nayacakalou 'to explain and assist in the detailed implementation of the various stages' of the proposed changes. Dr. Nayacakalou (a Fijian Ph.D—probably the only one—who holds a lectureship at Sydney University) was to work under the Fijian Affairs Board, seconded for a period from his academic work.

5. Dr. Nayacakalou's report has now been received. The bulk of his recommendations are concerned with reforming the existing system with particular reference to the structure of Provincial Councils, methods of election, including franchise, and finance. The proposals have been generally welcomed by the local government advisers in the O.D.M.

6. The proposals have recently been discussed and generally welcomed by the Council of Chiefs. There was, however, a reservation regarding a suggestion

contained in the final section of Dr. Nayacakalou's report that the reorganised Fijian Administration might be used as a basis for inter-racial local government. Council resolved to postpone discussion of this until a future session. This was almost inevitable immediately before the Conference; it suggests, however, that the Fijians are not entirely opposed to the proposal and is to that extent a hopeful sign.

7. Two matters related to the Fijian Administration will come before the Conference, viz:—

- (i) the position of the two Fijian members at present elected by the Council of Chiefs; and
- (ii) the position of the Secretary for Fijian Affairs.

8. As regards (i) the Council of Chiefs has recommended that it should continue to elect 2 Fijians in addition to 8 communally elected members, thus giving a total of 10 Fijians as against 8 Indians and 8 Europeans in Legislative Council. At present the 2 Council of Chiefs' members correspond to the Indian and European nominated members. It is generally agreed that the nominated members should disappear. In the circumstances the retention of the Council of Chiefs' members would be illogical and it is considered that this proposal should be resisted.

9. The Council of Chief's has recommended that the Secretary for Fijian Affairs and Local Government should continue to be (a) a civil servant and (b) a Fijian. It envisages that when a Ministerial system is introduced it should consider further whether the Secretary should continue as a civil servant and that the aim should be for him to become an unofficial. He should, however, always be a Fijian. The department recommends that these proposals should be generally accepted if that is what the conference wants but that whilst the office is held by an official he should be a nominated rather than an ex-officio member of Executive Council.

10. The question of Fijian courts is dealt with in the brief on the Judicature (Brief No. 8).

## **87** CO 1036/1128, no 1

26 July 1965

[London conference]: opening addresses by Mr Greenwood, Ratu Mara, Mr Patel and Mr Falvey<sup>1</sup>

The Secretary of State for the Colonies said:—

'Your Excellency and Delegates: It is a very great pleasure for me to come here today to open this historic conference on the future constitution of Fiji. In order to do so I have flown through the night from Aden, because of the

<sup>1</sup> The conference was held at Marlborough House. Greenwood chaired the opening session. The British delegation consisted of Mrs White, Sir H Poynton, Trafford Smith, A J Fairclough, K W S MacKenzie, H Steel, P R Noakes, Sir Charles Hartwell and Professor Stanley de Smith. The Fiji delegation consisted of Ratu Mara, A D Patel, J N Falvey, R G Kermodé, Ratu P K Ganilau, S M Koya, J Madhavan, Ratu E T T Cakobau, J A Moore, Semesa Sikivou, Ratu George Cakobau, R A Kearsley, F G Archibald, C A Shah, Josua Rabukawaqa, A I N Deoki. Jakeway and Justin Lewis (attorney-general in the Fiji government) were designated separately.

importance I attach to being here to welcome you today on behalf of Her Majesty's Government, and to extend a welcome to the Governor, Sir Derek Jakeway and to all the unofficial members of the Fiji Legislative Council who comprise the Fiji delegation.

I said a moment ago that it is a historic conference, and it is historic because I believe it is the first conference on the constitutional arrangements for Fiji ever to be held in London. And if I may speak personally for a moment, this is the first constitutional conference for any territory at which either Mrs. White or I have presided; so for all of us it is a new experience.

Fiji is of course an exceptional Colony in many respects. First and foremost because it became a British Colony not by conquest or occupation, but by a free act where under the leadership of the illustrious ancestor of Ratu George Cakobau the Chiefs of Fiji ceded the territory to the British Crown. And this fact of sovereignty freely transferred in a spirit of mutual trust and goodwill has I think affected the subsequent relations between this country and the people of Fiji. Certainly trust and goodwill have always been in evidence and today Fiji has an enviable reputation for friendliness to the stranger, particularly to those who come from Britain; for tolerance and understanding between different races; for orderly and peaceful progress; and for great loyalty to Her Majesty The Queen, which we in this country greatly appreciate.

It is a little over 90 years since the Deed of Cession was signed in Levuka between Queen Victoria's representative and the Chiefs of Fiji. Many things have changed since then. People of other races have made their homes in Fiji—Europeans, Indians, Chinese and people from other Pacific islands. Meanwhile, Fiji has prospered and developed; disease has been eradicated; agriculture and education have made giant strides; mining has been introduced. And all the time constitutional progress has gone forward steadily and peacefully in a way that many other places might well envy.

Today Fiji is moving rapidly towards economic independence; she enjoys high standards of living and she is forging ahead with development. Her political and constitutional system works well and is understood by the people: but it is not as advanced as one might expect from the facts of her healthy economy and the political maturity of her people.

It was against this background that my predecessor, Mr. Duncan Sandys, issued his despatch of August 1963<sup>2</sup> suggesting that a conference should be convened to work out a constitutional framework within which, whilst retaining her link with Britain, Fiji could make further progress in the direction of self-government. Since that despatch was issued the Membership system has been introduced just a year ago. There has been a great deal of discussion of all aspects of constitutional change, and serious thought has been given to the further steps that should now be made on the road to self-government. The Governor has kept me fully informed of these discussions; and Mrs. White has also reported on the discussions she had with a wide range of people when she visited Fiji recently, and which she so greatly

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<sup>2</sup> See 68.

enjoyed. This has all been most helpful to me and I am confident that at this Conference, building on all this preparatory work, we shall be able to reach agreement on new Constitutional arrangements which will command the support of all the people of Fiji.

At the wish of all races in Fiji this Conference will of course not be concerned with Independence. But I hope that we shall nonetheless be able at the end of our deliberations to register considerable progress. The world is changing, and changing very rapidly. I am convinced that it is in the long-term interests of a territory with a future as bright as Fiji's and with her degree of political maturity, to accept a considerable further measure of responsibility for running her own affairs. And it is I think clear that there is a good deal of room for the development of political institutions in this direction, within the framework of a continuing link with Britain.

That, as you know, is the purpose of this Conference. Let me say at once that you will encounter no disposition on the part of the British Government to press particular solutions upon you. Our main aim will be, whilst remembering also British interests, to assist you so far as we can, in the light of the experience of many constitutional Conferences in the past, many of them held in this very room and attended by Sir Hilton Poynton and Mr. Galsworthy on those occasions, and also to determine some general principles which seem to us important if we are to reach agreement on the next steps in Fiji.

There will no doubt be differences of view and difficulties during the Conference before we can reach agreement. But with goodwill and mutual trust and a spirit of compromise I know that we shall be able to resolve these difficulties and arrive at solutions acceptable to all; the interests of Fiji as a whole and those of all the different communities that make up her people demand that we should succeed in this task.

Let us ensure by our efforts during this Conference that our labours lead us to success.

I will now ask Ratu Mara to address the Conference.'

The Hon. Ratu Mara said:—

'Mr. Chairman, Mrs. White, Your Excellency, gentlemen, on behalf of the Fijian Delegation may I say: Greetings to you, and may you enjoy good health, may good fortune bless your leadership, and thank you very much.

We thank you, sir, for the invitation of the United Kingdom Government which has brought us here. We thank you also for the events which your invitation has initiated, and which culminated in the series of joint meetings of representatives of all the races in Fiji held prior to our departure for London. These meetings have a profound significance in the history of our Colony, because they were held without any rigid constitutional framework—they did in fact break through the racial barrier for the first time. They were motivated by a sincere and common desire to secure the peace and prosperity of our future.

We are all of one accord that racial harmony is the key to our future well-being. We also believe that no constitution on earth will work without the will of the people to make it work. It is therefore absolutely essential that in the



preparation for any constitutional change all the peoples who compose our multi-racial society must be consulted about the change, so that they will be ready to accept that change, and furthermore that they will see to it that the change will be carried out.

When the representatives of all the races come together of their own accord and consult each other on the prospects of the change in our Constitution, the conclusions of our deliberations here are likely to receive at least a fair if not an enthusiastic and sympathetic hearing at home.

We have declared that independence is not our goal, because we have never found any sound or valid reason to attenuate, let alone abandon, our historical and happy association with the United Kingdom. It is true that we want a greater measure of self-government, but we fail to see why the full measure of self-government should sever the link forged by our forefathers in 1874. This link was forged in a spirit of mutual trust and abiding loyalty. That trust on our part has bred an enduring faith and loyalty in the British Crown and in British institutions. We sincerely hope that the Constitution we are about to place on the anvil of this conference will re-echo the same spirit of mutual trust and abiding loyalty, so that our future generations will look as kindly on us as we do on those who wrote the Deed of Cession in 1874.

We pray that God will bless our deliberations, so that the outcome will secure our future prosperity and happiness, and that the United Kingdom will share with us our prosperous future, as she has always willingly and unstintingly shared our past and present.

May I, Mr. Chairman, conclude by saying once again: Vanaka sake vakalevu.<sup>3</sup>

The Secretary of State said:—

‘Thank you, Ratu Mara, very much indeed. I wonder if I may ask Mr. Patel to speak.’

The Hon. A.D. Patel said:—

‘Mr. Chairman, Mrs. White and Gentlemen: I thank you, Sir, and the United Kingdom Government for the kind invitation and welcome extended to us to this historic conference which is called to smelt the existing system of government in the Colony of Fiji and to forge and mould a new constitution which I hope will lead our country ultimately to complete independence in the not too distant future.

Political liberty, equality and fraternity rank foremost among the good things of life and mankind all over the world cherishes and holds these ideals close to its heart. The people of Fiji are no exception. Without political freedom no country can be economically, socially or spiritually free.

We in Fiji, as in many other under-developed countries of the world are faced with the three most formidable enemies of mankind, namely poverty, ignorance, and disease. We need political freedom to confront these enemies and free our minds, bodies and souls from their clutches.

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<sup>3</sup> Thank you very much indeed.

Needless to say that when I refer to political freedom I mean democracy under the rule of law, the sort of freedom which the British people and the people of the United States enjoy.

We need freedom which will politically, economically and socially integrate the various communities living in Fiji and make out of them one nation deeply conscious of the responsibilities and tasks which lie ahead.

I call this Conference important and historic because it is the first conference of its kind in the history of Fiji and it may very well prove the beginning of the end of a form of government which stands universally condemned in the modern world.

I have come to this Conference with faith and trust in the British people and the United Kingdom Government which has set peoples of other colonies free and has led them on the path of economic and cultural development. After all, Fiji's problems are not as difficult or formidable as those which some of the colonies which are now independent have had to face and solve.

We from our side promise you full co-operation and serious consideration in the deliberations which lie ahead in this Conference. We have all got to guard ourselves against avoiding right decisions because they are unpleasant or run counter to our ingrained habits of preconditioned thought, or wrong decisions because they appear advantageous in the short run.

We must appreciate the fact that we owe great responsibility, not only to the people of the present generation but also of generations to come. We have to resist the temptation of driving the boat on the shallow waters because of the fear that it will rock heavily if we steered it on the right course. Bearing all this in mind let us bend to the tasks before us.

In the end I pray to Almighty God who led the Crown Colonies like Australia and New Zealand to full independence, may He also lead us and our country to the same destination safely and in good heart.

Again I most sincerely thank you, Sir, for your kind welcome.'

The Secretary of State said:—

'I shall be very grateful if Mr. Falvey will speak.

The Hon. J.N. Falvey said:—

'Mr. Chairman, Mrs. White, members of the United Kingdom Delegation, gentlemen; I speak, Sir, for the European Delegation; I speak also with the Fijian Delegation. May I first thank you, Sir, for your kind words of welcome to the whole of our Delegation this morning. We are very glad to be here at your Government's invitation to discuss our country's constitutional structure.

You will not take it amiss, Sir, if I remind you that this conference is a response to that invitation and is not the result of any general demand from us or from the people we represent. There are in fact many people of all races in Fiji who are well content with our present and relatively new constitution, and you will find few in our country who are seriously critical of the Government and the administration of our country since 1874 when sovereignty was ceded to Her late Majesty, Queen Victoria.

We have moved along the path of constitutional development over these last ninety years in a quite way but in a way which has enabled us to preserve racial harmony in a multi-racial community to a degree which you may consider remarkable, if not unique.

It may, in fact I am sure it will, come as a surprise to many people in this country that not one member of our delegation is here to demand independence. We might rather be said to be in the forefront of the smaller British territories which, not unnaturally, aspire towards a system of internal self-government, but which insist upon a continuing link with the Crown. We believe that this form of association with the United Kingdom is both sensible and realistic. We may perhaps emerge from this conference with a new name for that form of association, which I think will be new in constitutional terms.

You will not, Sir, find us a cantankerous delegation. You will find, in fact you may already have detected, some differences of opinion amongst us. Without being presumptuous, however, to the other members of the delegation, I think you may find that our differences are differences in timing rather than in relation to principle.

We do most certainly have this in common, Sir, that we appreciate very much the frequently stated attitude of your Government that the constitutional development of our country is something to be worked out by its people and their representatives. We expect to be able to tell you in unmistakable terms how we think our constitution should develop in the foreseeable future.

Finally, Sir, may I say how very grateful we all are that it was possible for your deputy, Mrs. White, to pay a visit to Fiji a few months ago. We are glad to meet her again at this table in the company of other members of the United Kingdom Delegation, many of whom are well-known to us.'

The Secretary of State said:—

'I should like to say how very much we appreciate the content and the spirit of the speeches that we have just listened to. Mr. Falvey talked about differences of opinion; I had thought of referring to differences of emphasis that made themselves apparent in the three contributions. It is quite clear that there is a good deal of food for discussion, and I envy Mrs. White the task of presiding over all the working sessions of the conference.

It is my intention to be here today, and to come at any time when Mrs. White or members of the conference think it will be useful for me to be here, but that generally speaking the working sessions shall be presided over by Mrs. White. As Mr. Falvey said, you did have a visit from Mrs. White earlier this year, and I think you will feel as I do that with her wisdom, her experience, her friendliness and warmth and a desire to reach the right solutions at this conference, the conference will be in good hands. I know that you will share the confidence that I myself feel.

It is suggested, and I hope this will be generally agreed, that there should be no further formal business this morning, but that we should adjourn now and that the first working session of the conference should take place at 3 o'clock this afternoon; would that be acceptable to the delegates generally?

In that case may I thank you very much indeed for your presence here this morning and for the spirit in which we have started the conference, and may I express the hope that on the occasions during the conference when I meet you that I shall find abundant proof that this spirit of friendliness, understanding and tolerance is continuing. Thank you very much. I look forward to seeing you again, first of all at the reception in your honour.

## **88** CO 1036/1129, ff 56–61

July 1965

**[Franchise]: note by the Indian (Federation) group of the Fiji delegation at the constitutional conference on the arguments in favour of a common roll**

We believe that the time has come that the different communities living in Fiji should become a nation. We suggest that the future Constitution should make provisions for free elections based on universal adult suffrage, on the principle of one man, one vote, one value, to create true representative political institutions to govern Fiji.

We also believe that every effort should be made to ensure that the peoples of Fiji are actively encouraged to form and organize political parties along national lines, so that in due course the different communities living in Fiji are politically integrated. In our view, the establishment of national political institutions are a prerequisite to any plan for a rapid economic development of the country.

We also believe that at this stage Fiji is justified in asking for the introduction of full internal self-government.

### *Case against communal roll*

Our case against Communal Roll is as follows:—

- (a) Communal Roll stands for divided loyalties, it inhibits national consciousness among the people; it is generally identified with religious fanaticism or racial separatism or economic or social privilege.
- (b) Communal Roll can be a serious obstacle to the successful operation of parliamentary democracy. The elected representatives of a racial or religious sub-community cannot afford to subordinate the interests and prejudices of their people to those of a larger community.
- (c) Communal Roll tends to magnify communal differences and new communities discover themselves as further claims to separate representatives are lodged.
- (d) Communal Roll, to the best of our knowledge, has been abandoned (with a few exceptions) by all the countries of the world.
- (e) The Communal Roll has been universally condemned as a system of election in all democratic countries.

*United Kingdom Delegation's proposals for communal roll with plural votes and a multi-member constituency in three cases*

These proposals may be divided into two parts:—

(a) *Plural votes on communal roll in a multi-member constituency*

This proposal, in our view, carries the proposition that each race, regardless of its population strength in the country, or regardless of the strength of the voting population in the country, would be entitled as of right to an equal number of seats with other races in the future legislature. This is a grossly unjust proposition and should have no place in Fiji politics.

This proposal does not take away the element of communalism in the electoral system but, on the contrary, it perpetuates the existing communal system of voting. It would not make way for, but obstruct, the introduction or the implementation of common roll in the future. It will magnify communal differences and inevitably harden the attitude of all races (including the majority race) along communal lines. Under this system, political parties will not be able to obtain the candidature of a true representative of any particular race, let alone obtain a majority of seats in the legislature to form a workable government.

In any event, under this system, it is our view that because of lack of common ideology or common interest or common programme, the formation of executive (be it Executive Council, Council of Ministers or Cabinet) on a party line would be rendered impracticable, if not impossible.

In our view, under this system a minority party (whether composed of a single race or otherwise) will hold the balance of power in the Legislature.

Lastly, we say that the arguments we have put forward against Communal Roll above equally apply to this proposal.

(b) *Proposal for single member constituencies with one vote based on communal roll*

We repeat our earlier arguments against Communal Roll, and in so doing we wish to point out that nearly all economic experts, political advisers and scholars who have visited Fiji and have conducted a research, have condemned racial segregation in the field of politics in Fiji.

It is pertinent to note that Mr. Cyril Shirley Belshaw, who is a Professor of Anthropology in the University of British Columbia, a trained economist and a former administrator in the Pacific, and who visited Fiji some time in 1959 and who wrote 'Under the Ivi Tree', criticised communal system of voting. In dealing with economic problems facing Fiji, he said (at page 282):—

'The role of government is thus of crucial importance, and in Fiji we have noted it to be seriously defective in its responsibility for economic growth. We have seen that the system of Fijian administration imposes disturbing and onerous obligations on the villagers, and that it has failed to organize or stimulate the supply of productive capital, of commercial experience, and of communications, and that its system of administration and of land registration has inhibited the adjustment patterns of the people. This list of defects is not a long one, and in many respects is counterbalanced by vigorous and significant government action in such matters as education and health

services. But from the point of view of economic growth, the list could hardly be more significant, and it is impossible to see how significant economic growth can take place without incisive remedial action.

'In asking why government has not taken appropriate action, we cannot be content with the reply, it cannot afford to. Obviously, remedial action will involve an outlay of resources of some order of magnitude. But there are serious questions as to whether the resources already collected from the Fijian people are being effectively used, as to whether money now used can be used more productively, and whether the most determined attempts are being made to make it possible for the Fijian people to use more financial resources than at present through new forms of revenue collection and the mobilization of private funds. To raise the financial question merely puts the problem a little further back so that we must ask why does the government not manipulate finances to give priority to the crucial omissions in the adjustive system?

'The answers to these questions are to be found in the system of political administration, and thus political institutions under these circumstances become central to the analysis of the economic system. Two primary aspects require emphasis: the political institutions themselves, and the methods of analysis used by the institutions to guide development and create the articulated economic system.

'The political system of the colony as a whole is based on premises of racial segregation. Not only is there a separate Fijian administration, but members are appointed to the Legislative Council as representatives of the racial communities, and the electoral system which is being introduced is based upon separate racial electorates. The school system is mainly, though not wholly, separate.

'When I was in Fiji in 1958–9 there were signs of rapprochement and understanding between the leaders of the Fijian and Indian politics, and there was certainly considerable understanding and friendship between Indians and Fijians in rural farming areas, which even survived the potential friction caused by the failure of the Native Land Trust Board to resettle Indians whose leases had expired in areas of Fijian land shortage. There were considerable points of common interest between Fijian and Indian, in educational and health problems, in levels of living, in agricultural methods, in the demand for roads and communications. Except for the fact that the Indian had potentially less land than the Fijian, and for the fact that his rapidly increasing families placed a greater strain on his resources than it did for the Fijian, the two groups, in the rural areas, faced much the same problems and need much the same help. The Fijian villager has learned much more from his Indian neighbour than from his European neighbour, and mixes with his Indian neighbour socially, but not with the European. On the other hand, Fijian political leaders of standing and education mix freely with some Europeans.

'My point is that at this time there was much to build on by way of goodwill and common interest, and it would have been politically feasible to have introduced quickly common political institutions which would have assisted with economic growth, and which, though common, would have safeguarded

the legitimate interests of the separate groups. At the present time, this will be more difficult, for with the beginning of a deliberate move towards responsible government in Fiji (necessary and overdue), Fijian leaders have shown a more specific fear of being over-run by the Indians should the paternal colonial administration withdraw, and have thrown in their lot more with conservative European elements. Yet responsible government not only cannot be avoided, but is an indispensable prerequisite to economic advancement. Lack of such government will reduce the possibilities of meeting the requirements of the people, of solving the rapidly increasing land-population problem, and will help create the grave national distress which looms on the horizon as population outstrips resources. Responsible government on a racial basis will fail to provide solutions, will be expensive, frictional, conservative; will separate the Fijian leadership from the Fijian villager even more than at present; will encourage demagoguery and breed upon fear and insecurity. In either case there are very distinct possibilities of serious violence, both internal to the ethnic groups as struggles for power take place (this has already begun among the Indians), and between them as Fijians threaten the growing power of the Indians or create incidents in an endeavour to have the colonial government remain to protect them.

‘To overcome the difficulties inherent in creating a national electoral system which avoids racial antagonisms while protecting the rights of minorities is surely not beyond the legislative genius of the governing power.’

It is our view, therefore, that in the interest of economic advancement of Fiji, if nothing else, the communal system of voting must be abolished.

This system of voting has never been proved successful, and we need only give one example to substantiate our argument. In the report of the Commission of Enquiry which led to the Ceylonese constitutional reform of 1931, we are told that Lord Donoughmore,<sup>1</sup> the chairman of the commission, wrote:—

‘In surveying the position in Ceylon, we have come unhesitatingly to the conclusion that communal representation is, as it were, a canker on the body politic, eating deeper and deeper into the vital energies of the people, breeding self-interest, suspicion and animosity, poisoning the new growth of political consciousness and effectively preventing the development of a national or corporate spirit.’

(See book entitled ‘The Protection of Minorities’ by J. A. Laponce published by the University of California Press pages 114–115.)

In this connection may we also quote Professor S.A. de Smith in his book ‘The New Commonwealth and its Constitutions’ pages 117–118.

‘The idea that minority communities should be guaranteed special representation as such in the legislature is seldom acceptable in African and

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<sup>1</sup> On the Donoughmore Commission in Ceylon, see K M de Silva, ed, *Sri Lanka* (BDEEP, 1997) part I, pp xxxvi–xxxix. The commission recommended that the franchise be extended to the immigrant minority in the island—in the main plantation workers—on the same terms as the indigenous population, that is after five years’ residence in the country.

Asia today. Communalism stands for divided loyalties; it inhibits the development of a national consciousness; it is identified with religious fanaticism or tribal separatism or economic and social privilege. In the United Kingdom, Jews, Roman Catholics and West Indians may suffer unofficial discrimination in various ways, but it is not thought necessary or desirable to give them distinct representation in the House of Commons. Why, then, should it be thought necessary to single out communal groups in new states for this form of preferential treatment? The outside observer who detects the accents of special pleading must remind himself that communal representation, in so far as it entails the reservation of seats for communal members elected only by members of their own communities, has a poor record. It tends to magnify existing communal differences, inasmuch as communities are stirred to fuller self-consciousness and electoral campaigns are dominated by appeals to communal prejudices; and new communities discover themselves as further claims to separate representation are lodged. Indians (but not Pakistanis) still look back in anger at the consequences of the Morley–Minto reforms of 1909.<sup>2</sup> The Report of the Donoughmore Commission in 1928 was a damning indictment of the results of communal representation in Ceylon. The fact that communal representation survived in Kenya till 1960 in order to guarantee Europeans, Asians and Arabs a disproportionate number of seats in comparison with African representation did nothing to improve its public image. Today it survives only in New Zealand, Fiji and Cyprus.’

*Does common roll mean Indian domination?*

In our view the answer to this question must be in the negative. To support our view we do invite the United Kingdom Delegation to look at the composition of the population in different constituencies of Fiji, and give particular attention to the number of eligible voters of each race in different constituencies.

It is inevitable that one political group or another must, of necessity, govern a country if a parliamentary system of government is in operation. In our view, the fear of racial domination is not a reality, but purely psychological in the minds of our colleagues. We fail to see how a particular race in Fiji could ever dominate one or other race to the intent that their basic fundamental rights and privileges in the Constitution are taken away. These rights no doubt will be protected in the future Constitution and clarified.

Assuming there is an abuse of power by a majority group in the legislature, what are the safeguards to protect the minorities? The answer to this question is that the constitution itself will provide the following safeguards:—

- (a) the right of the Sovereign to emend, suspend or revoke the Constitution;
- (b) the right of the Sovereign to disallow bills;
- (c) the right of the Governor to reserve bills for the signification of the Sovereign’s pleasure;

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<sup>2</sup> The Indian Councils Act of 1909, enacted at the initiative of Lord Morley, the secretary of state for Indian, and the viceroy, Lord Minto, introduced, *inter alia*, the principle of separate electorates for Muslim voters in India.



- (d) the right of the Governor to refuse to assent to some bills;
- (e) formation of neutral zones in the field of government such as the establishment of Judicial and Legal Service Commission, Public Service Commission and Police Service Commission.

In our view, the safeguards enumerated above are sufficient to allay the fears of all reasonable citizens living in Fiji, but we would be happy if the following additional safeguards are embodied in the Constitution:—

- (a) provision to the effect that the ownership of land would not be taken away or challenged except with the concurrence of the Secretary of State for the Colonies;
- (b) any other safeguards which would not be incompatible or infringe the principle that each citizen is one vote, one value in a single member constituency under the future Constitution.

In this connection we would welcome any proposal from the United Kingdom Delegation or from the other members of the Fiji Delegation so that a compromise may be reached.

It is our belief that the views expressed in this Note are shared by many members of all communities living in Fiji.

## **89** CO 1036/1128, no 16

9 Aug 1965

### **[Constitutional conference]: closing addresses by Mr Greenwood and Sir D Jakeway**

The Secretary of State for the Colonies said:—

‘We have the report before us. I understand that it is agreed that it is a correct and accurate report of what has taken place during the discussions in the Constitutional Conference. May I take it it is agreed that I sign this as a correct record?’

Thank you very much. Mrs. White and gentlemen, I should like if I may to begin on a purely personal note, by saying how glad I am that this final session is taking place at a time when it has been possible for me to be present. As you will have realised from the newspapers, I have been preoccupied with other problems during the last few days,<sup>1</sup> and I am glad that this happy concurrence of events has happened so that I can be here on what is I think an important occasion this afternoon.

I realise fully that in order to complete your proceedings by this time, it has involved a great deal of very strenuous and very hard work and great concentration upon your part, and I would like to thank you for the forbearance and for the industry and the concentration that you have shown. And I think it would be your wish that I should thank Mrs. White for having presided so skilfully over discussions that I know must have been very exacting and very tiring at times.

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<sup>1</sup> This is a reference to Greenwood’s visit to Aden and to the breakdown of preparatory talks for an Aden conference in London.

Speaking purely for myself, I should have been very sorry indeed if we had broken up at a time when it had not been possible for me to come and see you again and to hear the results of your labours. I am naturally disappointed that the Conference has not reached complete agreement, but on the other hand I am certainly strongly of the opinion that, thanks to the hard work which you have put in, Fiji has made a definite stop forward along the road to democratic self-government. I know that there are different views on the subject among the various groups, but it is certainly our strong view that the introduction of an element of voting across the communal and racial boundaries is a useful stop towards the long-term objective that we all of us have in mind, and that is the breakdown of barriers between the different elements in the population. There is a responsibility upon all of us to create a homogeneous Fijian population, a homogeneous society in which all the inhabitants of the territory, whatever their background, feel able to work in the interests of their homeland, and to put these interests before any considerations of community or race or creed. And basically when we think of the things which are really important, there is so little difference between the different races of the world, and when it comes to love of beauty and love of our fellow men, and a demand for justice and a sense of fair play, there is so little that divides the races.

Those surely are the things which we must bear in mind when we set out to serve our country, to realise that it is the interests of the country and not the interests of races which really matter.

It is one of the sadnesses of my situation that I have not been able to visit Fiji myself, but everybody whom I know who has been there, Mrs. White among them, has come back quite clearly in love with Fiji. And it is not only I think that they are in love with the beauty of the island, which everybody tells me about, but what I think really impresses them even more deeply is the mutual confidence and the good relations which exist in ordinary daily life, whether it is in towns or villages throughout the country, the good relations and the confidence which exist between the people of all races. Perhaps you will forgive me if I say that that is perhaps the most precious asset which any country can have, and once that asset is squandered, and if that confidence is destroyed and if that mutual respect were to disappear, it would take not just a matter of months, not just a matter of years to restore it, it would take generations to undo the damage which had been done and to enable us to build again on foundations of mutual respect and mutual confidence.

I would therefore urge you strongly to remember that consideration, and to realise how fortunate you are in contrast with some of the countries in the world at the present time. And so I would say that, whatever may be the defects of the Constitution that we have been discussing during the last few days—and I do not think that anybody would claim that it was a perfect Constitution—whatever may be the defects of it, I think there is responsibility upon all of us to give it a fair run, to strive to make it work with the maximum of efficiency for the benefit of all the people of your country. We have got I think to use it as a base from which further constitutional progress can be made, as the political experience of the people grows and racial harmony is consolidated. And you know, this really means I think

sinking differences which there may exist at the present time, differences about the immediate effects of the Constitution, differences between the outlook of the various communities. Nobody has got to give up his principles or to give up the things which he believes to be right. But what all of us have got to do, I think, is to remember that above all things it is the interests of Fiji which really count, not the interests of any community or any race, that we have got to start thinking in terms of country rather than of community or of race.

That, gentlemen, is the main thought which I would like to leave in your minds on this occasion. And in concluding may I say that I pray God that you will have a safe journey home; I express to you my good wishes and the good wishes of Her Majesty's Government for the future of your country, and I would ask you to take back with you our good wishes to the people of Fiji, whose long, loyal and voluntary association with the people of this country is one of the treasures which we prize above all valuation.

Thank you, and good luck to you all.'

Sir Derek Jakeway said:—

'Right Honorable Sir, Mrs. White, Fellow Delegates: On behalf of the Fiji delegation I would like to express to you, Sir, and through you to Her Majesty's Government, our very sincere appreciation of the arrangements which have been made for this Conference. For all of us in the Fiji delegation it has been our first experience of a conference of this nature. Indeed, I doubt whether there has been any comparable gathering to consider the constitutional future of Fiji since the Deed of Cession was signed 91 years ago.

That it should have taken place in the historic setting of Marlborough House will be for all of us especially memorable. Here we have been able to draw on the inspiration of a gracious and spacious past while enjoying all the facilities of the present. Our comfort, both mental and physical, has been amply provided for.

It has been a strenuous fortnight, filled with a most enjoyable social programme as well as the regular working sessions of the conference. But however hard some of us may think we have worked, none will gainsay that the palm for sheer devotion to duty should be awarded to the Secretary-General, Mr. Nixon, and his staff. For them there was no respite, and the rapid and accurate rendition of minutes, papers and the report—achieved only by literally all night labour—deserves and receives our unstinted admiration.

We appreciate also that Her Majesty's Government should have made available to all sides of the Conference the wide knowledge and experience in matters constitutional of Professor de Smith. Whether he, for his part, may have added to the sum of his knowledge of the complexities of constitutional machinery in a plural society, it is not for me to say.

Although Mr. Steel, as legal adviser to the United Kingdom delegation, had no obligations to the Fiji delegation, he has in fact been a constitutional guide, philosopher and friend to all. This has notably assisted the Conference in its deliberations and we are correspondingly grateful for it.

In your unavoidable absence, Sir, from the working sessions of the Conference, Mrs. White has presided with, if I may say so, grace and skill. It was beneficial to us all that she was able to pay a preliminary visit to Fiji and to gain a first hand acquaintance with our problems on the spot.

Of the outcome of the Conference I will say no more than respectfully endorse your view that the right thing now is for everyone, whatever his private opinion on any particular conclusion, to co-operate in making the operation of the new Constitution, when it comes into being, a success. As Sir Hilton Poynton has so rightly pointed out, a constitution is but a framework within which human relationships can develop. The best constitution that the human intellect can devise will be of no avail if there is lacking the will to promote those human relationships on a basis of justice, tolerance and friendship. The other side of the coin is that even a bad constitution cannot frustrate that objective if the will is there. I pray God that it is there and will remain there.'

The Secretary of State for the Colonies said:—

'I think, gentlemen, that concludes the business. I would thank the Governor for the kind words that he says, and I know that I am speaking on behalf of Mrs. White in thanking him for the remarks he has just made. I think this has been a happy Conference and that it has been a useful Conference, and I hope that you will enjoy the rest of your time in London and have, as I said earlier, a safe journey to your own homes. Thank you very much indeed.'

**90** CO 1036/1129, no 18

9 Aug 1965

[Constitutional conference]: report (FCC(65)15(Final)) by the secretary-general (C B Nixon)

*Introduction*

1. The Fiji Constitutional Conference, 1965, was held at Marlborough House, London, S. W. 1., from the 26th July to the 9th August, 1965. The Rt. Hon. Anthony Greenwood, M.P., Secretary of State for the Colonies, presided at the opening and closing sessions and Mrs. Eirene White, M.P., Parliamentary Under-Secretary of State for the Colonies, presided at the other sessions. Sixteen sessions were held in all. A list of those present is in the Appendix.<sup>1</sup>

2. The purpose of the Conference was to work out a constitutional framework for Fiji which would preserve a continuing link with Britain and within which further progress could be made in the direction of internal self-government.

3. The Conference agreed that for the first time the Constitution would provide for a majority of elected members in the Legislative Council. The nomination of unofficial members would be discontinued entirely and the number of nominated

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<sup>1</sup> Not printed, see 87, note 1.

officials would be reduced to a maximum of four. It was also agreed that the members of all minority groups, who have hitherto had no vote, would be enfranchised and eligible to stand for election. Fiji will thus attain universal adult suffrage. Agreement was also reached on provision for the introduction of a Ministerial system and for a Bill of Rights to be incorporated in the Constitution.

4. There were, however, strongly opposed views within the Fiji delegation on the method of election to the Legislative Council and the representation therein of the different communities. The Indian group contended that the proper course was to proceed at once, with appropriate safeguards, to the replacement of the existing system of elections on communal rolls by a system under which all the elected members of the Legislative Council would be returned, by single member constituencies, on a straight common roll, that is to say, with neither communal qualifications for electors nor communal reservation of seats for candidates. The Fijian and European groups, on the other hand, took their stand on the retention of a fully communal system of elections as at present. While both these groups recognised that election on a straight common roll basis was a desirable long-term objective, they could not agree to its introduction at the present stage or in the foreseeable future. Faced with this conflict of views the Conference did not succeed in reaching agreement on when such a system should be introduced.

5. Her Majesty's Government, for their part, recognised that election on a straight common roll basis was not practicable for Fiji until a greater degree of integration of the communities had been achieved. They made clear, however, the importance they attached to introducing a system whereby some members would be both elected by and responsible to voters drawn from all communities. To this end they put forward certain proposals which were eventually accepted by the Fijian and European groups and in part by one of the Indian delegates (see paragraph 30). These form the basis of the recommendations set out in paragraphs 21 and 22 below. It was emphasised by the Fijian and European delegates that these proposals would be brought before the communities in Fiji affected by them, through a debate in the Legislative Council. These proposals, however, were not accepted by the remainder of the Indian group. They proposed a system of full common roll elections with appropriate safeguards. When it became clear that this was not acceptable, they offered the alternative compromise proposal summarised in paragraphs 24–27. This alternative proposal failed to secure acceptance by the Fijian and European groups in the Fiji delegation. The Indian group indicated that in these circumstances they would wish to take their stand on the proposals for full common roll elections.

6. In the discussion on the provisions of the Constitution dealing with executive powers, the Indian group, with one dissident (see paragraph 41), made it clear that they considered that the stage had been reached where full internal self-government should be introduced forthwith. The remainder of the delegation considered that it was still necessary for the Governor to retain a substantial measure of discretionary power and preferred the recommendations which are set out in paragraph 40 below.

7. The Conference reached the following conclusions with reservations as noted in the text.

#### *The Crown*

8. The position of the Crown would remain unchanged.

*The governor*

9. The Governor would continue to be appointed by the Crown on the advice of Her Majesty's Government in the United Kingdom.

*The judicature*

10. The Constitution would contain provisions expressly establishing the Supreme Court, and the Court of Appeal and prescribing their composition. The judges of those Courts would be appointed by the Governor on instructions from Her Majesty. There would be a safeguard against the abolition of the office of any judge during his tenure of office. Judges would be removable only for inability or misconduct, and only upon the recommendation of the Judicial Committee of the Privy Council after a local judicial tribunal had investigated the facts. The Constitution would prescribe the qualifications for judges.

11. Appeals would continue to lie to the Judicial Committee of the Privy Council.

12. There would be provision in the Constitution for a Judicial and Legal Service Commission consisting of the Chief Justice as Chairman, the Attorney-General (see paragraph 44), the Chairman of the Public Service Commission (see paragraph 15) and one other member appointed by the Governor in his discretion. The Governor would be required to consult the Commission on the appointment and discipline of the subordinate judiciary and the holders of other public offices for which legal qualifications are required but would not be bound by the advice of the Commission. The provisions relating to the security of tenure of a member of the Public Service Commission, and to the qualifications and disqualifications attaching to his office (see paragraphs 15 and 16 below) would apply also in relation to the appointed member of the Judicial and Legal Service Commission.

*Public service*

13. The Constitution would contain provisions establishing the Public Service Commission and the Governor would be required to consult the Commission on the appointment of persons to certain public service posts (including appointments on promotion and on transfer from one public office to another) and their disciplinary control but would not be bound by the advice of the Commission.

14. The Public Service Commission would be responsible for advising the Governor on all posts in the public service except the following:—

- (a) The Chief Justice and puisne judges and the judges of the Court of Appeal;
- (b) posts dealt with by the Judicial and Legal Service Commission;
- (c) posts dealt with by the Police Service Commission;
- (d) Chief Secretary (at present known as Colonial Secretary);
- (e) Attorney-General (see paragraph 44);
- (f) Financial Secretary;
- (g) Secretary for Fijian Affairs;
- (h) Director of Audit;
- (i) Commissioner of Police;
- (j) Junior and subordinate officers of disciplined services such as the Police and Prison Services.

The Commission would be empowered with the consent of the Governor, to delegate its functions to one or more of its members or to other public authorities.

15. The Public Service Commission would consist of a chairman and not more than three members appointed by the Governor, in his discretion, for a fixed term of three years. There would be transitional provisions permitting some of the initial appointments to be for a shorter period in order to ensure continuity of experience. During their term of office they would be irremovable except on grounds of inability or misconduct established by a judicial tribunal. Members would be eligible for re-appointment. The Constitution would direct the Public Service Commission that in appointments to the public service, preference should be given to suitably qualified local candidates. The Public Service Commission would also be directed to ensure that as far as possible each of the communities in Fiji would receive fair treatment in respect of appointment to the public service.

16. Sitting members of the Legislative Council and serving members of the public service would be disqualified from membership of the Commission. Persons who had stood as candidates for election to the Legislative Council and also former unofficial members of the Legislative Council could not be members of the Commission within three years of standing for election or of vacating their seats. Members of the Commission would be disqualified for nomination for election to the Legislative Council within a period of three years after ceasing to be members of the Commission. Members of the Public Service Commission would not be eligible for appointment to public office for three years after retirement. Retired civil servants would be disqualified from membership of the Public Service Commission for a period of two years after retirement.

17. The terms of service of public servants would continue to be one of the special responsibilities of the Governor.

#### *Police Service Commission*

18. The Constitution would contain provisions establishing the Police Service Commission and the Governor would be required to consult the Commission (but not be bound by their advice) on the appointment of all officers of gazetted rank except the Commissioner of Police. The Police Service Commission would consist of a chairman and not more than two members, all of whom would be appointed by the Governor in his discretion. The provisions relating to security of tenure of a member of a Public Service Commission and to the qualifications and disqualifications attaching to his office (see paragraphs 15 and 16 above) would apply also in relation to a member of the Police Service Commission.

#### *Bill of Rights*

19. A Bill of Rights would be included in the Constitution. Subject to what is said below, any law which is inconsistent with the Bill of Rights would be void. Application would lie to the Supreme Court for redress in relation to infringement of the provisions of the Bill of Rights. The Bill of Rights would protect the right to life, personal liberty, freedom of movement and residence, freedom from inhuman treatment, freedom from slavery and forced labour, freedom from arbitrary search and entry, the right to a fair trial in criminal and civil cases, freedom of conscience, freedom of expression, assembly and association, freedom from arbitrary seizure of property and freedom from discrimination, subject to certain general qualifications to permit restrictions that are reasonably justifiable in the public interest or to protect the rights and freedoms of others, and for derogations in time of war or public emergency.

20. The right to freedom from discrimination would not invalidate existing laws, but when the discriminatory effect of a particular law had been reduced or eliminated, it could not be reintroduced. It was accepted that the aim should be to eliminate conflict between existing laws and the right to freedom from discrimination. The Indian group of the Fiji delegation wished to record their view that there should be no saving for existing laws which were in conflict with the right to freedom from discrimination and which could not be brought within one of the specific exceptions set out by the Constitution; these laws should therefore become void as from the introduction of the Constitution. If, however, this was not practicable, they suggested that such laws should be saved only for a specified period, without prejudice to their earlier repeal if possible.

*Legislative Council Composition*

21. The Legislative Council would comprise thirty-six members elected as described below together with not more than four official members. The number of Fijian members elected on the Fijian communal roll would be increased from the present four to a total of nine. In addition, there would continue to be two Fijian members elected by the Council of Chiefs. For the purpose of the election of these nine members, Rotumans and other Pacific Islanders would be given the opportunity of being grouped with the Fijians and would thus, for the first time, be enfranchised and eligible to be elected to the Legislative Council. The number of Indian members elected on the Indian communal roll would also be increased from the present four to a total of nine. Instead of the present four European members elected on the European communal roll there would be seven members elected on a roll, on which people of the Chinese and other communities, not at present entitled to vote, would also be eligible for registration. They would also be eligible for election to the Legislative Council.

22. In addition to the twenty-seven members elected as described above, a further nine members would be elected on a system of cross-voting under which, though the seats would be reserved in equal proportions for members of the three communities (the Rotumans and other Pacific Islanders being grouped with the Fijians and the Chinese and others with the Europeans), each member would be elected by persons of all communities. In this way each elector would take part in the election of members of the other communities as well as of his own, and each member of the Council elected under this system would be responsible to persons of the other communities as well as his own. For the purpose of these elections the colony would be divided into three constituencies, each returning one Fijian (or Rotuman or other Pacific Islander), one Indian and one European (or Chinese). The electoral rolls would be made up by amalgamating the three communal rolls for the relevant areas.

23. As indicated in paragraph 5 above, the Indian group submitted a proposal for the immediate introduction of elections on a common roll without any seats being communally reserved. When it became clear that this was unacceptable to the two other communities they put forward certain alternative compromise proposals under which, to the extent that elections on a fully communal basis were to be retained, there would continue to be parity between the Fijian and Indian communities. These alternative proposals—involving communal rolls, cross-voting and common roll—are summarized below.

24. The Legislative Council would contain 36 elected members. Twelve of these



would be elected on communal rolls as at present, four members for each community. A further 18 members would be elected by a system of cross-voting. For this purpose Fiji would be divided into three constituencies, each returning six members. In each constituency two seats would be reserved for Fijians, two would be reserved for Indians, one would be reserved for a European and the remaining one for a member of the other communities, e.g. Rotumans, other Pacific Islanders and Chinese. The remaining six members would be returned by the same three constituencies, each constituency returning two of them. The electorate would be the same as for the 18 seats just described but there would be no racial qualification for candidates.

25. It was explained that the Indian group expected that the members of the minor communities (Rotumans, etc.) would participate in the above non-communal elections.

26. Where one constituency was required to return more than one member in each of the above elections (e.g. two Fijians for the racially-reserved seats on the cross-voting system or two members for the non-reserved seats) the system used would be the 'first past the post' system.

27. The Indian group explained that if these proposals, or if a scheme worked out on similar lines, were acceptable to the delegates, they recognised that certain safeguards might be considered necessary to avoid under-representation of particular communities.

28. When these alternative proposals made by the Indian group failed to gain acceptance by the Fijian and European groups, the Indian group again took their stand on their original proposals for the immediate introduction of common roll elections and made it clear that the proposals described in paragraphs 21 and 22 above were unacceptable to them.

29. The Indian group unanimously rejected, and recorded their strong protest against, the proposal that there should be two more Fijian members of the legislature than Indian members. They rejected the argument of the Fijian and European groups that the additional representation was justified by the special position occupied by the Fijian community in Fiji. They also rejected the argument of the United Kingdom delegation that two extra Fijian seats were justified by the inclusion of the Rotuman and other Pacific Island communities in the Fijian electorate. They made it clear that, as the Indians constituted the majority of the population, though not necessarily of the electorate at the next election, they were entitled to at least parity of representation with the Fijian, the Rotuman and other Pacific Island communities combined.

30. As mentioned in paragraph 5 above, one member of the Indian group (Mr. Singh) indicated that he could accept only in part the proposals set out in paragraphs 21 and 22. While he would have preferred the adoption of elections on a common roll basis, he was prepared to accept the proposals but only in so far as they related to the method of election. So far as the number of members was concerned, he supported the other members of the Indian group in contending that parity between the two major communities should be retained.

#### *Nominated official members*

31. The only nominated members would be those persons who were, for the time being, the official members of the Executive Council (see paragraph 39 below). The Governor's present power to nominate up to sixteen official members (in addition to

the three ex-officio members provided for by the present Constitution) would disappear. His power to nominate unofficial members of the Legislative Council to represent the various communities would also be abolished.

*Qualifications and disqualifications of candidates*

32. The qualifications and disqualifications of candidates would be the same as at present with the following exceptions:—

- (a) the present requirement relating to property or income would be abolished but local law should contain a provision related to candidates furnishing a deposit;
- (b) for the purpose of establishing the community to which a candidate belonged, he would be permitted to trace his descent through his mother if he could not ascertain who his father was;
- (c) British protected persons would be entitled to a vote on the same basis as British subjects.
- (d) At the first election under the Constitution, Fijian civil servants would not be disqualified to stand for election to the Legislative Council but would, if elected, vacate their seats as soon as the Legislative Council first met thereafter if they had not by then retired from the public service. At all subsequent elections Fijian civil servants would be disqualified to stand for election to the Legislative Council and would therefore have to retire from the public service before nomination.
- (e) Members of the Commissions established by the Constitution would be disqualified for nomination for election to the Legislative Council within a period of three years after ceasing to be members of the Commissions.

*Qualifications and disqualifications of electors*

33. The qualifications and disqualifications of electors would be the same as at present with the following exceptions:—

- (a) the literacy test would be abolished;
- (b) the same alteration would be made in the rules governing the method of establishing the community to which an elector belonged as is to be made in the case of candidates.
- (c) British protected persons would be eligible to be elected on the same basis as British subjects.

*The speaker and the deputy speaker*

34. The Legislative Council would elect a Speaker either from within the Council or from persons outside who were qualified to be elected to the Legislative Council. There would be no by-election in his constituency for a Speaker elected from the Legislative Council. He would hold office until the Legislative Council's first meeting after the General Election following his appointment. A majority of two-thirds of the Legislative Council would be required to remove a Speaker from office. The Speaker would have no vote on motions before the Legislative Council. Any motion upon which the votes were equally divided would be regarded as withdrawn. The Speaker would be among the officers whose salary was a charge upon the Consolidated Fund. The Legislative Council would be empowered to appoint a Deputy Speaker from among its members. His powers and functions

when presiding at the Legislative Council would be the same as those of the Speaker.

#### *Powers*

35. Subject to the restrictions imposed by the Colonial Laws Validity Act 1865 (which invalidates a colonial law to the extent to which it is inconsistent with an imperial enactment extending to the Colony) and by any provisions of the Constitution itself such as a Bill of Rights, the Constitution would give the Legislative Council full power to make laws on any subject. There would be a provision to prevent Bills being introduced without the consent of the Governor if their effect would be to impose taxes or to increase expenditure or to alter terms and conditions of service of public officers. The Governor would have power to refuse assent, to reserve legislation, and to ensure that Bills were passed by certification. Certain subjects specified by reference to particular laws would be dealt with by special procedure in the Legislative Council. Under this procedure Bills affecting the laws concerned would require the support of more than two-thirds of all the elected members of the Legislative Council. A similar requirement should apply to any resolution the effect of which would be to recommend any change in the Constitution. The Indian group of the Fiji delegation wished to record their dissent from these proposals.

36. The Governor would be required to reserve certain kinds of Bills, e.g. Bills which appear to him to conflict with international obligations or affect the Royal Prerogative, or Bills which purport to amend the Constitution. The power of disallowance would be retained by the Crown. Besides these restrictions on the powers of the Legislative Council the Crown would retain the power to revise or amend the Constitution by Order in Council and to make other laws for Fiji by Order in Council.

#### *Prorogation*

37. The Governor's power to prorogue the Legislative Council would be exercised after consultation with the Executive Council, though he would not be bound by such consultation.

#### *Dissolution*

38. The maximum life of the Legislative Council would be five years. The Governor would be empowered to dissolve the Legislative Council in his discretion.

#### *Executive*

39. The executive power would remain formally vested in the Governor at all stages, although particular laws might confer certain functions on other officers and authorities. The Governor would continue to appoint the unofficial members of the Executive Council in his discretion but would provide for appropriate representation of the various communities in the unofficial element of the Executive Council. This would be regulated as at present by convention. These members would be drawn from the elected members of the Legislative Council. In addition the Governor would be empowered to appoint not more than four official members of the Executive Council. The Constitution would provide that the Governor might at an appropriate time appoint members of the Executive Council to be Ministers with executive powers in certain fields of public business, and also Ministers without Portfolio. The Executive Council would be described as a Council of Ministers when Ministers were appointed.

*Executive Council: powers*

40. The Governor would consult the Executive Council in the exercise of all his functions (except on trivial or urgent matters or where the public interest made it undesirable). He would not be required to consult in cases where he was specifically authorised or required by the Constitution to act in his discretion or on the advice of, or after consultation with, some other person or authority. He would in general act in accordance with the advice of the Executive Council but could act against such advice where he considered it necessary in the interests of public order, public faith or good government; in such cases he would be required to seek approval of the Secretary of State.

41. The Indian group of the Fiji delegation wished to record their view that the Governor should be required to act in accordance with the advice of the Executive Council, except where he considered that he should reject it in the interests of one of his special responsibilities. As explained in paragraph 6 above, one member of the Indian group (Mr. Singh) felt unable to support the other members of the group in proposing the immediate introduction of full internal self-government. He agreed with the other members of the Fiji delegation that it would still be necessary for the Governor to retain substantial discretionary powers.

42. Certain subjects would be reserved to the Governor in his discretion as his special responsibility. These would include defence, external affairs, internal security and the public service.

*Prerogative of mercy*

43. To assist the Governor in his exercise of the prerogative of mercy, there would be an advisory committee presided over by the Governor himself and consisting of the Attorney-General (see paragraph 44), and between two and four other persons appointed by the Governor, one of whom would be a member of the Executive Council and another a medical practitioner. The Governor would be required to refer to the committee all capital cases and might refer such other cases as he thought fit. The advice of the committee would not be binding on the Governor.

*Attorney-general*

44. The Constitution would make it clear that the Attorney-General was ultimately responsible for the initiation, conduct or discontinuance of criminal prosecutions. If the office of Attorney-General became that of an unofficial Minister, the office of Director of Public Prosecutions would be established and the provisions of the Constitution relating to the Attorney-General, as envisaged by this Report, would then apply to the office of Director of Public Prosecutions. In addition the office of Solicitor-General would then be excluded from the jurisdiction of the Public Service Commission, and the Solicitor-General would take the place of the Attorney-General on the Judicial and Legal Service Commission (see paragraph 12) and also on the Advisory Committee on the Prerogative of Mercy (see paragraph 43).

*Important public offices*

45. The Constitution would provide for the security of tenure of office of the Director of Audit and of the Judges of the Supreme Court and Court of Appeal and would also safeguard (by charging on the Consolidated Fund) their emoluments as well as the emoluments of the Governor, the Attorney-General (see paragraph 44), the Chairman and members of the Public Service Commission and other

Commissions established in the Constitution and the Speaker of the Legislative Council.

*Finance*

46. The financial provisions in the Constitution would establish a Consolidated Fund into which all public revenues would be paid and out of which all expenditure would be met (except as provided specifically by local law). There would also be a Contingencies Fund. The Constitution would prescribe the appropriate procedure for scrutiny of expenditure by the Legislative Council.

**91** CO 1036/1119, no 73

17 Aug 1965

[Constitutional conference]: letter from Trafford Smith to P D Macdonald criticising the performance of the Indian delegation

Now that the Conference is over, I am writing at more leisure with a few general impressions to supplement the series of telegrams ending with our Secret and Personal No. 88 of the 9th August.

2. First, in regard to that telegram, Mrs. White has asked me to amplify what is said in the second paragraph about her talk with Mara and Falvey on the 9th August. This was a personal talk with only the three of them present. Naturally, we were worried about the situation into which the Indians had got themselves towards the end of the Conference—had they played their cards better, they could certainly have come out with a more acceptable result from their point of view—and Mrs. White thought it might be useful to discuss frankly with Mara and Falvey on a purely personal basis whether it would in the long term make sense to give the Indians one more seat—whether the game would be worth the candle. There was a general discussion of the balance of advantage and disadvantage in doing this. Obviously a late concession of this sort might have shown that H.M.G.—and the Fijians and Europeans, if they acquiesced—were trying to make some move towards placating the Indians. But would it in fact have placated them to any material extent? The conclusion finally reached, with which I think I agree, was that a gesture of this sort would have been fruitless at that late stage. It would not really have removed the Indian sense of grievance, and might indeed have gone some way to alienate European and Fijian opinion.

3. This was the first conference of this kind I had taken part in (my previous experience in this field being the Malta Integration Conference which was obviously quite a different kind of exercise)—and a number of things impressed me. The thing which struck everybody on H.M.G.'s side most was the quite extraordinarily bad performance of the Indians. When Patel decided to go into purdah and not talk any more during the last months before the Conference, we all thought he was preparing some great Indian plan which he didn't want to launch in Fiji, partly to avoid its being watered down in discussion and partly because it would inevitably, whatever its merits, have been torn to pieces and hopelessly prejudiced from the start by Usher<sup>1</sup> and company. We thought that for these reasons this *magnum opus* was to be

launched on an expectant conference at what Patel judged to be the right tactical moment.

4. As it turned out, the Federation Party seemed to have come to London having done no homework at all. Patel got off on the wrong foot during the formal opening session by talking about independence as the ultimate objective and holding up the colonial state of Fiji to condemnation: and then the party simply made their case in a very general way for a straight common roll, with a few subsidiary murmurs about safeguards, and when asked to put it down on paper, took a couple of days to do so. No one seemed to have thought of the necessity, given the circumstances on the ground in Fiji, to produce some kind of compromise plan, short of the common roll ideal, which would stand some chance of working without too much local friction. Whether they misjudged the situation and thought that, on purely theoretical doctrinaire grounds, a British Labour Government would automatically start from the straight common roll position, and the discussion would simply be about safeguards, I don't know: at all events, at no point in the proceedings did Patel or his henchmen take any real grip of the situation, and it was left to Deoki at the last moment to produce his Indian compromise plan, which was the only statesmanlike move made from the Indian side (discounting Singh's efforts to dissociate himself from the Federation Party line) during the whole conference. This was a perfectly viable and sensible proposal, and had the Indians tabled it on the first day, it would have been impossible for H.M.G. to avoid taking very great account of it, and indeed difficult for H.M.G. not to have spent a considerable time—most of the conference even—trying to persuade the Fijians and Europeans to accept it or some variant of it.

5. As it was, by the time Deoki produced his compromise, we had already spent all our efforts on pushing the Fijians and Europeans down the road towards cross-voting. Deoki's intervention came only when this had been virtually tied up with the Fijians and Europeans in the absence of any positive move from the Indians beyond their purely theoretical general paper on a straight common roll. It would have been difficult to draw back and start at Square 1 again without prejudicing our *bona fides* with the Fijians and Europeans, and indeed the only way to have made progress on the Deoki plan would have been to extend the conference by another week, which was not possible because of other commitments on the British side.

6. In short, rarely has a case been so mishandled by three competent lawyers. If the Indians had not called in Gratien [sic]<sup>2</sup> at the end—again too late to do more than help them save what they could from the wreckage—their case would have gone even more by default. I find it baffling to know what Patel and Koya really thought was going to happen. Surely they cannot have come to the conference with no detailed plan at all and simply vague views about common roll. In some way which I do not understand, I think they must have wanted to court martyrdom. Yet, at the end, perhaps due to Gratien's persuasion, they did not stage a walk-out or refuse to attend the final session or in any way depart from normal standards of politeness.

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<sup>1</sup> L G Usher, editor, *Fiji Times*, and an active member of the Alliance Party (see also 83).

<sup>2</sup> E F N Gratiaen, QC, a London barrister engaged by the Federation Party as legal adviser.

7. The Fijians were surprising in a different way. Because of their seeming unwillingness at the start to open their mouths and say anything at all, we had one or two separate sessions with them. At these they were equally taciturn, and seemed to be on the defensive all the time. So far as one could ascertain from talking to them privately, they seemed to feel that H.M.G. had made up their mind what they wanted, and were simply engaged in an exercise of pushing the Fijians into it willynilly. I think that in general they felt that the British were very skilled and experienced in negotiations of this sort while the Fijians were relatively naive, hence the safe Fijian line was both to say and to concede as little as possible. At their own request later on we had meetings of the Fijians and Europeans together, when the former were a good deal more relaxed. Obviously they had great faith in Falvey, and though I don't think he is an intellectual giant, Kearsley made a number of sensible and helpful interventions. The most sticky of the Europeans, round the table, was probably Kermode. Archibald, whom I had expected to put on the somewhat alcoholic performance he produced when I last attended a meeting with him at Savu Savu, remained so far as I could judge cold sober and sensible the whole time. His presence at the conference was certainly not a dead loss.

8. Where the Europeans made a bad impression was in some of the asides to members of the U.K. delegation at odd times in the bar, etc. Falvey was unwise enough to say to Mrs. White *à propos* of Patel 'Of course I know a rat when I see one': and Kearsley in the midst of a conversation threw out 'Of course we all hate Indians'. Though by and large the Europeans behaved sensibly and well, and did not overdo their case, and accepted the reduction of their seats with a good grace, these symptoms of anti-Indian prejudice did not enhance their standing in London.

9. In general, the atmosphere of the conference was relaxed and friendly, and there were no impassioned outbursts from any quarter, though, as you would expect, Koya expressed his frustration and disappointment in fairly forcible terms from time to time. The best Indian performance was Deoki's balanced and sensible exposition of his compromise plan, and the very genuine plea he made for more time to consider it. Patel scored few marks.

10. You will of course get a much fuller and more valuable commentary from the Governor and Justin Lewis<sup>3</sup> when they get back. So far as I personally can judge, it was a good idea to have the Governor on the Fijian side of the table opposite Mrs. White. He was able from time to time to make some important and very useful interventions, and did so much more effectively than if he had been sitting among Mrs. White's U.K. advisers.

11. By now you will have no doubt been sent separately copies of the record of the Press Conference given by Mrs. White immediately after the concluding session, and of the one at the Strand Palace Hotel given by the Indians a day later. Koya came in to see me the other day largely to talk about an immigration case. Patel promised to come in but has not done so up to the present. Kenneth MacKenzie and I took Mara and Penaia out to lunch the other day and tried to press home two main themes—first that the landlord and tenant reforms must be got through as quickly as possible so as to remove a possible sense of grievance from the Indians, and second, that they should do everything possible to 'sell' the new arrangements to

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<sup>3</sup> Attorney-general, Fiji.

their people so that we can have the new elections with minimum delay. I think they now realise that, though it took some pushing to get them to accept crossvoting, the net outcome of the Conference is extremely favourable to them.<sup>4</sup>

<sup>4</sup> Official reaction in India to the Fiji conference was muted. The Indian press, however, was not sympathetic towards Britain's role, and there were references to a policy of 'divide and rule', a familiar theme, according to the UK High Commission, 'in the mythology of the Indian Congress Party' (DO 169/501, no 22, W L Allinson (New Delhi) to V C Martin (South Asia Dept, CRO), 21 Aug 1965).

**92** CO 1036/1345, no 65 21 Sept 1965  
**[Future policy in the Pacific]: minute by Mr Greenwood to Mr Stewart on the reorganisation of the South Pacific Commission and strategic interests in the Pacific**

In recent months officials in my Department and the Foreign Office and Commonwealth Relations Office have been considering our future policy in the South Pacific area. The territories there are almost all dependencies of Britain, Australia, New Zealand, the United States and France; they are scattered throughout an area of 12 million square miles of sea and range from Papua/New Guinea (an Australian territory with a population of approximately 2 million) to minute coral atolls only a few acres in extent. They are at widely different stages of political, constitutional and economic development; there are differences of race and of background arising from the trade and educational links which have grown up between each territory and its metropolitan power.

2. At present the South Pacific Commission provides the only forum for discussion and co-operation between the five administering powers and their territories. The Commission is an advisory and consultative body set up in 1947:—

‘to encourage and strengthen international co-operation in promoting the economic and social welfare and advancement of the peoples of the non-self-governing territories of the South Pacific region administered by the participating Governments’.

It is not concerned with political or constitutional matters. It consists of two Commissioners from each metropolitan government (the territories are not directly represented) and meets annually to determine a Work Programme. It is advised by a Research Council and by the South Pacific Conference which meets at intervals of not more than three years, is attended by representatives of all the territories within the Commission's area and can make recommendations to the Commission on economic and social matters. It has a Secretariat responsible for carrying out its programme and based in Noumea in New Caledonia.

3. The speed of constitutional development in the South Pacific has quickened in recent years and the territories are increasingly taking an interest in political and constitutional matters. It has been recognised for some time that the Commission as at present constituted is no longer adequate to meet the needs and command the support of the territories. There are a number of anomalies of which the most striking are the fact that Tonga, although similar to the other territories, does not come within the Commission's scope, and the fact that Western Samoa although in



every other way similar to the remaining non-metropolitan territories, has joined the Commission as a full member since achieving independence. It is generally agreed by British representatives in the area that if action is not taken soon to reactivate, rationalise and extend the Commission's activities it is likely to become moribund.

4. It is in my view most undesirable that the Commission, which within its limited scope has done an extremely useful job in the last eighteen years, should be allowed to collapse. This is certainly not the desire of the representatives of the territories. At a meeting of the South Pacific Conference last month a strong demand by representatives of the territories (and in particular by Ratu Mara, a member of the Fiji Executive Council) was voiced for stepping up the Commission's work and for increasing participation by representatives of the territories; the suggestion was also made that the territories might contribute financially to the work of the Commission.

5. Against this background, consideration has recently been given in the Colonial Office and other Departments to:—

- (i) the reorganisation of the South Pacific Commission so as to ensure that it better meets the needs of the area and provides for local participation;
- (ii) the strategic implications of constitutional development of the territories in the area.

As regards the second point, it is to be noted that the west-about air route to the Far East, which may well become important to us, crosses the area; further, in the event of a breakdown in the Moscow Test-Ban Treaty, some islands might be wanted for nuclear testing either by ourselves or an ally. Apart, however, from these factors Britain's main strategic interest in the Pacific area is in its denial to unfriendly powers. Apart from positive American defence requirements in certain of their islands, it is thought that the strategic interest of Australia, New Zealand and the United States is likewise largely negative. The position of the French is not clear; their colonial policies are quite different from ours and the French attitude is complicated by their intention to carry out nuclear tests on one of their islands in the Central Pacific. A number of ideas have been considered as to how these strategic interests should be secured; and at the Conference which I recently held in Oxford further suggestions, directed to a neutralisation of the area rather on the lines of the Austrian Treaty, were put forward.<sup>1</sup> This aspect of the matter will be further considered interdepartmentally. In this minute I shall concentrate on the first of the two points noted above; early action on this is clearly necessary in view of the increasing pressures from the island peoples, and can in my view be pursued without prejudice to any proposals that may subsequently be put forward on the strategic aspect.

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<sup>1</sup> The conference reference is to the conference held at Lady Margaret Hall, Oxford, in July 1965 to consider the future of the smaller UK colonial territories. It was attended by CO ministers and officials, officials from other departments, colonial administrators, academics, journalists and business representatives. Those attending divided into three working groups to consider issues of government, financial and economic problems, and international issues, including forms of continuing relationship with the UK. CO 1032/407, 413–422 and CAB 21/5304, 5296/5 for papers. The treaty reference is to the Austrian State Treaty of 1955 restoring sovereignty to the post-war Austrian government and confirming Austria as a neutral country.

6. Proposals have been worked out in the Colonial Office and agreed at official level in the other Departments concerned as to a possible reorganisation of the Commission which, whilst protecting the position of the metropolitan governments, would be likely to meet the aspirations of the Pacific peoples. Briefly, the structure of the Commission would be radically altered and it would be transformed into a 'South Pacific Organisation' of which the structure and functions will be clear from the outline proposals in the Annex.<sup>2</sup> The effect of a reorganisation on these lines would be that, whilst the Organisation would still in its formal terms of reference carefully eschew political and constitutional matters, concentrating as in the case of the South Pacific Commission on economic and social projects, a very much greater role than hitherto would be accorded to representatives of the Pacific peoples themselves. This is of course desirable in itself as political maturity grows. I think that we should look forward to some form of free association as an ultimate status for most of our Pacific territories. Given this target it simply will not be practical politics to maintain the South Pacific Commission much longer on its present basis, with local representatives having no direct voice.

7. Apart from these considerations, the increased participation of representatives of the Pacific peoples must be achieved in order to foster the growing interest in regional co-operation which in view of the small size and population of most of the territories, and the fact that many of them are still economically dependent to a considerable degree, is of particular importance if wasteful duplication of services is to be avoided. The Organisation would also provide a forum in which, no doubt, views would be exchanged between representatives of the territories themselves on the future of the South Pacific area; this might well prompt the Pacific peoples to consider possible future political associations which might provide a sensible means of terminating their colonial status.

8. The Organisation would (unlike the South Pacific Commission which is financed entirely by the metropolitan governments) be financed in part by the territories themselves. This is clearly desirable in itself, and becomes essential if representatives of the territories are to be given a greater role to play in the Organisation than they have had in the Commission. Moreover a number of the territories can well afford to contribute in this way.

9. Before any progress can be made on the ground towards a reorganisation of the South Pacific Commission on these lines, we must reach agreement with our partner metropolitan governments on the types of reform to be proposed. This will be a difficult process (particularly with the French) and will take an appreciable time. In view of the local pressures referred to above, we should start discussions with our partners as soon as possible. Similar discussions on Pacific policy generally have been held in Washington in an informal body known as the 'Washington Study Group'.<sup>3</sup> It is not suggested that we should now try to reconvene this body (which last met in December 1962)—though it may have a useful role to play later—but rather that we should first inform our four partners of our ideas on reorganisation. This should be done before the Budget Session of the South Pacific Commission takes place in early October in Noumea in the hope that a useful exchange of views

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<sup>2</sup> Not printed.

<sup>3</sup> See 65, note.

on the matter could take place at Noumea<sup>4</sup> (when the local representatives of the metropolitan powers, though not representatives of the local peoples, would be present in addition to representatives sent our direct from metropolitan capitals), in consultation with the officials of the Commission. From such an exchange of views more precise proposals might emerge.

10. The Foreign Office considers that the French are unlikely to be willing to co-operate in such a reorganisation of the South Pacific Commission and that, as a result, we may have to face the possibility of going ahead with a reorganisation in co-operation with Australia, New Zealand and the United States alone. Despite this risk, I am satisfied that an initiative on the lines suggested is now essential, to meet the increasing local pressures. It would be regrettable if the French refuse to co-operate, but arrangements made between ourselves and the other three partner Governments would cover most of the South Pacific area; they would also fit in well with the joint American–British–Australian–New Zealand defence arrangements for the Indo–Pacific area which I understand are now under consideration.

11. The South Pacific Commission's 1965 budget is £267,071, financed by the metropolitan governments on an agreed percentage basis of which the British share is 17% (i.e. £45,402 in 1965). We have recently, with the agreement of the Treasury, proposed to our partner governments that the 1966 budget should be raised to £320,000 and the 1967 budget should be increased by 10% over that figure i.e. £352,000. At the recent South Pacific Conference Ratu Mara, a Fijian, speaking on behalf of delegates from many of the Pacific territories, proposed that the territories themselves should in future contribute about the same amount as the metropolitan governments. Whatever the method of financing the Organisation may be, if this were generally accepted as giving a measure of the locally desired level of activity, it would mean that, even without any additional direct contributions by the metropolitan governments, a budget of some £700,000 would be available to the Organisation.

12. There is little doubt that under the proposed reorganisation there would be pressure for increased contributions by the metropolitan governments; and this is probably desirable and justified in any case. I of course recognise that, in present financial circumstances, it would be difficult to contemplate additional expenditure by H.M.G. Nonetheless I hope that this consideration will not stand in the way of pursuing proposals on the lines of those suggested in this minute because:—

- (i) it is highly unlikely that a reorganisation on the lines suggested could take effect for some considerable time—probably well over a year;
- (ii) our contribution would be considered annually, as at present, on its merits;
- (iii) the scale of finance involved is small;
- (iv) even a budget of the order of £700,000 would in itself make a radical difference to the range and extent of useful work that could be carried out. At present a high proportion of the Commission's budget is absorbed by administrative expenses; if the proposed Organisation had a budget twice as large it would make much more than a proportionate difference to the work that could be done.

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<sup>4</sup> Capital of New Caledonia, former name Port de France.

13. To sum up, I seek your agreement to:—

- (i) informing in the near future our partner governments of proposals, on the lines of the annex, for the conversion of the South Pacific Commission into a South Pacific Organisation in the determination of the work Programme and in the financing of which there would be considerable participation by the South Pacific territories themselves;
- (ii) pursuing discussions on these proposals further at the meeting in October of the South Pacific Commission;
- (iii) continuing interdepartmental discussions as a separate exercise on the strategic considerations arising in the Pacific area and their political and constitutional implications.

14. I am sending copies of this minute to the Chancellor of the Exchequer, the Commonwealth Secretary, the Defence Secretary and the Minister of Overseas Development. As time is so short I would propose to assume their concurrence with these proposals unless I hear to the contrary by midday on Friday 25th September.

### **93** CO 1036/1345, no 76

24 Sept 1965

#### **[Future policy in the Pacific]: minute (reply) by Mr Stewart to Mr Greenwood on the strategic aspects**

I have seen your Minute of 21 September<sup>1</sup> about the proposed re-organisation of the South Pacific Commission and am in general agreement with the proposals in paragraph 13.

2. From the point of view of our foreign policy, one of the most important points in all this is the strategic interest, actual or potential, which we or our allies may have in the area. This is admirably set out, if I may say so, in paragraph 5 of your Minute. In the light of this, I am inclined to sound a note of caution about the statement in your paragraph 6 that we might look forward to some form of free association as an ultimate status for most of our Pacific territories. I share your underlying concern that the policy of decolonisation should be pursued energetically and that every means should be sought for taking an account of the wishes and interests of the inhabitants of our remaining dependent territories. But the trouble about 'free association', as I understand it, is that it leaves the recipients in a position to opt for full independence at a second stage whenever they wish—however little they may be capable of sustaining it. This could have undesirable consequences for our politico-strategic interests and those of our allies. Tiny independent states in the Pacific might not always behave responsibly on the international scene and might come to the conclusion that the easiest way of making ends meet would be to come to terms with whichever Great Power was willing to pay most for the right to construct, for example, a local submarine base. I do not think that these dangers should inhibit us from pursuing the enlightened policies you have in mind. But we must not forget that the dangers exist.

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<sup>1</sup> See 92.

3. I am sending copies of this Minute to the Chancellor of the Exchequer, the Commonwealth Secretary, the Secretary of State for Defence and the Minister of Overseas Development.<sup>2</sup>

<sup>2</sup> Greenwood held discussions about the Pacific with State Dept officials at Washington on 20 Oct 1965. He outlined UK proposals for a South Pacific Organisation to replace the South Pacific Commission, and touched briefly on Fiji, commenting on the recent London conference, 'With a bit of luck there should be no trouble for the next few years, although the Indians were restless.' US officials responded that the administration had yet to evolve firm ideas about the Pacific although they agreed with Greenwood it was important to avoid a 'vacuum' in the region (CO 1036/1346, no 123).

## **94** CO 1036/1510, no 3

15 Nov 1965

**[Emigration]: letter from H P Hall to Sir D Jakeway on the problems caused by emigration from Fiji to Commonwealth countries and the US**

I am replying to your letter of 5th October to Trafford Smith (who is at present on leave) about difficulties arising from the flow of emigrants from Fiji to other Commonwealth countries and the United States.

2. While we sympathise with you over the problem arising from the loss of technical and professional manpower, I am afraid that we cannot offer you any very helpful advice in stopping the 'brain drain'. The freedom to leave any country, including one's own, and to return is one of the fundamental human rights set out in the Universal Declaration of Human Rights and is embodied in the draft Covenant intended to turn the Universal Declaration into binding obligations. It is also set out in the Fourth Protocol to the European Human Rights Convention. This provision has not yet been extended to colonial territories but this course of action is under consideration and to go the other way would simply not be practical politics.

3. Enquiries about extending the Declaration did not elicit any reports of legislation to restrict emigration and this, I think, can be taken as sufficient evidence that none of our territories has introduced restrictive measures to counter emigration. Some of the West Indian islands control the emigration of workers recruited by contractors for work in other areas of the Caribbean but this is designed to prevent the exploitation of the workers themselves and not to prevent their leaving the islands so as to retain the skilled people. Even this kind of restriction has been held to contravene the Fourth Protocol. While therefore Fiji is not at present bound by any international convention not to restrict the right to leave Fiji, to do so would run contrary to the general policy which the free world has been following, in bringing human rights under international protection. If, notwithstanding, you felt obliged to introduce some such measures we should first need to consult the Foreign Office who would almost certainly want to comment from the point of view of British Human Rights policy. The possibility of our being subjected to criticism in United Nations or elsewhere has to be reckoned with. Frankly we cannot regard restrictive legislation as a starter.

4. We were interested in the report on the new United States immigration legislation and our International Relations Department are taking steps to follow its progress as this substantial increase in colonial territory quotas will be of considerable importance to some other territories. On the record of the past one would hesitate to assume that Congress will necessarily give United States Government the quotas sought but it would seem from the fact that the United States Consul has raised the subject that the expected quotas will be achieved. We do not think it would be of the slightest use to suggest to the Americans any different basis for territorial quotas than that proposed, since it would involve them in finding an equitable formula and lead to lobbying of individual Congressmen interested in the affairs of particular places to secure special treatment. Indeed this used to happen and numerous Bills were put before Congress to amend the quota for particular countries which were invariably side-tracked; Malta is a particular case in point. Furthermore, such an approach might not be in the best interests of all our other territories, for example, in view of the desperate search for re-settlement outlets for Gilbert and Ellice Islanders we would not expect the Resident Commissioner to complain too bitterly that as many as 650 could be admitted to the U.S.A.—even at the expense of some slowing down of localisation. From the general British point of view therefore the U.S. legislation is to be welcomed since it will provide to some extent an alternative outlet for would-be emigrants from our territories. I think it is also true to say that emigration is as liable to cream off the more able section of the population in overcrowded territories as in others with no population pressures.

5. With regard to your point about asking United States and Canada if they would help in the technical and professional training of local personnel as replacements from those drawn away from the Colony, we could of course approach both Governments. The Ministry of Overseas Development (as the Department responsible for bilateral aid) anticipate that they would get a more favourable reaction from the later but point out that neither the U.S. nor Canada have any obligation to help in this way. We cannot, I think, honestly say that a question of enticement is involved and in any case training of those left behind will largely provide a further stream of people tempted in their turn to leave, Fiji playing the role of an off-shore training college. Before the O.D.M. made any approach to either Government they would need to give a lot of thought to what Britain could or could not do before a case was made for American or Canadian help.

6. I am sorry if all this sounds unhelpful but as you know the control of migration is a very difficult subject and I think you have really hit the nail on the head when you say (in paragraph 8 of your letter) that the only really long term solution seems to be for wages and conditions of employment to improve to a level which no longer makes it financially attractive. However, do please come back to us if there are any further points you would like to make; we should in any case be interested to have the comments of Foster, Andersen and Wilkie<sup>1</sup> to whom I am copying this letter. I am also enclosing a second copy for Tony Fairclough.

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<sup>1</sup> Respectively, resident commissioner, Gilbert and Ellice Islands Colony; high commissioner, Western Pacific; and resident commissioner, New Hebrides Condominium

**95** CO 1036/1510, no 2

15 Nov 1965

**[Emigration]: letter from H P Hall to Sir D Jakeway on the issue of Indian emigration**

By the same mail I have replied<sup>1</sup> to your letter of 5th October to Trafford Smith about the difficulties arising in Fiji over the migration of professional and skilled people to Commonwealth countries and the United States. A further point has occurred to us which, for obvious reasons, we are putting in a Personal letter to you only.

2. We notice from the figures you quote that the preponderance of emigrants from Fiji have been from the Indian community. Although a high proportion of these are probably the skilled artisans that Fiji can ill-afford to lose, the long term effect may not perhaps be wholly disastrous given the present imbalance between Fijians and Indians. Furthermore, might there not be unfortunate reactions from the Fijians if it became known that measures were being introduced that had the effect of preventing people of the Indian community from leaving the country?

3. Admittedly you will be losing on the swings but there is quite a chance that you may gain, eventually, on the roundabouts bearing in mind that there does not seem much likelihood of a mass exodus from the Fijian community.

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<sup>1</sup> See 94.

**96** CO 1036/1067, no 43

17 Nov 1965

**[Racial co-operation]: letter from A J Fairclough to Trafford Smith on discussions with Ratu Mara**

Derek Jakeway, Paddy Macdonald and I had a very valuable discussion this morning with Ratu Mara and John Falvey on action by way of follow up to the constitutional conference.

We tried to thump home the theme that it is essential for the future happiness and good government of Fiji that a vigorous attempt should now be made to make a multi-racial appeal to the electorate not only in the cross-voting seats but also generally. Mara and Falvey are planning to hold a meeting with certain other leaders (including some Indian leaders) later this month and we stressed to them the importance of getting on with this and working out a broad based appeal to the electorate cutting right across racial boundaries, of getting some suitable political organisation under way, and getting out into the country and putting across the message of racial cooperation in the political field with a view to returning at the next election a group of members drawn from all races who could work together to form a strong government adequately representing all.

They very much seemed to see the point of all this and indeed their thoughts moved in the same direction. But unfortunately at something approaching a snail's pace. Both Derek and I tried to stress the urgency of getting moving on this matter even though the elections are almost a year away and of getting out into the country with a positive appeal and getting people used to the idea of seeing politicians of all groups working together. They seemed to take the point but how much urgency there really is in their planning and how much awareness there is of the need for some fairly professional political organisation to be put into it all is, I fear, a matter of some considerable doubt.

However, I think that the meeting was useful and Derek will be letting you have a full assessment of the situation as he sees it after the proposed meeting towards the end of this month between Fijians, Europeans and some Indian leaders.

One particular point we touched on at the meeting this morning at some length was the 14/12 question and the very strong reaction there has been from many Indians against this, a reaction which seems in some quarters to have been quite a bitter one. I think Derek has already told you that he had been tentatively sounding out Mara and Falvey as to the possibility of Fijians as a gesture offering to move back to parity. This really does not seem to be on—it would lead to too many internal difficulties for the Fijians themselves. Falvey had, however, at a talk I had with him some days ago, thrown out the suggestion that perhaps a convention might be adopted that the two Council of Chiefs members would not vote. Derek floated this as a suggestion of his own this morning with the variation that the Council of Chief members would only vote on matters of direct Fijian concern, and not on other matters. The reception was not very positive and both Derek and I made it plain that in talking about this we were not in any way putting forward a suggestion for altering the proposals adopted at the constitutional conference but were merely thinking aloud round points which could, in the context of trying to launch a multi-racial appeal, become serious political problems. The difficulty that both Derek and I see is that if the Fijians and Europeans find Indian allies with whom they can work in the political field, these allies are going to be very much exposed to attack from Indian leaders who are pursuing a purely communal appeal. They will be asked whether they support the 14/12 proposals and whether they are prepared to concur in Indians becoming 'second class citizens'. Derek and I put it to Mara and Falvey that their Indian allies must be able to give some effective answer to such attacks. They seemed to see the point of this though whether anything will emerge, either on the lines of Derek's suggestion as to a voting convention or in some other way, seemed rather dubious. Mara indeed was doubtful whether any concessions of this nature would actively spike the gun of the Indian leaders who are pursuing a purely communal appeal; he seemed to think that it might even play into their hands by enabling them to claim a 'victory' and that it was they who really called the tune.

How all this will go remains to be seen. The main point that Derek and I made this morning was to stress the view that had been expressed by British ministers at the conference and in the conference report that it would be in the interests of all the people of Fiji if an appeal were made to the electorate which was not purely communal and which was put by a group cutting across the racial barriers. This is very much of a hurried interim report and Derek will be letting you have something much fuller in a few weeks when the situation has developed further.

**97** CO 1036/1067, no 44

30 Nov 1965

[Post-conference situation]: letter from Sir D Jakeway to Trafford Smith on the Indian reaction and the need for a multi-racial alliance

In the savingram forwarding the Fiji Intelligence Report for October, I undertook to send a personal assessment of the political position following the constitutional conference. This is it. Partly because of the leisurely return to Fiji of many of the



political leaders and partly because of the naturally slow pace at which political thoughts develop in this country, it is only now that a recognizable pattern is emerging. As I write, the pace is quickening markedly and by the end of the present meeting of Legislative Council the picture may be even clearer.

2. Fijian reaction to the constitutional proposals has been one of satisfaction, even elation. Neither Ratu Mara, in his political meetings, nor Ratu Penaia, in his perambulation of Provincial Councils (which takes place at this time of the year), has had any difficulty in selling the cross-voting proposals, despite the expressed fears of the Fijian delegates in London. We may take it that there will be no more talk of having to consult the Fijian people before endorsing the voting proposals and the allocation of Legislative Council seats. The lone critical voice on the Fijian side is Semesa Sikivou, who continues to murmur about the disqualification by stages of public officers for election to Legislative Council (largely for selfish reasons) and about the Bill of Rights. Tora, awaiting trial in custody on a charge of arson, has been too preoccupied to take any political stand.

3. The Europeans have accepted the outcome of the conference with satisfaction also, as have the Chinese and, so far as one can judge, the Rotumans and other Pacific Islanders likewise.

4. It is the Indian reaction, of course, which is the most crucial. It has generally been one of disappointment, apart from the glee of the National Congress and other opposition groups over the Federation Party's discomfiture. Consequently there was (and still is) a possibility that the Federation Party, despite its own responsibility for these very results, would be able to rally moderate and hitherto unaligned opinion in sympathy. However, the Federation Party decided to await the return of their conference representatives before deciding on a line. And A.D. Patel did not return to Fiji until the 19th October. They then held a series of public meetings. The first, at Ba, was ostensibly for the whole Indian delegation and Deoki and C.P. Singh attended and spoke. But the meeting was so obviously a Federation party affair that they stayed away from the others. At these meetings a good deal of strong language of protest was used by the Federation party spokesmen, and both H.M.G. and myself came in for criticism. At the Suva meeting on November 3rd, A.D. Patel said 'If any protest is to be made this is the time to do it. If a protest is not made now, it will be too late. Therefore the proposed constitution will have to be broken into pieces and we will have to take steps to have it wiped out.'

5. But no indication was given as to what these steps would be. At the same time both Patel and Madhavan have been strictly correct in Executive Council and Patel has pursued his Member's duties with rather more zeal than usual (though that is not saying much). A test came in Executive Council when we considered the pilot Order in Council. Patel did not oppose it, and made one or two suggestions which were not intended to be unhelpful. Madhavan said he hadn't had time to read it but did not dissent. When Paddy Macdonald took a chance and consulted Patel about the proposed demarcation of constituencies, Patel expressed himself satisfied! He has appeared affable and relaxed. My exchanges with him have been limited to matters within his portfolio and to social functions, and have been cordial.

6. All this has been a bit baffling, particularly as Bob Hamilton<sup>1</sup> told me that Patel had told him that, persuasion having failed, pressure would have to be applied.

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<sup>1</sup> R Hamilton, head of CID in Fiji.

I get the impression that the Federation Party have themselves been privately at a loss what to do. It could be that the clear indication which Patel is said to have received in New Delhi that they could expect no support from India in their internal political activities has left them nonplussed. Their appeal for Indian unity exposes them as a communal party.

7. Deoki has continued to press for a common roll although he had told me personally that he would be very happy with the new constitution if only the Indians had as many seats as the Fijian group. At Levuka on November 21st, before a mixed Indian and Fijian audience, he significantly shifted his line and said that while the new constitution was not altogether to his liking, he would accept it.

8. C.P. Singh<sup>2</sup> has staunchly, if somewhat unhappily, stuck to his views as expressed at the conference.

9. Since my return I have at every opportunity impressed on Falvey and Mara the need for quick action to form a multi-racial alliance and keep the initiative. In his letter to you of 17th November, Tony Fairclough has reported our joint meeting with them.<sup>3</sup> The multi-racial meeting therein referred to was held last Saturday afternoon (November 27th) and I enclose a copy of yesterday's report of it in the Fiji Times.<sup>4</sup> The Indian representation is still thin and you will notice that Deoki was not present. I understand that he said he would prefer not to attend the first meeting but would welcome a later invitation. He is still ploughing his own individualist furrow.

10. In my talks with Mara I have suggested that in return for really solid Indian backing he might consider making a voluntary concession of two more LegCo seats to the Indians. This rather sophisticated proposal has fallen on very unreceptive ground and, garbled as it inevitably became in transmission, has, it is reported, considerably annoyed the Fijians. All the indications are that this is the one point on which Indian backers of the newly formed Alliance will find it difficult to answer the accusations from the other side that they are betraying their community. However, I am informed, that at the Saturday meeting the Indians present accepted the proposed division of seats. Their main source of strength lies in the argument that there is no future for Indians in Fiji unless they cooperate with Fijians and Europeans.

11. It is too early to say what, if any, effect my remarks in LegCo last Friday will have. I was grateful to Mrs White and yourself for the comments in telegram No. 114 Personal which, as you will see, I took into account in the final version.<sup>5</sup> While I am writing this letter I have received a verbal Special Branch report to the effect that at a

<sup>2</sup> Second Indian nominated member of Legislative Council.

<sup>3</sup> See 96.

<sup>4</sup> Not printed.

<sup>5</sup> In the draft of his speech to the Legislative Council, Jakeway adopted what he described as 'a fairly forthright manner against the attitude of the Federation Party'. It alluded to the failure prior to the conference to reach agreement on the next stage of constitutional development, and then continued: 'Most unhappily the process of informal discussion on the issues to be considered at the conference was abruptly terminated just at the point when the really crucial matters were coming up for examination. The prospect of reaching unanimous agreement in London receded over the horizon at that moment. What lesson does one learn from this? Surely that the basis for political unity must be sought and found by the political leaders here in Fiji. It is no good refusing to discuss matters here and then expecting that a magic wand will be waved in London and all issues resolved.' The CO advised the deletion of these references as they would serve only to increase 'Indian bitterness' (CO1036/1054, no 12, Jakeway to Trafford Smith, 16 Nov 1965, enclosing his draft; and no 15, outward tel no 114 from Trafford Smith to Jakeway, 23 Nov 1965).

meeting held after the 'Alliance' meeting on Saturday, the Federation party LegCo member decided to accept under protest the new constitution. I must leave the full significance of this step for later assessment but it was cheering news and underlines the wisdom of the advice in your telegram—although I don't flatter myself that my speech and this action were cause and effect.

12. We could find a situation developing in which the predominantly Fijian and European components of the Alliance are looking for solid Indian support and the Federation Party is looking for what Fijian and European backing it can rake up. On the other hand, Patel and Co may simply have decided that cooperation was advisable during the registration of voters period, leaving election tactics to be determined later on.

13. Meanwhile the holding together under the present constitution of an Executive Council which is representative of the three main races will continue to be precarious. Patel and Madhavan will stay only so long as it suits their party purposes. Fijians and Europeans may gang up to force the issue, but with LegCo as at present constituted the alternative Indian representation is not impressive. And my only freedom of manoeuvre lies in the two Indian nominated seats, held by Singh and Shah (the latter by convention a Muslim preserve).

14. One thing is certain. If the Alliance is to be an effective political instrument it will need experienced political advice on party organisation and action. I shall be pressing Falvey and Mara to tell me where they propose to go for this. What they should have is a full time salaried secretary preferably with wide experience in a developing parliamentary democracy. Is there anyone with that sort of background, in Malaya of the middle fifties, who might be suggested to them?

15. This letter is in danger of being overtaken by events. But it had better go off in today's bag, even though it may not stand the test of the lapse of much time.

## **98 CO 1036/1067, no 47**

**14 Dec 1965**

**[Post-conference situation]: letter (reply) from Trafford Smith to Sir D Jakeway suggesting contacts who can advise on multi-racialism and party organisation**

Thank you very much for your letter of the 30th November giving your assessment of the political situation following the Conference and the return of the Party leaders to Fiji.<sup>1</sup> We found it extremely interesting and helpful. I hope you will send us further bulletins of this kind from time to time.

2. In paragraph 14 you mention a proposal to get experienced political advice on party organisation and action for the newly-formed multi-racial Alliance, possibly by the appointment of a full time salaried secretary with experience of developing parliamentary democracy.

3. As regards the possibility of getting someone with Malayan experience, I have consulted Henry Hall who has considerable knowledge of that part of the world. His view is that, while Malaya might be able to produce someone, Lee Kuan Yew<sup>2</sup> if he

<sup>1</sup> See 97.

<sup>2</sup> Prime minister of Singapore.

would agree to help could probably do better. He has a very efficient political party machine in Singapore and could no doubt teach the Fijians a great deal about how to produce a multi-racial machine to put across multi-racial policies. If this is thought to be worth pursuing, the best way would probably be for Ratu Mara to write to Lee Kuan Yew and seek his personal help. Hall is sure that Lee Kuan Yew would give an honest answer. Otherwise Hall could make an informal approach to a friend of his who is a Counsellor on the High Commission staff—but it does seem best to keep both the Fiji Government and the Colonial Office out of this as far as possible.

4. If it is a case of getting help with the organisation of a political party machine with not so much emphasis on the multi-racial aspect, Mrs. White thinks it might be worth-while to make an approach to the headquarters of British parties in London, and as the Conservative Party are probably more likely to be able to produce a suitable man than the other parties, she would be willing to sound Nigel Fisher informally. On the other hand here again it does seem desirable to keep the Governments out of it, and if your people want to pursue this suggestion, the best way might be for someone in the Alliance to get into direct touch with any or all of the following people in the party organisations in London:—

Sir William Urton, M.B.E., T.D.,  
General Director,  
Conservative and Unionist Central Office,  
32, Smith Square, S.W.1.

Mr. A. L. Williams,  
General Secretary,  
Labour Party,  
Transport House,  
Smith Square, S.W.1.

Rev. T. W. Beaumont,  
Head of Organisation,  
Liberal Party,  
36, Smith Square, S.W.1.

5. Please keep us informed of developments in this field, and if we can help further, let us know.

**99** CO 1036/1645, no 4 8 Mar 1966  
[Emigration from Fiji]: letter from C A Axworthy (CO) to  
A J Coles (FO)

We would be glad to have the Foreign Office view of a human rights problem, about which we have had some correspondence with the Governor of Fiji.<sup>1</sup> Concern is felt in the Colony about the loss of skilled people through emigration to the U.S.A. and Commonwealth countries, in particular Canada. The loss of skilled tradesmen and

<sup>1</sup> See 94 & 95.

some professionally trained people has been increasing, and it was suggested that powers be taken in Fiji to restrict emigration.

We drew attention to the Article on the freedom to leave any country, including one's own, in the Universal Declaration of Human Rights, and the comparable provisions in the Fourth Protocol to the European Human Rights Convention and the draft U.N. Civil and Political Covenant. Though none of these instruments as yet create any legally binding obligation upon Fiji, I think you would agree that restrictive legislation would run counter to the trend in human rights policy. I cannot see that the saving clauses in Article 29 of the Universal Declaration, Article 12 (3) of the draft Covenant, or Article 2 (4) of the Fourth Protocol would justify restrictive legislation unless emigration were running at a rate which so disturbed the structure of the country that it could be said the general welfare, or the rights and freedoms of others, were being prejudiced. Emigration in Fiji has hardly reached the level at which this argument might be employed to justify restrictive measures. We have of course explained the human rights background to the Governor, and the thought of legislation has been dropped.

A further suggestion has now been made that the problem might be tackled by asking the Canadians to restrict by administrative means the number of immigration visas issued to people from Fiji, keeping the numbers down to about half of the present level of emigration. This idea is attractive since it is open to any country to restrict immigration and no breach of human rights principles is involved. However this smells somewhat of doing by a backdoor method what one is unwilling or inhibited from doing openly for oneself. The idea however came from a Canadian immigration Official who was visiting Fiji.

My reaction to this proposal is that we should first satisfy ourselves that emigration is in fact liable to cause significant damage to the economy of Fiji (the evidence of this so far is not very convincing). If we find this is in fact the case, then I think we might approach the Canadians putting the problem in general terms rather than making a request for specific limitations. We might say that the increasing loss of skilled people from Fiji is in our view damaging the economy of the country; we would therefore be grateful if the Canadian Government would take this into account in determining the number of visas which it issues to immigrants from Fiji.

**100** CO 1036/1645, no 5

27 Apr 1966

[Emigration]: letter (reply) from A J Coles to C A Axworthy

I am sorry that you have not had a reply before this to your letter of 8 March (PAC 523/1/02) about the question of the restriction of emigration of skilled persons from Fiji.<sup>1</sup>

2. The question whether the restriction of such emigration could be justified with reference to the saving clauses in any of the instruments mentioned in your paragraph 2 depends, of course, to a large extent, on a subjective estimate of the effects of that emigration. You imply that the Colonial Office have reached the conclusion that the level of emigration of these persons is not yet so great as to be

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<sup>1</sup> See 99.

harmful to the general welfare, etc. In this case, as you say, the saving clauses of the instruments you mention are not, on a strict interpretation, of much help. In this connection I would merely make two points. The three saving clauses are not, of course, identical. Article 29(2) of the Universal Declaration allows such limitations on a person's rights and freedoms 'as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society'. Article 12(3) of the Draft Covenant on Civil and Political Rights is rather different; in particular it permits only those restrictions which are *inter alia* necessary to protect national security, public order, public health or morals or the rights and freedoms of others. The concept of 'general welfare', perhaps the most likely justification for restrictions on emigration, is absent or at least is not explicit. Article 2(3) (it is I think this, rather than 2(4) which is relevant) of the Fourth Protocol of the European Convention is different again but similarly does not include 'general welfare'.

3. My second point is that if it were decided to restrict emigration from Fiji for the reasons you mention I do not think we would have very strong objections from the U.N. or Council of Europe point of view. To begin with, if the matter were raised publicly, I suspect there would be a good deal of sympathy for the Fijian problem which is probably shared by many other countries. Then as far as the Universal Declaration is concerned I doubt if this would be held to be a very serious breach of its principles. Moreover, I am not entirely convinced that the 'general welfare' plea is unjustifiable, the more so if the enquiry envisaged in your paragraph 4 shows that this emigration does cause significant damage to the economy. As far as the draft Covenant is concerned the need for a reservation on this point would not add significantly to the other difficulties which we should be likely to have with this instrument.

4. However, there is no doubt that the method of achieving the same end through restrictions on immigration by the Canadian authorities would be less problematic from the point of view of U.K. human rights policy. I should, however, point out that the Canadians, if they accept your suggestion, might possibly be held to be guilty of a breach of human rights. As you say, it is open to any country to restrict immigration but it is not so clear that immigration may be restricted on a discriminatory basis. For example, by Article 2 of the Convention on Racial Discrimination, States, Parties undertake 'to engage in no act or practice of racial discrimination against persons' etc. In the terms of Article 1 'racial discrimination means any distinction, exclusion, restriction or preference based on *inter alia* 'national or ethnic origin' which has the effect of prejudicing the enjoyment or exercise on an equal footing, of human rights. However, I again doubt whether the point is worth labelling and the problem would be for the Canadians more than for us. If they were to adopt your suggestion it seems unlikely that they would run a very serious risk of challenge on human rights grounds. They are not yet a party to the Race Convention, and in any event there is clearly room for argument on whether action by them of the kind which we are envisaging would in practice fall to be regarded as involving a breach of its provisions.

5. To sum up we would prefer the second course you suggest but, from a political view, are not inclined to rate very highly the human rights problems involved in either alternatives.

**101** CO 1036/1663, no 13

18 July 1966

[HMOCS]: brief on staffing problems prepared by the Ministry of Overseas Development<sup>1</sup> for Mr Lee's tour of the Pacific. *Annex*: Supplementary note by ODM on the views of the Fiji Senior Civil Servants Association

*Historical retrospect*

From the very beginning it has always been the policy of the British Government to regard the public services in colonies and protectorates as essentially *local* services. The descriptions 'Colonial Service', 'Unified Services' and 'H.M. Overseas Civil Service' have always been open to misunderstanding to the extent that membership of them implied membership of a body distinct from the various local public services in the Colonial Empire. There never has been a precise entity definable as a 'service' and this was recently underlined to the observant when the plaque was unveiled in the Cloisters of Westminster Abbey bearing the Royal Coat of Arms and the words 'To all those who served the Crown in the colonial territories'.

2. The responsibility of the Colonial Office and the Ministry of Overseas Development is to encourage the development of these local public services and to furnish expatriate staff to the extent that essential posts cannot be filled from local resources. The territorial administrations furnish indents of requirements and the Ministry of Overseas Development does its best to recruit suitable expatriate officers to fill them. Until 1962 it was possible to recruit expatriate staff on permanent and pensionable terms, or to transfer officers serving on permanent and pensionable terms in other territories. Conversely it was possible for officers serving in the Pacific territories to be transferred to other overseas public services so that the service did not become completely inbred.

3. In 1962, however, it was decided to abandon the policy of recruiting expatriate staff on permanent and pensionable terms for two main reasons. In the first place the larger territories had already begun to modify their requirements for expatriate officers serving on permanent and pensionable terms because of the relatively rapid increase in the number of suitably qualified local candidates. And in the second place, the British Government was not anxious artificially to increase the number of permanent and pensionable officers who would be eligible for compensation when the territories became independent. By 1962 it was already evident that the process of granting independence to colonial territories was on the upsurge.

*Present position*

4. The present position is that expatriate staff required for the administration of the remaining colonial territories are almost entirely appointed on contract terms. The

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<sup>1</sup> The Ministry of Overseas Development was established by the incoming Labour government in Oct 1964. The first minister of overseas development (Barbara Castle) held a seat in Cabinet. The Ministry replaced the Dept of Technical Co-operation which had been set up in 1961 to co-ordinate and expand the government's activities in the field of overseas aid. With regard to dependent territories, the ODM became responsible for the administration of development aid, leaving the CO responsible for their financial and economic policies. Under a Conservative government in Oct 1970, the ODM was dissolved and replaced by an Overseas Development Administration as a functional wing of the FCO.

remaining members of H.M.O.C.S. in these territories are now virtually tied to their posts in the absence of any real opportunities for transfer elsewhere. Until these territories are much further advanced on the road to independence than they are now, permanent and pensionable members of H.M.O.C.S. cannot look forward to receiving compensation for loss of career as has been the lot of the majority of their contemporaries elsewhere. These officers have the choice of retiring voluntarily on reaching the age of 45 years or of continuing in service until they reach the retiring age of 55 years.

5. The evidence from the territories suggests that the better and brighter officers who are reasonably confident of obtaining further employment in other parts of the world, including the United Kingdom, are the ones who decide to retire at 45. It is the less effective officers who tend to hang their hats on a pension and remain in service until 55.

6. Contract officers for the most part seem unwilling to renew their contracts and stay for more than one tour. The territorial administrations are therefore largely at the mercy of their expatriate staffs, since in the absence of new recruitment on pensionable terms the average age of permanent officers is rising all the time and bringing them within the ambit of voluntary retirement on pension. The administrations of course have no hold on contract officers once their initial tour has been completed.

7. A limited number of posts are filled by officers seconded from the Home civil service. This of course is a help, but the presence of too many officers in this category tends further to lower the morale of expatriates in the public service since the conditions of service of seconded officers are better than those of either contract officers or permanent and pensionable officers.

### *Future policy*

8. It is clearly unsatisfactory that the British Government's responsibility for law, order and good government in the remaining colonial territories should be so utterly dependent on the personal attitudes and decisions of a diminishing cadre of permanent officers who are virtually the prisoners of their terms of service on the one hand, and of officers appointed on single contracts or single tours on secondment on the other. It is against this background that a joint Colonial Office/Ministry of Overseas Development Working Party under the chairmanship of Mr. W.A.C. Mathieson has recently been set up with the following terms of reference:

'To consider the arrangements which should be made for the staffing of the smaller Colonial territories, for which there are so far no definite plans or commitments on transition to independence or some comparable status, but where there is a continuing need for expatriate officers, and to make recommendations.'

The intention is to concentrate attention on the Pacific territories and Fiji in the first place. The Working Party will have its first meeting on the 17th August.

9. In view of the difficulties likely to be experienced in producing realistic recommendations which stand any chance of implementation for financial reasons, it has not been the policy hitherto to publicise the fact that this Working Party has been established. It will, in the nature of things, be some considerable time before even the prolegomena of a new policy towards the remaining colonial territories have been worked out.



10. The Secretary of State is likely to find that the Acting Governor of Fiji and the Acting High Commissioner for the Western Pacific regard the shortage, discontent and unsatisfactory age structure of expatriate staff as the most urgent of all their immediate problems. They know of the intention to set up the Working Party referred to above. The Secretary of State can assure them that their anxieties are shared in London.

11. The Secretary of State is also likely to receive energetic representations from the staff associations in the territories. They are unlikely to be impressed by references to 'studies that are being made in London of the staffing problems'. It is suggested that the Secretary of State should say in reply that he is aware of the seriousness of their problems, that he has taken careful note of the points they put forward and that on his return he will discuss the whole position with the Minister of Overseas Development.

### Annex to 101

In paragraph 2 of their Memorandum the Association ask why officers serving in different Colonies cannot enjoy the same level of pensionable emoluments with differential local allowances, and also draw attention to disparities in the conditions of service of OSAS officers serving in Fiji and in the Western Pacific. The suggestion that all expatriate officers employed under the Overseas Service Aid Scheme should have common emoluments, presupposes the existence of a common service with a common base. The possibility of creating such a service has been examined on a number of occasions in the past, but it has been found to be impracticable. The latest official statement on this is contained in Appendix B to the White Paper 'Service with Overseas Governments' (Cmnd. 1193) making proposals for the introduction of the Overseas Service Aid Scheme. In the absence of a common service of this sort the Overseas Service Aid Scheme was grafted on to the previous system whereby terms of service (including salaries) varied from territory to territory. While the introduction of the Aid Scheme has made possible some levelling up of conditions of service and some closer approximation between the levels of pensionable pay, differences in local circumstances—e.g. in climate, health amenities and the relationship between the gross salaries of expatriate officers and basic salaries—are still justifiably reflected in the overall terms offered to designated officers in the various countries participating in the scheme. There are for example differences in the length of tour and in leave earning rates as well as differences in general salary levels. So far as salaries are concerned, the relative weight of responsibility is also a factor to be taken into account.

2. There are differences, both as regards salary levels and other terms of service between Fiji and the Western Pacific. Broadly speaking, these differences are explained by differences in local conditions. For example, the length of tour is shorter and the leave earning rate higher in the Western Pacific than in Fiji. On the other hand, salaries at the superscale level are higher in Fiji than in the Western Pacific. It is suggested that the Secretary of State should not enter into any detailed examination of the disparities, but should confine himself to a general explanation of the reasons for them and to a general statement that so long as the terms of service of expatriate officers continue to be framed within the context of the Overseas Service Aid Scheme, some disparities of this sort will inevitably continue.

3. In paragraph 3 of their Memorandum, the Association draw attention to disparities between the terms of HMOCS officers on the one hand and of officers serving on technical assistance terms and seconded Home Civil Servants on the other. It is correct that there are material differences between these two groups of officers and that, in the majority of cases, the Technical Assistance officer or Home Civil Servant seconded to an established post in Fiji are in receipt of salaries higher than those of HMOCS officers serving on OSAS terms. It is also correct that these differences have given rise to some discontent among OSAS officers not only in Fiji, but in a number of other overseas territories also. The reason for the differences is that these three types of officers fall into three distinct groups, and that their terms of service are based on quite different considerations. The HMOCS officers are the employees of the Fiji Government and, while their salaries reflect the level of emoluments necessary to recruit in, for example, the U.K., their terms of service are inevitably conditioned by local factors. The Technical Assistance officers on the other hand are the employees of the British Government, whose services are made available on loan to overseas governments for relatively short periods: their salaries and other terms of service are directly related to conditions in the U.K. Home Civil Servants who are seconded for service in established posts in Fiji are serving abroad for relatively short periods, and their terms of service are naturally the same as those accorded to Home Civil Servants who are posted for duty abroad by their parent department in the U.K. It is not possible to draw any direct comparison between these different terms of service, and, taken across the board, it is not true that the advantages are wholly on the side of the Technical Assistance officer and the seconded Home Civil Servant. For example, the HMOCS officer can retire earlier, has a higher pension constant and has the prospect of compensation for loss of career as a result of constitutional change. It is suggested that the Secretary of State should briefly explain that terms of service for each of those groups are based on quite different considerations and are designed to meet quite different circumstances, and that it is not possible to compare them.

4. There is no truth in the suggestion that the availability of officers on secondment from the Home Civil Service has an adverse effect on the terms of service of HMOCS officers. The latter's salaries are assessed on their merits, taking into account a range of factors covering local conditions (including local levels of income tax) and the requirements of the recruitment market overseas, without any regard to the conditions of service accorded seconded Home Civil Servants, who, in any event, form a very small proportion (some 200 out of a total of 10,000) of the complement of O.S.A.S. officers at present employed by Overseas Governments.

**102** DO 181/155, no 74

11 Nov 1966

'Fiji and the United Nations': outward FO savingram no 101 to  
UK diplomatic posts

*Fiji and the United Nations*

This year the question of Fiji has for the first time been included in the agenda of the General Assembly as a separate item and we may be faced with a hostile rather than

merely disagreeable resolution. The Committee of 24 have already tabled a resolution going beyond the terms of any previous resolution, *inter alia* calling for immediate self-government, early independence and the appointment of a Visiting Mission.

2. When this question comes to be debated in the Fourth Committee and/or in Plenary, I shall probably wish you, provided you see no objection, to lobby the Government to which you are accredited at the level you think most appropriate, in an endeavour to obtain maximum support in the United Nations for our policy over Fiji. In so doing I shall also wish you, where you consider this appropriate, to suggest to the Government to which you are accredited that they should use their influence with the Afro-Asian group to prevent the tabling of a new resolution on Fiji at this year's Assembly. The Assembly will doubtless approve the report of the Committee of 24, but you should argue that there is no need for the Assembly to take further specific action of its own on this complex and delicate subject.

3. The sticking point in the minds of many of our friends when they consider this territory is that we are not at present prepared to implement the principle of 'one man one vote' there. For our part we believe that we have very good reasons for going slowly in working towards that principle. These derive from Britain's special position of trust under the Deed of Cession of 1874 in which the native Fijian Chiefs voluntarily ceded their country to the British Crown in return for good government and the protection of their interests. But there was during the late 19th century up to 1917 a steady immigration of indentured Indian labourers into Fiji. Today the indigenous Fijians are outnumbered by the descendants of those Indian labourers, the latter having a higher birthrate. Of the present half-million population of Fiji, Indians comprise 50 per cent, Fijians 41 per cent, Europeans and part Europeans 5 per cent and Chinese and others the remaining 4 per cent. Our difficulties in relation to the native Fijian population arising out of this relatively new population structure in Fiji are therefore acute and do not admit of an easy or rapid solution.

4. You will be aware that a constitutional conference was held in London in 1965 and you have been briefed on many of the current issues. . . . The present position is that a new constitution as agreed at the constitutional conference was introduced on 20 September, 1966, and the first elections under it have now been held. Of 36 seats in the Legislative Council Fijians on a communal roll vote for 9 members, the Fijian Council of Chiefs vote for 2, the Indians on a communal roll vote for 9 and Europeans and others vote for 7. The remaining 9 are cross-voted seats. Although a long way short of the one-man-one-vote system or full internal self-government, the new constitution represents a considerable advance on its predecessor, reducing the power of the European minority, increasing the power of Elected Members, and leading the way to a ministerial system. It also ensures by means of a system of cross-voting at elections, where persons of different communities vote for candidates including those not of their own community, that there will be an element which does not reflect a communal or racial approach in Fijian political life. The results of the first elections which have just been held have given a resounding victory to the relatively new multiracial Alliance Party, as follows:—

Alliance (multi racial)	22
Federation (Indian)	9
Independent	3
Council of Chiefs (Fijian)	2

The Alliance Party won 8 out of 9 cross-voting seats, the other going to an independent. Of these 8 seats it is significant that 3 have been won by Indians, 2 of whom have now been appointed to the Executive Council. However the constitution at present only enables the Indians to obtain twelve seats (i.e. 9 communal and 3 by cross-voting) out of a total of 36. They are therefore prevented by the constitution from securing an absolute majority in the legislature. But the success of the multi-racial Alliance Party particularly in the cross-voted seats of this election is a promising sign of a non-racial approach to Fijian political life which will of necessity take time to mature.

5. The objections to our policy in Fiji voiced in the United Nations may be stated as follows:—

(a) Many of our friends find difficulty in regarding as democratic any system which does not implement the one-man-one-vote principle.

(b) By following a system which does not accord one-man-one-vote, our policy favours one community as against another and so increases rather than diminishes communal differences.

(c) By not allowing a United Nations Visiting Mission we are attempting to hide something either from the United Nations or from the people of Fiji.

(d) Our delay in giving constitutional advance to Fiji as compared with many of our other dependent or formerly dependent territories is motivated by either a strategic or an economic interest in staying there, or a mixture of both.

6. Some of these objections, though often repeated in the United Nations, are frivolous and easily answered; but there is no doubt that others, particularly those concerning the differences between a Western type democracy and our present approach in Fiji, carry weight even among moderate opinion in New York. In dealing with these points you may draw on the following:—

(a) *Absence of one-man-one-vote.* The rapid growth of the relatively new Indian immigrant population at the expense of the native Fijian has led to a serious communal problem. As the administering power, Britain has to face two alternatives. Either we could introduce at once self-government on a one-man-one-vote system, with the very real danger which that would entail of civil disturbance and bloodshed. Or we can adopt a more gradual approach in which by various devices the communities are encouraged to work together and to develop a non-communal approach to their politics, their education and their economic problems. We have chosen the latter since we have no doubts that the former solution would lead to civil disturbances even more serious than those which we faced in British Guiana. Although the slower approach is naturally unpopular among the Indian community in Fiji and with the Government of India (which has become one of the principal opponents of our policy in Fiji) and although it is not simple or easy to explain to those not familiar with the problems of Fiji, it offers the best hope of a peaceful solution to Fiji's problems. In the special circumstances of Fiji, the rapid development to self-government on normal Western democratic lines is not possible because no such system can flourish in an atmosphere of violence and communal strife.

(b) *The charge that our slow approach deepens communal differences and is intended to do so.* This is a question not only of the efficacy of our policy but of our sincerity. The efficacy of our policy can only be judged over the longer term and

the most we ask other nations is that we and the people of Fiji be allowed to try to work it out without interference from outside. The victory of the multi-racial Alliance Party is a good start but real progress will only be made if trouble makers, whether external or internal do not stir things up. The question of our sincerity depends on our motives which are dealt with at (d) below.

(c) *A Visiting Mission*. It is important to our policy that its positive aims for solving the communal, educational and land problems of Fiji should be worked out in peace, without the glare of publicity, and hostile criticism. The effect on the already tense differences of view between the two main communities in Fiji of a widely publicized Visiting Mission from outside would be more likely to polarise than to harmonize these differences. It would increase existing tension and lead to distrust of our motives and possible violence from the indigenous Fijian community who are vigorously opposed to independence at the present time (and also to the interference of the United Nations in Fiji affairs).

(d) *Economic and strategic interests*. Although this is easily answered, it will continue to be repeated by our enemies. There is no major United Kingdom commercial interest in Fiji. The balance of trade between Fiji and Britain is entirely in Fiji's favour (Fiji exports to us roughly twice in value what it imports from us). There are no British military installations in Fiji nor have we any strategic interest in establishing them there in the future.

7. You should make no formal approach to the Government to which you are accredited until you are instructed to do so. In any such approach you may draw freely on the above; but in the meanwhile you may, of course, draw on it at your discretion, in any discussion of the Fiji problem with officials or other contacts.

#### 8. *To New Delhi only*

Unless you advise to the contrary we should not wish you to lobby the Indian Government as we think that there is no chance that such an approach would cause that Government to moderate its policy over Fiji. Furthermore any such approach would probably become known in Fiji with unfortunate consequences, among them the deduction, perhaps with an echo of truth, that United Nations criticism was having an undue influence on our policies.<sup>1</sup>

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<sup>1</sup> In Dec 1966 a UN General Assembly resolution endorsed a Committee of 24 decision to appoint a sub-committee to visit Fiji, and called upon the UK to hold a general election on the basis of 'one man one vote' and to fix an early date for independence. The UK voted against the resolution.

**103** CO 1036/1667, no 6

15 Dec 1966

[Elections]: despatch from Sir D Jakeway to Mr Lee on the first elections under the new constitution and the outlook for Fiji.

*Minute* by A J Fairclough

I have the honour to address you on the political scene in Fiji as it appears shortly after the October general election.<sup>1</sup>

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<sup>1</sup> This despatch was sent to the Commonwealth Office, following the merger of the CO and CRO on 1 Aug 1966.

2. That election—the first to be held under the new constitution—was for a much enlarged legislature of 36 members (plus up to four appointed public officers). Twenty-five of these members were elected by old-style communal constituencies—nine Fijian (including other Pacific Islanders), nine Indian and seven General (the rest of the electorate, mainly European and Chinese). Two were elected by the Fijian Great Council of Chiefs, and nine were elected by a combination of the communal electorates into three constituencies, from each of which three members (one Fijian, one Indian and one General) were elected.

3. The election developed into a contest between the Alliance (a consortium of the Fijian Association, the General Electors Association and the Indian National Congress plus some smaller units and associated individuals) and the Federation Party (a nominally multi-racial but in fact almost wholly Indian organisation). It was fought in constitutional fashion. A respectable proportion of the potential electorate registered (75%), despite the somewhat cumbersome procedures for registration, and a high proportion of the registered electors cast their votes (86%). The election was orderly. There have been some allegations of bribery and intimidation, mostly against the Federation Party, but no evidence has so far been forthcoming sufficient to warrant prosecution. There have been no petitions to unseat any elected members.

4. The result was a substantial victory for the Alliance which won 22 seats against nine by the Federation Party. The three independent members who got in and the two Council of Chiefs members have all declared their support for the Alliance. The Federation Party concentrated its effort on the Indian communal seats and won all nine of them, with 65% of the votes cast. It failed to win any of the cross-voting seats despite the fact that in the Western constituency the electorate was predominantly Indian. This enabled the Alliance, besides scooping all the Fijian and General seats to pick up three invaluable Indian seats.

5. On the result, the leader of the Alliance (Ratu K.K.T. Mara) was able to insist on the formation of an Alliance government. I concluded my last review (Secret and Personal despatch No. 17 of the 12th July, 1966) with the opinion that on the experience of the membership system of government over the past two years, a coalition government suited Fiji. I put to Ratu Mara the case for inviting the Federation Party to join in a coalition with the Alliance, but he rejected the proposition on the grounds that the policies of the two parties were incompatible and that his Indian supporters would be alienated. I accepted his view. Even if the Federation Party had agreed to join, which is most doubtful, it would probably have stipulated impossible conditions (such as the exclusion of any Alliance Indians from Executive Council).

6. So Executive Council now consists of six Alliance Legislative Councillors (two Fijian, two Indian and two European) and four appointed public officers (three European and one Fijian). It has the making of a good team. Only three have had no previous experience on Executive Council—of these, Stinson (Member for Communications and Works) is a successful businessman with seven years as Mayor of Suva behind him, Vijay R. Singh is a youngish Indian lawyer of courage and ability. The third, K.S. Reddy, a school-master, is the one light-weight. To assist the Members with Portfolios (and Ratu Mara himself as Leader of Government Business), seven posts of Parliamentary Secretary have been created, and filled by Alliance Legislative Councillors. Some of these could be justified on their merits (those connected with the onerous Natural Resources portfolio, for instance) but not all.

Mara has had to find paid jobs for those of his supporters who had been obliged, under the terms of the constitution, to resign their civil service posts. This is the real reason for the creation of some of these posts. Their number has predictably drawn the fire of the opposition in the opening meeting of the new Legislative Council.

7. A full report on that meeting, which has just concluded, will be rendered by the Acting Chief Secretary. Suffice to say here that the Alliance emerged with credit from its first encounter with the Opposition across the floor. It was not an easy initiation. Apart from the Parliamentary Secretary posts, the Opposition had the ammunition of increased taxation and a reduced rate of development. Neither of these unwelcome features of the Budget could fairly be placed at the door of the Alliance, which had been in office for barely a month. Nevertheless, they did not seek to evade responsibility and, after brisk opening fusillades, the Opposition seemed to lose cohesion and direction, probably because of the absence for several days of Patel and Koya, though its championship of the taxpayer has probably helped its image in the countryside. Personal relations between the two sides were kept at a good level both within and without the House.

8. The immediate way ahead seems clear. The Alliance, in partnership with the four public officers on Executive Council, must establish itself as a stable, effective and non-partisan government. In this way it may reasonably hope to gain further support from the Indian community while retaining that of the Fijian and General electorate. To counter the Federation Party it must strengthen its party organisation and get out into the country. The biggest threat to its success is the world economic situation and, in particular, the continuing low world price of sugar. It is not a government which should frighten overseas investors (I hear on good authority that the Sydney business community looks on it favourably). But good will is not enough. It will need the sustained support of Her Majesty's Government in the United Kingdom and it deserves the support of countries like Australia, New Zealand and the United States of America. If ever there were a case where generosity now may save an infinitely more expensive relief operation later on, this is one.

9. The opposition, the Federation Party, faces something of a dilemma. It will be tempted to foment industrial unrest, particularly amongst cane growers, which it is well positioned to do, but in this it risks deepening the brand of being a purely communal party, which is already heavily upon it. It may seek to avoid this dilemma by appealing to the 'under-privileged' Fijians and part-Europeans. To the extent that this may help to change the present vertical political/racial division of the country into horizontal social/economic ones this would be no bad thing.

10. Assuming that the present Government remains a stable and effective entity over the next few years, it is not too soon to start looking into the crystal ball and envisaging how things may develop. One further assumption which may reasonably be made is that once on the move, as Fiji politically now is after a long static period, the pace will quicken. Ratu Mara has established himself as the undisputed leader of the Alliance. He is ambitious and will not be content with the title of Leader of Government Business for long. We may expect to move to a ministerial system and a Council of Ministers next year. The exact timing will depend largely on how quickly planning can proceed. The Financial Secretary (Mr. H.P. Ritchie) does not contemplate remaining in his present post for more than another tour and I would not be surprised if, during that period, it was suggested that a political Minister of Finance should succeed him. (Ratu Mara had in mind a Parliamentary Secretary of

Finance when we were discussing the composition of the present government, but was dissuaded.) Less likely, but still not impossible, is a political Attorney-General within the next two or three years.

11. Whether or not all, or only some, of these developments take place we shall very soon be in the position when, outside the Governor's special responsibilities, Fiji has virtual self-government. Indeed, we are not far from being there already. Whatever his legal powers may be, the Governor can in fact exercise his authority only by influence.

12. In these circumstances we should make up our minds now what the ultimate goal is likely to be. An understanding on this is important if the conduct of administration over the next period is to have coherence and coordination. On present form the associated status which has been worked out for most of the Windward and Leeward Islands offers the most promising target.<sup>2</sup> It would give the Fijians and Europeans the continuing link with Britain which they still desire, and it would not close the door to the majority Indian view that independence is the ultimate objective. Little or no interest in this solution has been evinced to me by anyone, probably because few know anything about it. If it is agreed that this offers the most promising way ahead, I should soon begin to drop the idea into the minds of Executive Councillors, not with the object of initiating any formal discussion but to stimulate thinking and to gauge reactions.

13. Whether or not this proves to be the ultimate solution, the question of the Governor's special responsibilities requires examination. They are:—

- (a) Defence
- (b) External affairs
- (c) Internal security
- (d) The public service

Under associated status (a) and (b) would continue to be British responsibilities but they cannot be handled in isolation from the Fiji Government. For instance, the racial composition of the Fiji Military Forces is a live political issue which was raised at the recent meeting of Legislative Council and which Ratu Mara undertook to consider. (I have since gently pointed out that this will be done by the Chief Secretary on my behalf but in consultation with him.) As to external affairs, I was interested to see from Intel No. 31 of the 20th July, 1966, that a wide delegation of authority to the territorial government is proposed for the West Indian Islands. I am

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<sup>2</sup> Associated statehood was introduced in the eastern Caribbean in 1967 for those islands which were not moving towards independence or remaining as dependent territories. The individual islands with associated status were self-governing but Britain remained responsible for defence and external affairs. Britain also had a constitutional right of intervention in internal affairs to the extent deemed necessary for the proper discharge of its defence and external affairs responsibilities. The Anguilla crisis of the late 1960s (Anguilla unilaterally broke away in 1967 from the islands of St Kitts and Nevis with which it had been associated) demonstrated the difficulty of deciding when a matter of internal security had crossed over to become an issue of defence or external affairs. With the exception of Anguilla, the other associated states in the Caribbean progressed ultimately to full independence. The experiment of associated statehood was not repeated outside the West Indies. For a more detailed treatment of associated statehood, see S R Ashton & David Killingray, *The West Indies* (BDEEP, 1999). On the Anguilla crisis, see S R Ashton & Wm R Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP, 2004) part III, chapter 11.



sure this will be necessary here, particularly in the spheres of trade and aid and in relations with neighbouring territories.

14. Internal security must remain for the time being a responsibility of the Chief Secretary, but if associated status is the goal we should begin working towards a separation of those of his responsibilities which would go to the British representative and those which would pass to a Minister for Home Affairs. Similarly, the office of the Public Service Commission should gradually be built up so that the transition to executive control of the Public Service can be smoothly made at the appropriate time.

15. There remains, of course, the 64 dollar question. What should be the future system of representation? We shall need all the expert advice we can get on the matter but I am sure it would be unwise to initiate any overt study of it at the present time. The extension of the cross-voting system offers an avenue of progress and from this point of view it is a pity that the Federation Party was so conspicuously unsuccessful in the cross-voting constituencies. The forthcoming elections for six township boards will be held on a common roll but I doubt if the results will assist the popularity with Fijians and Europeans of this form of 'one man one vote' now that the Federation Party has decided to contest the predominantly Indian townships on a party basis. One can but wait and see.

16. I should be grateful to know whether you agree with this assessment of the situation. If so, I would suggest that the gist of it be conveyed to the American, Australian and New Zealand governments (and perhaps the French, also). We should thus be taking an initiative in the development of regional cooperation in the South Pacific, to which you, Sir, so rightly attach importance.

### Minute on 103

*Mr. Stacpoole*<sup>3</sup>

*Mr. Trafford Smith*

*Sir Arthur Galsworthy*

You should see Sir Derek Jakeway's fascinating despatch at (6) opposite Commenting on the results of the recent general election in Fiji and on the political situation as it is now and is likely to develop. I am sure that Sir Derek is right in paragraph 8 of his despatch in laying stress as the first objective on the present Alliance Government establishing itself as a stable effective and non-partisan government. But equally I am sure he is right in saying that now that Fiji is on the move the pace will quicken and that it is not too soon to be thinking about what the next steps should be and where we are ultimately to aim at. Indeed, it was just because we realised that once we had got constitutional development under way in Fiji (and to a lesser extent, in the other Pacific territories) we would not have all the time in the world to think out our long-term policies, that we regarded the promotion of discussion between ourselves, the Australians, the New Zealanders and the Americans, on these and other matters as being a field in which action was necessary as a matter of some urgency.

2. We need not now attempt to form conclusions on the ultimate status for Fiji, although Mr. Stacpoole's department has, of course, recently done a thorough

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<sup>3</sup> J W Stackpoole, head of Dependent Territories Constitution Dept, Commonwealth Office.

exercise on just this question and has arrived at the same conclusion as the Governor i.e. that associated status on the West Indian model is probably the best ultimate status for Fiji. We shall however have to develop our thoughts and prepare our arguments for and against any particular ultimate solution in time for the next round of Pacific discussions now due in early April, since this question of constitutional development is one of the principal ones that we shall then be discussing with our commonwealth partners in the area and with the Americans.

3. As to the future system of representation discussed in paragraph 15 of the Governor's despatch, this is indeed a vital matter. But I do not see any sense in attempting to discuss it in detail at this stage. We shall need to see how attitudes and party policies develop over a much longer period than we have had since the elections, before we can decide what line it would be sensible to pursue for the next step in the direction of normal democracy in Fiji. At this stage I would only say that whilst a convinced democrat myself and whilst personally of the view that the system of representation arrived at at the 1965 Constitutional Conference was unduly pro-Fijian, I do have doubts as to whether it will ever (or for a very long time indeed) make sense to envisage moving to a full 'one man one vote' common roll system in Fiji.

4. As to the suggestions in paragraph 16 of the Governor's despatch, I would see no harm and some virtue in the whole despatch being made available through our High Commissions to the Australian and New Zealand Governments. As Sir Derek Jakeway says, this would be an initiative in the development of regional co-operation in the South Pacific and the despatch would I suggest be a useful background document for the purposes of the forthcoming discussions in April. If it is agreed that it can be viewed in this way it would follow logically that a copy should also go to the Americans. I personally would not send a copy to the French at this stage of the game although I would see no harm in speaking fairly frankly on the lines of the despatch to representatives of the French Embassy if at any point they should ask to discuss Fiji with us. If you agree as to distribution of the despatch, then the file should return to Mr. Minnitt to take the necessary action. Copies of it should in any case go, as Mr. Minnitt suggests in his minute of 22 December above, to the Foreign Office and to Far Eastern & Pacific Dept.

A.J.F.  
9.1.67

**104** FCO 32/18

18 Jan 1967

'Membership of the Executive Council': minute by Trafford Smith to  
Sir A Galsworthy on the unexpected outcome of the 1966 election and  
the Indian reaction [Extract]

The appointments made with effect from October last are set out in (37) flagged X. Those chosen from the elected members comprise two Fijians, two Indians and two Europeans, and there is another Fijian (the Secretary for Fijian Affairs) among the four official members. As you are aware, the Council was formed on Ratu Mara's advice on a 'government' basis, i.e. from the Alliance Party and its supporters, leaving the Federation Party, which represents the main body of Indians, to go into

'opposition'. In the documents enclosed with the Governor's savingram at (38), the Federation Party protest against their exclusion from the Council, and point to paragraph 39 of the 1965 Constitutional Conference Report in support of their claim that the manifest intentions of the report, and the implied undertaking entered into with the Indian representatives at the Conference that they should be represented on the Council, have not been complied with. Paragraph 39 of the Constitutional Conference Report is on page 14 of the copy enclosed.<sup>1</sup>

2. There is not much doubt in my mind that, at the time the Conference Report was written, the overwhelming Alliance victory in the elections was not foreseen, and the Secretary of State no doubt had in mind that the Council would be formed on an all-party basis as hitherto. As I have pointed out in minutes elsewhere, Fiji crossed a major Rubicon when it went over to a 'government' versus 'opposition' system.

3. However, as minutes make clear, the Conference Report does not mean that the old conventions have to apply to the present constitution: and whatever one may think about the rights and the wrongs of the matter, it can be cogently argued that the present Council does provide 'appropriate representation of the various communities' in that the Indians have two representatives.

4. In any case, we cannot unscramble what has happened, and all concerned must abide by the present situation. As you know, Mr. Patel has accepted the formal post of Leader of the Opposition, and one of his supporters has become Deputy Speaker and to that extent it can be argued that they have acquiesced in the situation. This will not however stop them from making what capital they can out of the point in the letter on suitable occasions, e.g. if and when they ever appear before the United Nations. . . .

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<sup>1</sup> See 90.

## **105** FCO 32/39, no 8

31 Jan 1967

**'Fiji development plan 1966–1970': outward savingram no 40 from Mr Bowden to the officer administering the government of Fiji questioning the economic assumptions underlying the plan**

The documents constituting the new Fiji Development Plan have been considered here and in the Ministry of Overseas Development, and we have also had helpful discussions with Mr Knoblock and Mr. E.A. Jones of the Central Planning Office. So far as the Sector Plans are concerned, some comments of advisers in the Ministry of Overseas Development, which are set out in the enclosed Memorandum,<sup>1</sup> are as you will see, generally favourable to the proposals in themselves, we are not however fully convinced of the validity of the basic economic assumptions underlying the plan as a whole, as outlined in the Development Planning Review, and the Memorandum by the Financial Secretary in the Introduction to the Plan itself. Moreover, finance on the scale suggested in the Memorandum does not unfortunately seem likely to be available.

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<sup>1</sup> Enclosures not printed.

2. The basic economic assumptions appear to be that the Fiji economy will continue to grow throughout the period of the Plan at an annual rate of 5.6% per annum (in real terms or in money terms at constant prices) and that public revenue will rise by 6% to 7% per annum. The latter figure determines the extent to which services involving increased recurrent cost can be expanded and also the size of a possible budgetary contribution to development expenditure. Mr. Knoblock and Mr. Jones were both questioned as to how these estimates of the rate of growth of the economy and of public revenue, were arrived at. We understand that they were in the nature of 'notional' rates, i.e. if the economy were to expand at this rate the national income and public revenue would reach the amounts mentioned in the Development Planning Review, and the proposals in the Development Plan would be financially practicable. But if the rate of expansion were less, the Development Plan would have to be scaled down. These 'notional' rates do not, however, appear to be based on a close study of Fiji's economic structure and potentialities and do not necessarily represent what is in fact likely to be the actual rate of growth.

3. We appreciate that in practice the Plan will be kept constantly under review, but we should find it difficult to accept that what appears to be in the nature of a statistical exercise should be used as a sufficiently firm basis for forecasting the likely trends of the economy or for development planning and its financing. In this connection we are enclosing a paper prepared by one of our Economic Advisers in which the prospects of economic expansion in Fiji during the next few years are discussed on the basis of the information on the economic structure of the territory which is available here. You will see that it is suggested in this paper that the apparently rapid economic expansion of the last few years has been entirely due to the boom in the sugar industry: that this expansion is unlikely to continue; and that unless there is another sharp increase in sugar prices—which does not seem very likely—there will probably be little, if any, growth in income per head in Fiji in the next few years.<sup>2</sup> In other words the economy will only expand in proportion to the increase of population, and the growth in public revenue will also be at about this rate. We should be glad to learn your views on this assessment in due course.

4. We are also concerned at the planning assumptions that have been made as regards the availability of finance for the Plan. In this connection we have noted with concern the sharp deterioration in the current financial position of Fiji as reported in the Financial Secretary's semi-official letter of 29th October—although in view of what is said in the previous paragraph this was not entirely unexpected. The situation

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<sup>2</sup> Fiji's sugar exports rose from 154,000 tons in 1954 to over 200,000 tons in 1960. They rose to nearly 300,00 tons in 1963, largely due to more favourable production conditions in Fiji and a sharp increase in demand from countries which had hitherto obtained supplies from Cuba. From 1962 onwards market conditions for Fijian sugar were greatly improved by quotas for imports into the US (42,500 tons in 1964, 35,000 tons subsequently), and by high world prices which meant that sugar not sent to the UK as part of the negotiated price quota under the Commonwealth Sugar Agreement (about 140,000 tons) could be advantageously sold elsewhere. The prospects for Fiji's sugar production in the future were therefore said in London to be much dependent on the world demand for sugar. And against the guaranteed sales in the US and UK had to be set falling world prices and the prospect that Cuban sugar would reappear on the world market, thus depressing the price still further. Prospects were said to be better for coconuts, Fiji's second most important export crop, but of the other agricultural exports, only bananas seemed likely to show any considerable expansion. The overall prospects for growth over the next few years were therefore said to be 'modest'.

revealed in Mr. Richie's letter calls into question the extent to which the contribution from the recurrent budget to the capital budget can be maintained; and the letter also refers to difficulty in raising loan finance both locally and in Australia. We also regret to say that because of the continuing restrictions on British Government expenditure overseas and the fact that overseas aid in 1967/68 will have to be at a level lower than that originally envisaged for 1966/67, United Kingdom Government assistance to Fiji, as to all other territories, must necessarily be subject to limitation.<sup>3</sup> For this reason, we can hold out very little hope that it will be possible to provide Exchequer Loan finance in 1967/68. Indeed we may find difficulty in providing aid for the period aid for 1968 to 1970 at a rate higher than the present level.

5. The view that we have reached here, therefore, is that the rate of growth of the Fiji economy is likely to be less than suggested, and that this will affect both the budgetary resources available for development expenditure and the amount of increased recurrent costs which can be borne as a result of such expenditure; and that the amount of external finance available is likely to be very much less than postulated. For these reasons, we would be reluctant to approve the Plan as it stands. You will no doubt be giving careful thought to the financial situation of Fiji in the coming months, as a result of the deterioration reported in Mr. Ritchie's letter of 29th October, and we would suggest that in conjunction with this, the Plan should be re-examined. In re-casting the Plan, it would be desirable, in our view, to place as much emphasis as possible on schemes which aim at increasing the productive capacity of the territory both in the immediate future, and in the long run, since it is only by the increase in this capacity that the growth in services required for Fiji's rapidly expanding population can be maintained. This suggests that more attention should be paid to the development of agriculture and forestry; and that it would be necessary to reduce the proposed expenditure on the expansion of other services to some extent for the time being. In the present proposals for capital expenditure for 1966 to 1970 the proportion of total expenditure on agriculture (including agricultural subsidies not all of which can be regarded as capital expenditure) and forestry amount to 14.7%, of which forestry only accounts for 1.9%. (Although a proposal for assistance of the order of some £1.75 million for agricultural development from the International Bank, which we understand you are considering, might increase this proportion to about 20%.) We suggest therefore that the possibilities of increasing development expenditure in these fields should be further examined.

6. As a great deal of information on the situation in regard to individual services and fields of development has been provided in the Sector Plans, we do not think that it will be necessary to undertake the labour of re-casting all of these, although those for agriculture and forestry may need some re-drafting in the light of the above comments. It would however be helpful if you could provide a new summary document setting out the main schemes in the revised proposals; and making clear the broad outlines of intended development for the next period, indicating the

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<sup>3</sup> Restrictions on overseas investment was a central feature of the Labour government's economic policy. Corporation tax was introduced in 1966. Sterling's weakness (it was devalued in Nov 1967) also led to reductions in CD&W programmes and overseas aid more generally. S R Ashton & Wm Roger Louis, eds, *East of Suez and the Commonwealth 1964-1971* (BDEEP, 2004) part III, chapter 13.

balance between the various categories of expenditure. We would hope that this document would reflect an increase in the proportion of expenditure to be applied to economic projects.

7. We are of course anxious to ensure that the absence of formal approval for a new development plan should not delay expenditure on schemes to be financed from C.D. & W. funds and in cases of urgency, applications may come forward in the usual way. It would be helpful however, if such applications could include an assurance that the scheme in question is regarded as an essential item in the revised Plan. You may wish to seek 'if and when' approval for such expenditure.

## **106** FCO 32/17, no 3

21 Mar 1967

[Alliance government and local government elections]: letter from  
A J Fairclough to Sir D Jakeway

By the same mail as this letter we are sending an open official reply to your interesting despatch Fiji No.22 of the 12th January (your reference No.45/40/1) about the urban local government elections.

2. There is one point of interest in the despatch about which I thought it would be preferable to write to you separately rather than include any reference to it in the official reply. We note that the Alliance Party, while not actually campaigning in its own name, did play some part in these elections. We should be interested to learn, if the reason is known, why the Alliance Party did not contest these elections directly. To us, unless there is some very good reason, it seems a little strange that the majority party in the Legislative Council did not also take a prominent part, as a Party, in these important local government elections. So far as we can see, there seems to be no reason why the Party encouraged the formation of local 'Improvement Societies' from which 'Independent' candidates stood for the elections, if these 'Improvement Societies' are, as you say, identical in membership, organisation and outlook to the local branches of the Alliance. It seems to be an unnecessary duplication of effort for the Alliance and we should be interested to learn why this procedure was followed, what purpose the 'Improvement Societies' are thought to serve in view of their identical relationship to the local Party branches and why the Party was seemingly shy of lending its name to the whole thing. Was it simply that they expected to lose and did not want the name of the Alliance associated with electoral defeat?

3. If the Alliance Party is to play a full part as a true political party it seems to us highly desirable for it to adopt a more forward-looking attitude towards local as well as national elections. We should however be grateful for your views on the importance of local elections?

4. We should also be interested to learn, if it is known, how many of the twenty-two successful 'Independent' candidates referred to in paragraph 14 of the despatch, particularly the thirteen Indians, could, in fact, be said to be members of the 'Improvement Societies' encouraged by the Alliance Party as this would give us some idea of how the success of what might be deemed to be 'Alliance Party' candidates compared with those of the Federation Party.<sup>1</sup>

<sup>1</sup> The urban local government elections were held under a common roll in six townships outside Suva in Dec 1966. The electorate in all but one of the Townships was overwhelmingly Indian. 29 Federation Party candidates were returned, all of them Indian with the exception of one Chinese. 22 Independents were returned, 13 Indian, 6 European, 1 Chinese and 2 Fijian. The Alliance Party did not lend its name to the elections, preferring instead to back the formation of local improvement societies whose candidates were often styled as Independents (FCO32/17, no 1, Jakeway to Bowden, 12 Jan 1967). The Alliance Party stand disappointed the Commonwealth Office. Fairclough commented on 'the over-cautious Fijian attitude of excluding their villages, immediately adjacent to the townships, from within the townships and thus deny themselves a vote and a voice in the management of the towns which, given their proximity, are bound to be one of the strongest influences in their lives' (minute, 1 Feb 1967). Trafford Smith regretted the absence of a 'more forward looking' Alliance Party organisation and continued: 'A depressing feature is the familiar Fijian conservatism in living just outside the boundaries & avoiding political (and financial, via the rates!) involvement & responsibility—while no doubt continuing to insist that they must be safeguarded against Indian domination' (minute, 8 Feb 1967). The Fiji government's reply to Fairclough's letter suggested it would not be wise to read too much into the Alliance not having involved itself in the local government elections. The elections were the first of their kind to be held in Fiji, and there was no tradition of political involvement in township board elections. Also, the elections were held within two months of the general election, and were thus completely overshadowed. Following the general election the Alliance was preoccupied by the formation of a government. In answer to the question why the Alliance leaders did not support pro-Alliance candidates, the reply suggested the Alliance expected to lose and did not want to be associated with a defeat. The Federation Party was better organised at district level, and the electorate in all but one of the townships was overwhelmingly Indian. The Alliance had never been organised as a proper political party and it was not geared to fighting township elections (FCO 32/17, no 5, Lloyd to Fairclough, 15 May 1967).

**107** FCO 32/55, no 7

31 Mar 1967

[Emigration]: letter from Trafford Smith to Sir D Jakeway rejecting restrictions on emigration but considering bonds or sureties from emigrants trained at government expense

May I refer to your letter C.34/38 of 28th November 1966 about Canadian and United States immigration from Fiji? I am sorry that it has taken so long to give you a substantive reply. I need hardly say that we fully understand and share your concern at the drain of skilled and semi-skilled manpower from Fiji. We have given a good deal of thought to the problem and consulted various authorities here in an attempt to discover what could properly be done to deal with it.

2. Mr. Lee of the Canadian High Commission in London called on Tony Fairclough in December. It appears that the Canadian immigration authorities are aware of Fiji's concern about the loss of skilled men and Mr. Lee wished to ascertain the British Government's policy and views on the matter. The Canadian attitude seems to be that if we wished to get any limitation on their non-discriminatory attitude, it would be up to us to make a proposal to them.

3. As you know the U.K. has a somewhat similar problem of the so-called 'brain drain' and it is one for which it is very difficult indeed to find a solution. Generally speaking any restrictions which might be imposed must be for the country which is losing people to apply. The receiving country cannot be expected to impose such restrictions, and one must be very careful indeed about asking a country to restrict the immigration of people whom, left to itself, it would want to receive. One must also be very careful about imposing restrictions on emigration. It is generally

accepted that it is wrong to prevent a person who has a qualification which is 'saleable' in another country, from going there in order to improve his standard of living by earning a higher regard than he can get in his own country. To prevent him would be regarded as an infringement of human rights which it would be very difficult to defend.

4. It seems that the Canadians do no more than process applications from people in Fiji which have been submitted solely on the initiative of the individual concerned, and not in any way as a result of Canadian propaganda or recruiting in Fiji. In these circumstances we do not feel that, since they take no initiative, we could properly ask the Canadians to change their procedures. We have considered whether we might make an entirely 'off the record' request to them to go gently with recruitment in Fiji for reasons which they will understand, but have reluctantly come to the conclusion that even this degree of intervention would be improper.

5. I am afraid that this does not provide any comfort for Fiji. What it amounts to is that we could not agree to Fiji imposing restrictions on emigration by legislation, since this would be regarded as an indefensible interference with the freedom of the individual; nor do we think that we could properly ask the Canadians (or the United States) to restrict immigration from Fiji except, perhaps, in the very limited context to which I refer in the following paragraphs.

6. The only positive line of thought which does occur to us at the moment and which we put forward for your consideration is that you might like to look further at the possibility of making more of the idea put forward at the end of paragraph 8 of your letter of the 5th October 1965 to me, that Fijians who have received assisted training at Government expense (e.g. by bursaries at the technical training college etc.) should as a condition of the assistance, undertake to serve in Fiji for a number of years after qualifying.<sup>1</sup> We understand that about ten years ago it was pretty common form for Colonial Governments providing scholarships or bursaries to their people to require the recipients to enter into a bond undertaking to serve in the public service of the Colony for a minimum period, provided that they obtained the degree or other qualifications which their course of study was designed to lead up to. But a number of Colonial Governments found that in practice it was not really possible to take legal action to enforce such a bond. A person could hardly be obliged to work for the Government if he or she refused to do so, and almost always a court order requiring the person concerned to refund the amount of the scholarship or bursary proved vastly more trouble than it was worth—and in any case, what the Government wanted was not to get its money back but to get the use of the skills acquired by the recipient of the scholarship or the bursary. Nonetheless, a number of Governments at any rate continued for some time to require the recipient of a training award to execute such a bond largely because they felt that it did at least have something of a deterrent effect. This idea therefore, has several snags to it as you can see. We have, however, consulted the Education Advisers about it and understand that although the experience I have quoted above is true, there is one territory in which the system of bonding worked very poorly indeed until the Government put some teeth behind the measure by requiring the

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<sup>1</sup> cf 94.



students to provide two sureties for the sum of money involved. It was then found that there were at least two individuals, and people of some substance, who were united with the Government in pressing the student to use his skill on the Government's behalf. The same Government decided that the student would satisfy the bond if he worked 'in Government service or in other acceptable service in the island'.

7. We think it worth while suggesting that you might consider trying a system of bonding, backed by sureties who would not be men of straw as the student himself often might be, with a bond which is pretty general in its terms and is satisfied simply by service in Fiji, not necessarily with the Fiji Government. We fully realise that, in addition to the snags to this sort of proposal which I have given above, there may be other snags in Fiji, in that perhaps it might be difficult for students to find acceptable sureties so that they would therefore be prevented from taking up their bursaries, etc. But there may perhaps be something in the idea, or in variations of it, such as only one surely, which might perhaps be possible. In our view, the relevance of requiring such a bond would be that we think that we could reasonably ask the Canadians not to grant permission to emigrate to Canada to a person from Fiji whilst that person is still under a bond or some similar undertaking to the Fiji Government. We think that would be an entirely proper and defensible action on our part. We should like to know whether you think that anything could usefully be done along these lines, or whether it would, at best, only have a very marginal effect on the problem and therefore scarcely be worth pursuing.

8. While we have not given a firm answer as yet to Mr. Lee's enquiry, we have told him that our attitude to the matter is on the lines I have described in paragraphs 2 and 3 above. We should be grateful for your early comments on the views expressed in this letter so that we can give the Canadians a firm reply.

## **108** FCO 32/343

Apr 1967

### **'Pacific Island talks': Commonwealth Office notes on four-power talks in Washington**

[The talks were held in Apr 1967 and attended by representatives from the US, UK, Australia and New Zealand. The UK was represented by Trafford Smith, Fairclough and Stackpoole (see 103, note 3) from the Commonwealth Office, B Barder (first secretary, UK Mission to the UN), and B T Gilmore (first secretary at the Embassy in Washington). The talks originated from discussions the secretary of state at the former Colonial Office, F Lee, held at Canberra in the summer of 1966, and a follow-up meeting of officials from the UK, Australia and New Zealand at Sydney in Nov 1966. It was then agreed that a further meeting involving the US would encourage wider co-operation and co-ordination on constitutional matters and the issue of how the ultimate status of the Pacific territories should be decided. The feeling in Australia especially was that the emergence of mini-states in the Pacific was not yet a problem but would soon become one. France was not invited, the UK believing that French participation might lead to complications with repercussions for Britain's Common Market negotiations. The original idea was to hold the talks in Australia but the Australians could not guarantee the prerequisite of secrecy. Washington was chosen to preserve confidentiality and to ensure US participation (FCO 32/347, no 9, Galsworthy minute to Garner, 13 Mar 1967).]

*Pacific Island territories—highlights of discussions*

Informal and exploratory discussions on the Pacific Island Territories took place in Washington on 5, 6 and 7 April between Australian, British, New Zealand and United States officials.

Highlights of the discussions are set forth in the following paragraphs.

1. *Importance and political future*

A general aim should be to encourage political evolution in such a way as to maintain the stability of the area and to prevent the entry of influences injurious to the interests of the indigenous peoples and of the Administering Powers.

To this end the maintenance of a continuing close association, whether by constitutional provision or by agreement, with a metropolitan power, should be an objective in the political development of each territory. Since it is the reality of association rather than the form which is significant, retention of the goodwill of the people of the territory concerned is of first importance. Where possible an ultimate status combining full self-government and constitutional association with a metropolitan power is to be preferred.

Some parts of the area, e.g., certain United States Territories and Papua and New Guinea, are regarded by their respective metropolitan powers as of greater strategic importance than others. Nevertheless, it was agreed that the area as a whole is strategically important. Although there is no current external threat, it is desirable to ensure that security is maintained and so far as possible to avoid the fragmentation of the area into a series of unattached and non-viable communities.

2. *United Nations aspects*

(a) *Trusteeship Council.* It was felt that it would be in the interest of the four Governments to maintain the Trusteeship Council as a principal organ of the United Nations. When the Nauru Trusteeship Agreement is terminated, it should if need arises be argued that the Council can and should continue to function notwithstanding the impossibility of maintaining parity between the administering and non-administering members.

(b) *Visiting Missions.* It was generally recognized that Visiting Missions from the Committee of 24 to certain Pacific territories would involve unacceptable risks and in such cases the administering power concerned should be supported in resisting such visits. Australian, British and United States representatives saw advantage in present circumstances in resisting visiting missions from the Committee of 24 to Pacific territories generally.

(c) *Reporting on non-self-governing territories.* The principle should be maintained that it is for the administering power alone to decide in each case when the transmission of information under Article 73(e) of the Charter on a formerly non-self-governing territory may properly be discontinued, it being however recognized that it is desirable to obtain United Nations endorsement of such cessation if this can be secured without sacrifice of principle and without avoidable embarrassment to any of the four Governments.

(d) *The Committee of 24.* It was recognized that the question of continuing membership of and cooperation with the Committee of 24 needed continuing reassessment between the four Powers, bearing in mind the desirability of acting in concert.

(e) *Mini-States.* The question of the relationship of mini-states to the United Nations requires urgent consideration.

From the point of view of the Pacific territories, the time seems opportune to explore the possibility of providing some form of association other than full membership.

Such an arrangement if applicable to associated states might satisfy the aspirations of their leaders, and in any case by removing one of the apparent attractions of full independence for small states might reduce the pressure for it.

(f) *Nauru*.<sup>1</sup> The results of the forthcoming talks with the Nauruans on their political future will have implications for other Pacific territories. The Administering Governments will therefore keep the United States Government closely informed as the situation develops, with the 22nd session of the General Assembly particularly in mind.

(g) *General*. It was considered that in settling their position on UN draft resolutions concerned with the Pacific territories there should be consultations among the four Powers, bearing in mind the desirability of their acting and voting in concert whenever possible.

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<sup>1</sup> An island of 8 square miles, Nauru was under German rule from 1888 until the First World War when it was occupied by Australian forces. In 1920 it became a League of Nations mandate under Australian administration. During the Second World War Nauru was occupied by Japanese forces. After 1945 it was a Trust Territory for which Australia, New Zealand and the UK were jointly responsible to the UN as the administering authority. In practice the administration was conducted by Australia. The population in 1965 was 5,561, of whom 2,734 were Nauruans, 1,481 other Pacific islanders, 900 Chinese and 446 Europeans. The economy was dependent entirely on the production of phosphates which were extracted and shipped (mainly to Australia and New Zealand) by the British Phosphate Commissioners, each of the partner governments appointing one commissioner. An agreement reached in June 1967 provided for the sale to Nauru of the assets of the Phosphate Commissioners, payment to be spread over three years ending June 1970. The price agreed was \$A21 million. At a meeting of the UN Trusteeship Council in July 1966 the Nauruan Head Chief made a forceful speech in favour of independence by Jan 1968, and this demand was supported in a resolution approved by the UN General Assembly in Dec 1966. Australia, backed by the UK and New Zealand, offered Nauru instead either associated status along the basis adopted in the Caribbean but excluding the option of full independence at a later date (see 103, note 2), or independence accompanied by a treaty giving Australia responsibility for external affairs and defence. The Nauruans rejected both proposals and insisted on unqualified independence while indicating readiness to continue close relations with the partnership governments and, in the case of Australia, a friendship treaty. Australia and New Zealand accepted this, Australia deciding that a friendship treaty should not be made a condition of independence. The UK was concerned about the impact of Nauru's independence elsewhere in the Pacific and on Fiji in particular. To the Commonwealth Office in London Nauru was little more than an 'English village', at least in population terms, and it was undesirable that Nauru should seek membership of the UN and Commonwealth. However, the British attitude was ultimately decided on the basis that 'if the Australians and Americans, who have more at risk in the Pacific than we, are not prepared to make a stand against the appearance of tiny independent states there, it is pointless for us to do so' (FCO 32/353, no 237A, note by F G K Gallagher on the political future of Nauru, 6 Oct 1967). Nauru became an independent republic on 31 Jan 1968. It did not apply for UN membership but has since played an active part in several UN agencies. Nauru is a 'special member' of the Commonwealth, receiving the benefits of Commonwealth membership while not participating in full regular (as distinct from regional) meetings of Commonwealth heads of government.

### 3. *Development and the role of the South Pacific Commission*

The need to maintain an active policy of social and economic progress throughout the Pacific area was recognized.

The South Pacific Commission continued to make a valuable contribution, especially in encouraging participation in regional affairs by the indigenous peoples. The British suggestions in regard to the South Pacific Conference had considerable potential value, although the difficulties of securing French acceptance were acknowledged.

The other three Governments would inform the British authorities as soon as possible whether these suggestions were broadly acceptable. The British authorities would then formally circulate them to all member Governments of the South Pacific Commission and would hope for appropriate diplomatic support in particular with the French.

It was recognized that it would be desirable for the work program of the South Pacific Commission to be strengthened and expanded.

### 4. *Japanese relationship with the Pacific Islands area*

It was generally recognized that current Japanese interests in the Pacific Islands area are economic rather than political or strategic. There is some evidence of increasing Japanese economic interest in the area although these islands offer few opportunities for investment. It was noted that some small, subsistence fishing areas feel threatened by Japanese and other distant water fishing. Some larger areas, however, are enjoying economic advantages from shore-based Japanese fishing and fish canning. Interest was expressed in the possibility that Japan would cooperate in the development of the islands through the provision of funds or technical assistance and through trade.

### 5. *Arrangements for future consultation*

It was agreed that the four Governments should, through their representatives in Canberra and through other means, keep each other informed on a confidential basis of policies and developments in each of their territories, and that other four-Power meetings should from time to time be arranged as occasion requires.

It was agreed that the Government of France, which also has territorial responsibilities in the South Pacific area, should at the earliest convenient opportunity be invited to take part in a discussion with the four Governments of matters affecting the future of the area.

### *U.S. policy in the Pacific Islands*

Unlike the Australian and New Zealand delegations the Americans did not circulate background papers. This note summarizes what we were able to gather about their policies in the area and the situation in their territories.

2. The U.S. delegation gave us the impression that for them the area's primary importance lies in its strategic relationship to Asia. Thus they are closely interested in Guam and the Trust Territory of the Pacific; American Samoa comes some way behind. Given this difference of emphasis, however, and their very different constitutional approach to their overseas territories, there seemed to be a surprising correspondence between their ideas about the future of the area and those of Britain, Australia and, to a somewhat lesser extent, New Zealand.

3. While denying that they had any 'articulated' (i.e. clearly formulated) policies

for the future of their territories, they made it clear that they are averse from independence or any arrangement that would give the territories an option of independence. They said openly that they hoped the other metropolitan powers would not aim at independence for their territories and expressed a preference for 'association' arrangements. At the same time they seemed satisfied that they had kept abreast of, or at any rate alongside, the political aspirations of the people in their territories; and they contemplate further advances that will take the territories to what the U.S. Government will regard as, in our terms, 'final statuses'. In the case of Guam, this will probably mean some form of integration into the metropolitan United States. In the case of the Trust Territory they have an open mind as between 'integration' and 'association'. There was no suggestion that American Samoa was likely to be 'intergrated'.

4. The Americans gave a cautious but apparently genuine welcome to the suggestions that were aired for bringing into existence some grouping of locally elected governments. They were attracted by the possibility of calling forth what they called 'an authentic voice of the area' to offset U.N. attempts to arouse anti-colonialist opinion there.

### *The United Nations*

5. The following notes should be read alongside paragraph 2 of the paper 'Pacific Island Territories—Highlights of Discussions'.

Miss Brown<sup>2</sup> who spoke for the Americans on U.N. matters mentioned that the State Department had made a reassessment last year of the advantages of continuing cooperation with the Committee of 24. They had concluded that the balance came down on the side of continued cooperation but a further reassessment was likely later this year. It was clear that their doubts had grown no less—if anything, they seemed to be strengthening.

6. They did not seem much concerned about the incompatibility between their ideas about the constitutional future of their territories and the 'relevant U.N. Resolutions'. They expressed themselves as perfectly willing to continue to explain their policies to the U.N. (so long as this was not made impossible for them by the Committee of 24) and seemed confident that their plans could be reconciled with the principles of Resolution 1541(XV).<sup>3</sup>

7. As regards Visiting Missions they strongly favoured a united front between the metropolitan powers. Their position was very close to that of the Australians: they were not free to exclude Visiting Missions from their Trust Territory, but specifically endorsed the Australian contention that Visiting Missions should be excluded from other territories in the area. The Americans said however that they were ready to welcome visits by individual members of the United Nations. As regards the Trusteeship Council they circulated a paper entitled 'Future Composition of the Trusteeship Council—Legal Aspects' (a copy is attached as Annex A<sup>4</sup> to Mr. Barder's

<sup>2</sup> Elizabeth A Brown, director, Office of UN Political Affairs, Bureau of International Organization Affairs, US State Dept.

<sup>3</sup> Resolution 1514(XV) of Dec 1960, about the desirability of setting target dates for independence. It was sponsored by 43 Afro-Asian nations, the UK and US abstaining.

<sup>4</sup> Not printed.

paper on U.N. Aspects of the Talks below) which suggests that the Trusteeship Council would continue to be legally constituted even if New Zealand were to cease to be an Administering Member supposing that the Trusteeship Agreement for Nauru were terminated. They agreed with the Australian view that the United Nations should be invited to participate in the 'ascertainment process' if the Trusteeship Agreement had to be terminated, and that it would therefore be necessary to offer the people of Nauru a 'range of options'. There was surprisingly little reaction from the American side of the table when the Australians spoke about the possibility of independence for Nauru.

### *Aid*

8. The U.S. delegation took a very early opportunity to make it clear that they could not make aid available for Pacific territories other than their own. They nevertheless arranged for a senior official of the Peace Corps administration to give a heavy-weight 'presentation' of Peace Corps activities in the Trust Territory, and made it clear that they were ready to see the Peace Corps<sup>5</sup> operate in non-American territories. Preparations are being made for it to do so in W. Samoa and Mr. Fairclough had discussions outside the meeting with Mr. Pritchard, the Peace Corps representative, on which he will no doubt be reporting separately.

### *The American Pacific Territories*

#### a. *Guam*

Population: approximately 80,000 made up of c. 30,000 U.S. Military personnel families etc; c. 45,000 Guamanians and 'State Siders' i.e. settlers from the U.S.A.; and c. 5,000 Filipino labourers.

9. Guam's mixed population are thoroughly American in outlook and loyalties. Guamanians are U.S. nationals and have free access to the metropolitan United States, but they are not U.S. citizens—the effective distinction is that they are not entitled to vote in elections to the U.S. Congress.

10. Guam's constitution is embodied in an 'organic law' of the U.S. Congress. The Governor is a presidential nominee but there is pending legislation to substitute an elected governor. This will not go to the current Congress because a similar proposal in respect of the U.S. Virgin Islands, which is likely to attract opposition, would have to be brought forward with it.

11. Very large U.S. Defence expenditure dominates the economy. Guam also receives substantial U.S. Government aid for civil purposes. Social conditions are described as similar to those in a rather shabby American town. Guam is becoming a 'metropolis' for the islands of the Trust Territory, particularly the neighbouring

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<sup>5</sup> In his inaugural address on 20 Jan 1961, President J F Kennedy challenged the people of the US, 'Ask not what your country can do for you, but rather what you can do for your country.' Kennedy wanted the young people of the country to help the underdeveloped world and announced the establishment of the Peace Corps, a scheme intended to send 10,000 young people to serve in Africa, Asia and Latin America. Kennedy argued that this 'practical, inexpensive, person-to-person program will plant trust, good will and a capacity for self-help' in the under-developed world.

Marianas. Its university is a full-scale degree giving institution, though many Guamanians go to the U.S.A. for higher education.

12. The U.S. Government have no settled policy for the ultimate future of Guam, but separate statehood and unification with Hawaii were mentioned as acceptable destinations. There is no desire in Guam for independence, but there is a desire for greater autonomy.

b. *Trust Territory of the Pacific*  
(Micronesia) (Pop. 88,000)

13. This enormously extensive 'Strategic Trust Territory' is administered through a U.S. High Commissioner. Its constitution, embodied in an Order of the U.S. Secretary of the Interior, evolved in consultation with an indigenous advisory council, came into force in 1964 (or earlier). Micronesians do not have free entry into the U.S.A. or into Guam and this causes some difficulty and resentment. They travel on documents issued by the High Commissioner and there is extensive movement into Guam. There is a bicameral Congress which has met twice (1964 and 1966). Micronesia has a separate judiciary and no appellate court. Legislation to provide access to the United States appellate courts is awaiting presentation to Congress.

14. The U.S. Government are currently considering an application by the Japanese to establish a rest base for fishing vessels in the Territory. There is a problem over Micronesian claims for reparations against the Japanese: the Micronesians' line is that the U.S. Government should make itself responsible for these claims and that whether or not the U.S.A. secures reimbursement from Japan is not their problem. They are averse from suggestions that the U.N. should mediate.

15. The official U.S. Government view is that the present constitution is working well and that the Congress has shown itself 'cheerily mature' (the Australian Representative on the recent Trusteeship Council Mission to Micronesia seemed to take a loss optimistic view). Mrs. Van Cleve,<sup>6</sup> the Department of the Interior representative, spoke of increasing restlessness in the Trust Territory; estimated that 10 to 25% of Micronesians favoured independence; but was confident that the remainder favoured association with the United States. She said that this feeling was especially strong in the Marianas where U.S. Government expenditure is heaviest.

16. The U.S. Government is spending heavily on development in the Trust Territory. It has recently received a report commissioned from an independent firm of economic consultants (the Nathan Report; fee U.S. 0.33 million) which is apparently guardedly optimistic about the Territories' economic prospects especially as regards agricultural development, tourism and fishing. Mrs. Van Cleve undertook to try to obtain copies of the Nathan Report for the Australian, New Zealand and British delegations and to supply a summary. A detailed paper about the very large scale Peace Corps operations in the Trust Territory was supplied. These operations were mounted following a petition of grievance by the Micronesians about health services. Communications have been so improved that no islander is more than one day's sail from an air strip.

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<sup>6</sup> Ruth Van Cleve, director, Office of Territories, Department of the Interior.

17. It was evident that the U.S. Government want to retain sovereignty in the Trust Territory for strategic reasons. They are aiming at some form of association between Micronesia and the U.S.A. as an ultimate status, one possibility being an association with Hawaii.

c. *American Samoa* (Pop. 26,000)

18. The people of the territory are, like the Guamanians, American nationals. A new constitution, to be embodied in an Order by the Secretary of the Interior, was worked out at a Constitutional Convention in November 1966. This will deprive the Governor of legislative authority and reapportion the constituencies for the House of Representatives (which is elected by popular vote) so as to reduce, though not apparently eliminate, 'rotten boroughs'. The Congress will, for the first time have power to appropriate local revenue. There is a separate judiciary. The implementation of the new constitution is held up because of the 11th hour insertion by the Samoans of a provision that would secure them 'eminent domain' (apparently this means the transfer to the people of Samoa of a notional fundamental tenure in land). This claim the U.S. Government have decided to reject.

19. Mrs. Van Cleve described the Samoans as politically passive, and asserted that the United States had met their political aspirations without difficulty at each stage. The territory is prosperous by Pacific standards and is benefiting extensively from a Japanese fishing and cannery enterprise.

20. The U.S. Government has no firm ideas about the ultimate status of the territory, but neither full statehood nor independence is contemplated. A report that two American Samoan Congressmen (one of them a person of some local importance but with a reputation of deviousness) had recently introduced a resolution advocating the union of the two Samoas under U.S. protection. The Department of the Interior had not had time to evaluate this report.

*Australian policy in the Pacific Islands*

Very little additional information about the Australian territories emerged during the discussions except that they circulated an additional paper on economic development in Papua/New Guinea. Constitutional problems in their territories were fully dealt with in a paper circulated in advance of the meeting. Their delegation did however make it clear that the Australian Government had at present no thought of integrating P.N.G. into Australia as a seventh State.

2. The other Australian papers revealed a preoccupation with the danger of penetration of the area by 'hostile influences', which their delegation developed and confirmed. Indonesia and Asian communists seemed uppermost in their minds. They emphasised the need for solidarity among the Pacific powers and the importance, in planning for any one territory, of considering repercussions in others. Their doctrine was that 'each power is concerned with the image of all'.

3. The Australians also spoke of the need for positive leadership by the administering powers and the need for some imaginative new form of political association. They admitted they had no ready-made proposals for this, but gave a warm welcome to any ideas that appeared round the table. They made no effort to conceal their displeasure at the precedents created by New Zealand in making



Western Samoa independent and turning the Cook Islands into associated states. They were very explicit, too, about Australia's 'national interest' in the stability of Fiji, which they regard as the key to the island region, and their strong opposition to any early forward movement there.

4. The Australians did their best to persuade the other delegations to recommend a solid front against the U.N. in the Pacific. Once or twice, however, they seemed worried that they might be going beyond their instructions and it seems likely that the Australian Government's position on U.N. intervention in colonial matters may not be substantially harder than that of the U.S. or Britain. The Australian delegation were markedly more anxious than the others for an early further meeting including the French. This seems to mark a fairly recent change in their thinking and one of some importance.

### *New Zealand policy in the Pacific Islands*

The New Zealanders provided fairly full documentation about each of their territories and Western Samoa;<sup>7</sup> their papers were however notably uninformative on the political side. They remained somewhat more guarded than the other delegations throughout the meeting.

2. The remaining New Zealand territories are very small. Their surplus population can be and is being easily absorbed into New Zealand itself. The inhabitants have New Zealand nationality.

3. Much the same is true of the Cook Islands.<sup>8</sup> In responses to direct questions the New Zealanders admitted that the Government of the Cook Islands wanted a higher level of aid (the Cook Islands have long been dependent on a New Zealand subsidy) while the New Zealand Government was trying to find means of ensuring that the aid they already provide is put to more 'purposive' use. The delegation asserted, however, that the association relationship was proving on the whole a success and had produced 'economic galvanisation'. If free association were to fail, the alternative as they saw it would not be independence but integration with New Zealand. For that they thought it would be essential to obtain a United Nations 'blessing' and this contingency seemed to bulk quite large in their thinking.

4. The New Zealanders have also been having difficulty with Western Samoa over the level of aid. They are worried about the territory's economic future. They showed some concern about the effect that the prosperity of American Samoa is having on the neighbouring island but were confident that the conservative habits of the

<sup>7</sup> A Trust Territory administered by New Zealand since 1919, Western Samoa became independent in Jan 1962. A friendship treaty with New Zealand was signed eight months later, with New Zealand agreeing to assist in Western Samoa's foreign relations in a manner which would not impair the rights of the government of Western Samoa to formulate its own foreign policies. See Ronald Hyam and Wm Roger Louis, eds, *The Conservative Government and the end of empire 1957-1964*, part II, 545, paras 23-25.

<sup>8</sup> In 1962 New Zealand placed before the Legislative Assembly of the Cook Islands four possible schemes for political development—complete independence, full self-government, integration with New Zealand, or ultimate integration into a Polynesian federation. The Assembly chose full-self government. The Cook Islands became self-governing in free association with New Zealand. As a single entity the Islands can move at any time to move to full independence if they so wish, and under continuing association New Zealand retains responsibility for defence and external affairs, in consultation with the Cook Islands premier. These arrangements were approved after local elections in 1965 and endorsed by the UN.

Samoans would continue to restrain them—they attached no importance to the recent threat by the Premier to appeal to the Russians for aid.

5. The New Zealanders tend to resent any suggestion that they still exercise influence over the Western Samoans. They themselves conscientiously abstained from showing any resentment when it was revealed at the meeting that the Peace Corps had had detailed discussions with the Western Samoan Government about operating in the territory, apparently without the knowledge of the New Zealanders. They said in another context that they welcomed other powers consulting them before making direct contact with the Samoans, but that they certainly did not attempt to insist upon it.

6. The New Zealanders gave forthright support to our suggestions about building up the South Pacific Commission. They were perhaps a little less enthusiastic than the others about the desirability of creating a political grouping of local governments and put rather more emphasis on the continuing value of links between the metropolitan powers and the territories. They were averse from any suggestion of a line-up against the U.N., but fully appreciated that Britain and Australia had a much more serious problem in this respect.

7. In general, New Zealand's attitudes were more cautious and a little more idealistic than those of the larger powers. At the same time it was clear that the New Zealanders realise the importance of maintaining a broad consensus between the administering powers, and had neither the inclination, nor sufficient scope to strike out a new line on their own.

*Future relationships within the area* (paper circulated by the British Delegation at the concluding session)

The U.S., Australia, New Zealand and Britain have a common interest in preserving the stability of the area. They recognize that the colonial relationship, which has ensured stability in the past, is becoming increasingly difficult to sustain, both because it attracts irrelevant criticism from outside the area, and because the people in the area are coming to maturity.

2. It is obvious that new relationships to replace the colonial one will differ according to the differing character of the territories and the constitutional traditions of the metropolitan countries. One ex-colony in the area (W. Samoa) is already independent, and neither Australia nor Britain could at this stage rule out the possibility that other territories will also eventually become fully independent.

3. On the other hand it is in most cases inconceivable, and in the rest undesirable (in the interests either of the territories or of the metropolitan powers) for each territory to take up the full responsibilities of independent nationhood. Whether a particular territory becomes independent or an associated state, or some new status is found for it, in the foreseeable future all will need outside support of one kind or another—e.g. as regards defence, external affairs, or in the economic field; to such an extent that the relationship of each to its metropolitan power seems certain to be a special and formal one.

4. None of the four powers wishes these new relationships to be restrictive; on the other hand none would wish to embarrass the others by proffering concessions to one territory that might lead others to make embarrassing demands. There is thus a further common interest in avoiding a competitive constitutional escalation, which could itself threaten the general stability.

5. This is a view that the 'post-colonial' governments themselves may come to share, since once a political leader has committed himself to a given relationship, his own position will be undermined if that relationship comes to be regarded as restrictive.

6. On the other hand the new governments will need to be able to show that they are able to negotiate matters of immediate concern to their territories, and will need to communicate with their neighbours. It is likely too that they will experience a need to establish an international identity; and will realize that unless they can group themselves together for this purpose the small size of each and the remoteness of the region will make the task a very difficult one.

7. The four administering powers stand to gain if they can encourage the emergence of such groupings, since the greater the natural cohesion of the region the better it will be able to deal with external forces, and where necessary to resist external penetration, without assistance. There could be further bonuses for the Administering Powers if such a grouping turned out to be averse from any attempt by individual territories to break or weaken their links with the metropolitan territories; and if it evolved a sensible attitude towards U.N. activities in the area, for instance welcoming assistance from the Specialized Agencies by asserting that the views of the people of the area are of primary significance in regard to political developments there.

8. What could be the character of such a grouping? First there could be no suggestion, at any rate for many years, of its filling any supra-national, or federal role. Second, it should ideally be a grouping of indigenous governments, although there would certainly be a need for metropolitan guidance and it would be best for that guidance to be inconspicuous.

9. The most important function of the grouping would be to provide a forum in which the leaders of the territory governments can discuss regional affairs. In the first instance it would be best to avoid any suggestion of executive functions, and with them questions of finance and staff. The fields in which interest might most naturally centre would be that of relations between the territories themselves. They might well discuss areas where there was a need for inter-territorial cooperation, and proposals for effecting it, without taking on direct executive responsibilities as a group. As time went on they might come to concern themselves with the external relations of the region generally, to the extent that the metropolitan powers felt able to delegate their direct responsibility.

10. Membership would be a crucial question. The best course might be to leave it to a founding group (perhaps W. Samoa, Tonga and Fiji) to work out a formula. Alternatively, the group might be specifically a 'post-colonial' one, admission to which would constitute a 'birth certificate' for a territory that had shed its colonial status.

### *United Nations aspects<sup>9</sup>*

#### *General attitudes.*

The *Australian* Delegation said that the United Nations was inevitably an important factor in their colonial policies in the Pacific, since two of their

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<sup>9</sup> Paper by B Barder.

territories (New Guinea and Nauru) were U.N. Trust Territories, and the future of Papua was bound up with that of New Guinea. But they regarded the Committee of 24 and the Fourth Committee as thoroughly objectionable and irresponsible organs whose influence seemed to be in almost every way pernicious. Australia had done its best to cooperate in both Committees for several years, but the resolutions passed on Nauru and Papua–New Guinea at the last session of the General Assembly had come as a disagreeable shock since both resolutions had been unrealistic, inaccurate and unacceptable. Australia had been much concerned at the failure of any of its friends except one (the United Kingdom) to support it in opposing the resolution on Nauru. They were concerned at the debasing of the coinage involved in the steady stream of increasingly bad U.N. resolutions on colonial subjects, and were engaging in a reassessment of the pros and cons of continuing as members of the Committee of 24. At present, the dominant feeling was that they should remain in the Committee, but they felt it important that the four administering powers in the Pacific (Australia, the United States, New Zealand and the United Kingdom) should as far as possible adopt a common attitude towards continued cooperation with the Committee of 24. They felt that the four powers, and if possible some of their Western friends, should take a stronger attitude in future towards bad resolutions, refraining wherever possible from voting ‘yes’ on resolutions simply because they had been improved from a worse original. The Australians thought they had noted a firmer and tougher tone in some of the British interventions in the Eastern Caribbean debate and they welcomed this.

2. The *New Zealand* Delegation agreed that the resolutions in the Fourth Committee on Papua–New Guinea, and indeed on Fiji, had been grossly unreasonable. On the other hand, they felt that on the smaller territories it was possible to expect a degree of reasonableness from the Fourth Committee and even from the Committee of 24, provided that the Administering power was able to demonstrate that they had the support of the inhabitants of a territory for the actions taken. New Zealand was therefore ready to welcome an occasional visit of inspection by the U.N. as they had done in the case of the Cook Islands. But they recognised that this might be more difficult and risky in larger territories with special problems.

3. The *United States* and *United Kingdom* Delegations both agreed that the Committee of 24 was a tiresome and difficult body, and that there were arguments for and against continued cooperation with it. The United Kingdom Delegation added that their attitude to the Committee of 24 and to the United Nations on colonial matters generally would be affected more by considerations outside the Pacific (especially Aden, Rhodesia and the complex of Southern African problems) than by British responsibilities in the Pacific, although Fiji was a difficult problem. Much would depend on the outcome of the current United Nations Mission to South Arabia. Experience so far in the Committee of 24 debate on the West Indies Associated States seemed to indicate that the U.N. would in future endorse ‘association’ solutions only if they satisfied two requirements: that the associated state was free to become independent at any time, and that the U.N. had been associated with the consultative processes leading to association (neither of which was strictly required by resolution 1541(XV) but both of which had been volunteered by New Zealand in the case of the Cook Islands).

*Individual territories*(i) *Nauru*

4. The Australians said that since Nauru was a United Nations Trust Territory, and the agreement of the U.N. would be required for the termination of the Trusteeship Agreement, there might in the end be no practical alternative to granting Nauru full independence despite its intrinsic absurdity. This might be the only way for Australia to rid itself of its trusteeship obligation. As agreed with the other two administering authorities, they would make a concerted attempt to persuade the Nauruans to accept a form of permanent association with Australia with Nauru coming under Australian sovereignty. However, they were not confident that this would be endorsed by the United Nations, even if the Nauruans could be brought to accept it. The form of association which they envisaged would include 'full internal self-government', although Australia might retain certain responsibilities for internal security as well as for external affairs and defence. But the association would be a final and permanent one, preferably with no open-ended option for independence once Nauru had attained its new status. It was this shutting off of an open option for independence later that might prove unacceptable to the U.N.

5. The United Kingdom Delegation said that they feared that if Nauru was granted full independence, this might have a ripple effect, especially on Fiji. Other small territories might come to feel that if tiny Nauru had become independent, they could aim for nothing less. At the same time, they agreed that it would be difficult to persuade the General Assembly to approve a form of association for Nauru which did not include an open option for independence. However, since Nauru was a Trust Territory, there would no doubt be some U.N. involvement in the final act of choice by the Nauruans, and this might help to secure United Nations endorsement. The Australians agreed that refusing an open independence option would make U.N. endorsement more difficult to achieve, but they felt that to grant such an option would mean a constant factor for instability in the relationship between Nauru and Australia.

6. The United States Delegation said they assumed that the widest possible range of options would be offered to the Nauruans in any plebiscite. They attached importance to the continuation of some form of association between Nauru and Australia, for fear that if Nauru became fully independent, it would offer an opportunity for outside influences to establish themselves in the Pacific.

(ii) *Papua–New Guinea*

7. The Australian Delegation said they did not envisage that the territory would be integrated with Australia, in view of the ratio of the inhabitants of Papua and New Guinea to the population of Australia. The Papuans and New Guineans would no doubt eventually aspire to full nationhood. Nor did Australia envisage any kind of relationship between Papua and New Guinea and West Irian, and they were anxious not to encourage a reopening of the whole question of West Irian since this might upset the delicate but newly restored relations between Australia and Indonesia. Papua–New Guinea needed about fifteen or twenty years to evolve into its final status, but Australia recognised that such a long period was unlikely to be possible.

Differing standards of economic potential and constitutional sophistication might be obstacles to any wider Pacific association, e.g. between Papua–New Guinea and the Solomon Islands.

(iii) *Niue and Tokelau Islands*

8. New Zealand felt inclined to respond to any U.N. criticism of the pace of constitutional progress by inviting the U.N. in to see for itself the nature of the problem. The economy of the three small atolls of the Tokelau Islands was very precarious and the only possible future for the territory appeared to be integration with New Zealand. A resettlement programme for some of the islanders was in progress. The New Zealanders felt that if the United Nations was fully informed of the nature of these situations, it would probably be prepared to approve the solutions which New Zealand was working out with the few inhabitants.

(iv) *Cook Islands*

9. The new relationship, endorsed by the U.N., was so far working fairly well. New Zealand had not regarded the assertion by the United Nations of a continuing responsibility to help the Cook Islanders in future to achieve independence under resolution 1514(XV) if they so wished, as an appreciable risk. They would contest any attempt by the Committee of 24 or any other U.N. organ to receive or hear petitions from Cook Islanders, unless with the agreement of the Cook Islands Government. However, they might invite U.N. participation if ever the Cook Islands were to change from association with New Zealand to integration. The United Kingdom Delegation commented that although this would clearly be a matter for New Zealand to decide at the time, they would not accept that the U.N. had any *right* to be involved if the Cook Islands wanted to change their status at some future date, any U.N. competence with regard to the Cook Islands having ended when the Cook Islands became fully self-governing.

(v) *Guam and American Samoa*

10. The Americans said that pressures in the United Nations on these territories were regarded by their inhabitants as objectionable and irrelevant. The people of these territories valued American largesse and their freedom of entry to the United States. There was no sentiment in favour of independence although in Guam there was a desire for somewhat greater autonomy.

(vi) *American Trust Territory of the Pacific Islands*

11. The Americans estimated that something between 10 and 25% of the population of the territory were beginning to think in terms of independence. The United States Government had not yet thought through what might be the ultimate status of the Trust Territory but they were averse from any solution that involved independence or an option of independence, though they envisaged an eventual plebiscite with U.N. participation. They expected difficulties in the Security Council in securing any endorsement of the result of a plebiscite, but if the plebiscite gave clear and unambiguous backing to the solution proposed, they might if necessary defy and ignore an adverse decision by the Security Council, if

this seemed unavoidable. It might be possible to declare that the Trusteeship Agreement was terminated without the matter coming to a vote in the Security Council. Japan had indicated a readiness to make some move to settle the Micronesian claim against Japan arising from Japanese activities during the War. In return, Japan might ask for refuelling stops and other facilities in the Trust Territory. United States policy had until now been to resist any restoration of Japanese influence in the Territory, but this was being reassessed. It was hoped that progress would be made on the claim against Japan by the time of the Trusteeship Council meeting in June.

#### *Committee of 24 Visiting Mission*

12. The Australian, United Kingdom and United States Delegations said that they had no intention of inviting or admitting Committee of 24 visiting missions to any of their Pacific territories in present circumstances, but the New Zealand delegation refused to put its name to any general statement to this effect, reserving their freedom if they judged it appropriate to invite some form of U.N. visit to their remaining territories (see paragraph 2 above). They recognised that in territories such as Fiji, a visiting mission could do great damage and were prepared to support a British refusal to accept a visiting mission to Fiji. But they felt that this risk was not applicable to small territories such as Niue and the Tokelau Islands. The United Kingdom Delegation said that they saw no possibility of visiting missions in the Pacific in the foreseeable future, especially to Fiji, but that they did not wish to rule the possibility out completely and preferred to take an empirical view. They might in some circumstances see value in certain types of mission, and would not wish to slam the door forever. They would co-operate with the United Nations as far as this was possible. The American Delegation said they did not wish to see the Committee of 24 'get into the visiting mission business'. This would not be in the interests of the United States and was likely to encounter local hostility and resentment in their territories. They hoped that the four Governments could adopt a common attitude to this problem. The Australians expressed strong opposition to any kind of Committee of 24 visiting mission, particularly to New Guinea or Nauru which were already visited by missions from the Trusteeship Council. They urged a common front among all four Governments in opposition to visiting missions and appeared to see little or no necessity for leaving any options open for reconsideration of this in changed circumstances in the future.

#### *Future of the Trusteeship Council*

13. The United States Delegation provided copies of a Note by the State Department's Legal Advisers on the legal implications for the future of the Trusteeship Council of the termination of the Nauru Trusteeship Agreement. A copy of the State Department Note is attached at Annex A. All four Delegations expressed similar views on this as recorded in paragraph (i) of the agreed Note of 'Highlights of the Discussions'.

#### *Mini-states and the United Nations*

14. The United States Delegation recalled that they had for some time been interested in initiating consideration of this problem with a view to action by the United Nations, perhaps initially in the Security Council, to lay down criteria for full

membership of the United Nations and thus to exclude very small newly-independent states from full membership in future. They had been dissuaded, mainly by the British Government, from pursuing this further until recently, in view of various problems that would have arisen if the matter had been raised at the United Nations before the admission of Guyana and Lesotho. They were glad to have been told more recently that the British Government saw no immediate problems about pursuing the matter and they looked forward to the proposed consultations between Lord Caradon and Mr. Goldberg<sup>10</sup> in New York, which were to take place soon. The United States Government would be extremely worried if Tonga or Nauru sought full membership of the United Nations (although the Australians expressed the tentative view that even if Nauru became fully independent, it was unlikely to apply for U.N. membership). They would favour a new status of association of mini-states with the United Nations, and were inclined to think that this might be arranged without any need of an amendment of the Charter.

15. The United Kingdom Delegation confirmed that from the point of view of the Pacific territories, the present would be a good moment to try to work out a solution to this problem. Any solution would have to be put forward at the United Nations by others since proposals emanating from colonial powers would be open to the accusation that the colonial powers were merely seeking an excuse for refusing independence to small territories. The Australian Delegation suggested that there might be less pressure for independence by small territories if they could no longer take United Nations membership completely for granted as an automatic by-product of independence. This had a major bearing on the attitude of the Nauruans to the Australian proposals for association and they hoped that the problem could be tackled urgently, perhaps with a view to a decision by the 22nd session of the General Assembly.

*Asian Development Bank and ECAFE*

16. In answer to an enquiry about the possibility of financial assistance from the Asian Development Bank to territories in the Pacific, the Australians said they would view any such prospect with a good deal of caution, since it might imply that the Pacific was part of Asia. The New Zealanders and Americans, however, expressed interest in the possibility, the New Zealanders pointing out that Western Samoa was already a full member of ECAFE and therefore in principle eligible for assistance from the Asian Development Bank. The Western Samoan precedent might be sufficient to establish that Fiji would also be eligible for associate membership of ECAFE and therefore for assistance from the Asian Development Bank.

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<sup>10</sup> US ambassador to UN.

**109** FCO 32/59

20 June 1967

**'Fiji integration proposals': minute by A J Fairclough to Mr Bowden in preparation for a meeting with Ratu Mara**

Ratu Mara has enquired about the possibility of integration between Fiji and the U.K. He did so in a discussion about the effect Britain's entry into the Common Market



might have in Fiji, but this brief deals only with the constitutional and political implications of integration for Fiji.

2. The matter is to be discussed at a meeting on Friday, 23rd June, with officials but Ratu Mara may mention it tomorrow.

3. Britain has not made an offer of integration to her dependent territories generally.<sup>1</sup> If a particular territory seeks integration it is therefore for that territory to make a concrete proposal.

4. The word 'integration' by itself means little. The territory would have to say what it proposed as regards:—

- (a) Freedom of movement between Britain and the territory.
- (b) Uniform rights for individuals in Britain and the territory.
- (c) Representation for the territory at Westminster.
- (d) The future status and powers of the local government (legislature and executive) which would inevitably be greatly reduced. Integration necessarily implies abandoning any aspiration towards independence.
- (e) A programme for achieving economic equivalence including equal rates of taxation.

We should not apply a predetermined standard when we came to consider such proposals but we should expect them to make sense as a whole and to suggest a practicable working relationship.

5. No British Government could consider such a proposal unless it carried the support of the bulk of the people in the territory and unless the proposal was for a genuine and permanent union.

6. British Ministers could not back such a proposal unless there was substantial support for it from British public opinion. The requisite changes in the British constitution could hardly be made unless the two main parties, at least, backed the proposal.

7. From the British Government's point of view integration would mean not merely reaffirming old commitments to the territory concerned but giving now ones that would be intended to be permanent. Moreover if Britain were to agree to integration for one territory on advantageous terms there would almost certainly be similar demands from about ten others. (These should not be specified to Ratu Mara but include Gibraltar, Mauritius, Seychelles, British Honduras, the Falkland Islands, the Cayman Islands, the Gilbert and Ellice Islands, St. Helena and Tristan da Cunha.)

Even from a purely financial point of view this would be a considerable additional burden.

8. Frankly it seems very unlikely that Fiji could put forward proposals that would pass these tests and possess sufficient attractions to outweigh these disadvantages. For instance would there be broad general support in Fiji for integration? Does Ratu Mara want to submerge Fiji's separate personality permanently in that of the U.K.? What arguments would be used to win the support of the British public?

9. Until we see a definite proposal we obviously cannot guess how it would command itself to Ministers, but we think they would require a lot of convincing and

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<sup>1</sup> It was considered in the mid-1950s in the case of Malta, for which see Simon Smith, *Malta* (BDEEP, forthcoming).

that Ratu Mara would be ill-advised to spend time and thought in working out such a proposal in detail.

10. It is suggested that if Ratu Mara does raise questions concerning integration, the Secretary of State should use points in the preceding paragraphs in speaking to him on the general political and constitutional considerations which arise. As regards the question of how any proposal for integration would affect matters in relation to Britain's application for membership of the E.E.C., it seems probable that a territory which was fully integrated with and thus became part of Britain would have to be treated, also for the purposes of the Community, as part of Britain. Our understanding in Pacific & Indian Ocean Department is that no other status in relation to the Community (such as Association—for which in 1962 there was provisional agreement that *inter alia* British Dependent Territories should be eligible when Britain joined) could accord equivalent privileges but account would no doubt have to be taken of the likely reaction from the Six and the consequences of this for Britain's own application if proposals for integration of Fiji with Britain were suddenly to appear to be seriously under consideration.<sup>2</sup>

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<sup>2</sup> Mara did not mention integration at his meeting with Bowden on 21 June. Instead he discussed British entry into the EEC and how this would affect Fiji's sugar exports. On domestic politics he observed that Fiji's greatest need was for more time, to let the constitution settle down and to enable the Indian population to adjust to multi-racial politics. 'The great problem was to weld Fiji into a nation and to persuade the Indians to see their future in Fiji and not to look outside to India.' His own attempts to get Indians into the Alliance were going 'surprisingly well', and he thought he was gaining their confidence, having spent three of the last six months mixing almost entirely with the Indian community. 'He was drawing his support mainly from the Indian workers and from Indian businessmen who disliked the Gujeratis around Patel. His greatest difficulty was with the Indian middle class—teachers, civil servants, etc—who were more ambitious for power and saw their best road for advancement through Indian political domination.' He thought Patel was losing ground but still making overtures to the Committee of Twenty-Four. Finally he revealed that David Butler, a fellow of Nuffield College, Oxford and author/commentator on British political parties and general elections, was visiting Fiji shortly to advise on political organisation (FCO 32/59, no 6A, record by O G Foster, private secretary to Bowden, on the Commonwealth secretary's meeting with Mara, 21 June 1967).

**110** FCO 32/59, no 66 15 Sept 1967  
**[Future of Fiji]: minute by Sir A Galsworthy to Mr Thomson on issues to be discussed with Ratu Mara during his visit to London as part of a world tour**

Ratu K.K.T. Mara,\* the recently appointed Chief Minister of Fiji, is visiting London from 18th to 21st September in the course of a world tour. Personality Notes are attached at Annex A; details of Ratu Mara's tour are clear from the telegram at Annex B; and his programme whilst in London is at Annex C.<sup>1</sup>

\* Ratu is a Fijian Chiefly title; it is accordingly not appropriate to address Ratu Mara as Mr. Ratu Mara or Mr. Mara; Ratu Mara is the proper form of address.

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<sup>1</sup> Annexes not printed.

2. Ratu Mara is a chiefly Fijian of high rank; a charming person when contact has really been established, he sometimes appears arrogant and is often moody. He is cultured and able. He was for many years a Civil Servant and originally involved himself in politics at a time when the two roles were not incompatible in Fiji. The new constitution introduced following the 1965 Constitutional Conference made this dual role impossible and Ratu Mara is now a full-time politician, the leader of the multi-racial Alliance Party which, in the autumn of 1966, decisively won the first elections under the new constitution.

3. After the elections, the multi-racial Alliance Government then appointed those to continue the Membership system which had already been in force for some appreciable time rather than move at once to the Ministerial system which the new constitution envisaged. This latter change was eventually made on 1st September 1967, just before Ratu Mara set out on his present world tour. He is accordingly now Chief Minister.

4. We have no detailed indication of matters which Ratu Mara will wish to discuss, with the sole exception of the problem of the retention of expatriate staff in Fiji (on which see paragraph 6 below) but the matters which seem likely to arise are clear from the outline programme for Ratu Mara at Annex C.

5. We suggest that you may find it more convenient to treat Ratu Mara's visit as a courtesy call and an opportunity to get to know him rather than an occasion for substantive discussion on any matters which Ratu Mara may wish to pursue. As to substantive discussion, it is suggested that this should be left to officials in the first instance with a further meeting between Ratu Mara and Ministers towards the end of Ratu Mara's visit, if this seems necessary.

6. The one matter on which Ratu Mara may seek to unburden himself to you is the problem of the retention of expatriate staff. Ratu Mara has a decided chip on his shoulder about the whole operation of the Overseas Service Aid Scheme (O.S.A.S.) which he regards as discriminatory; his attitude on this stems in part from personal considerations. A separate note suggesting the line that you might take on this matter if Ratu Mara brings it up is attached at Annex D.

7. Ratu Mara visited London in June this year as Fiji's representative in the discussions which were held between the British Government and the Governments of Commonwealth countries participating in the Commonwealth Sugar Agreement on the question of the future of the C.S.A. in relation to Britain's application to join the European Economic Community. On his return to Fiji after that meeting Ratu Mara professed himself satisfied with its results and with the assurances British Ministers had given of their determination to protect the interests of C.S.A. producers in negotiating conditions of entry into the E.E.C. Ratu Mara did however ask for more detailed information on the implications of Associated status under the Treaty of Rome and the ways in which it might be affected by the constitutional status of an associating country. A note which has been prepared for Ratu Mara on these matters and will be handed to him on his arrival is attached for information at Annex E.

8. The note referred to above touches on the question of the constitutional future of Fiji. This is a very delicate matter owing to the racial split in Fiji between those (virtually all Indians) who demand independence, one-man-one-vote democracy and U.N. involvement in the territory, and those (i.e. the Alliance Government and its supporters who include virtually all the Fijians but also a

substantial minority of the Indians) who oppose all these concepts. Having now had a year in office since the 1966 elections during which his multi-racial Alliance Government has settled down extremely well in difficult circumstances, has gained in confidence and has set vigorously about tackling Fiji's problems in a determinedly non-racial manner, and having recently taken the step of introducing the Ministerial system, Ratu Mara is now probably giving some preliminary thought to what further constitutional steps and what eventual goal he should have in mind. When he was in London in June, Ratu Mara made some enquiries at official level concerning integration with Britain; we were not encouraging. A brief on the point which was submitted to Mr. Bowden at the time is attached at Annex F;<sup>2</sup> but as is clear from the record of his discussion with Mr. Bowden at Annex G, he did not then pursue the point.<sup>3</sup>

9. The deep loyalty to Britain of the Fijians, coupled with their conservatism, backwardness and fear of Indian domination, make it most unlikely that he will soon, if ever, think in terms of independence. At official level we ourselves think that some form of Associated State status is probably the right goal for Fiji; (this would be in line with the agreement reached with American, New Zealand and Australian representatives at official discussions in April this year that our joint objective should be to preserve firm links between the various Pacific territories and their respective metropolitan powers, and to avoid independence if possible.)<sup>4</sup> Above all, time is needed in Fiji to enable multi-racial government to settle down and take root and to allow the Alliance Party (which was created specifically for last year's elections) to develop its political organisation. As regards this last point arrangements are being made for Ratu Mara to see both Transport House and the Conservative Central Office during his visit, to obtain advice on party organisation; we hope they may be able to offer him some help. This will, however, inevitably take time to have any effect on the ground in Fiji.

10. It follows from the above that we are in no hurry about further constitutional moves and it is important that we should not give Ratu Mara any impression that we would wish him to move fast or far in this field.

11. Ratu Mara's objectives in making his current world tour, as announced in Fiji, are plain from the official Fiji Government release attached at Annex H.

<sup>2</sup> See 109.

<sup>3</sup> See 109, note 2.

<sup>4</sup> Marginal note by Galsworthy: 'Secret. Not to be mentioned to Ratu Mara'. For the discussions to which Galsworthy refers, see 108.

## **111** FCO 32/37

11 Jan 1968

### **'Fiji: the Alliance Party government': despatch from Sir D Jakeway to Mr Thomson on the 1966 general election in Fiji and the government's handling of industrial relations**

The turn of the year, when the Alliance Government has held office in Fiji for some 14 months, may be a convenient moment to look back and assess its performance.

2. As reported more fully in my Secret and Personal despatch No. 37 of 15 December, 1966,<sup>1</sup> general elections were held in October of that year for the much enlarged legislature established by a new Constitutional Order in Council promulgated just beforehand. This provided for a Legislative Council of 36 elected members plus up to four appointed public officers. Twenty-five of the thirty-six were to be elected by communal constituencies—nine Fijian (embracing other Pacific Islanders), nine Indian and seven General (the remainder of the electorate, mainly European and Chinese). Two were to be elected by the Fijian Great Council of Chiefs and nine were to come from a combination of all the communal electorates into three 'cross-voting' constituencies each returning three members (one Fijian, one Indian and one General). In effect, therefore, each elector had four votes, one in a communal constituency, and three in a cross-voting constituency. All men and women over the age of 21 were eligible to vote. The register of voters, which had been prepared earlier in the year, produced an electorate of 74,575 Fijian, 75,768 Indian and 6,340 General.

3. The election, which was conducted in orderly fashion, proved to be a contest between two political groups—there were relatively few independent candidates and none were successful except those which, though nominally independent, in fact had the backing of one of the political groups. The two groups were:—

(a) the Federation Party, a well-organised, overwhelmingly Indian party which had been in existence for some years. Its leader was Mr. A. D. Patel, an Indian-born lawyer who came to Fiji in the 'thirties and had been active in politics ever since. This party contested the election under protest as it was opposed to the Constitution because this did not provide for an orthodox one man one vote system of election;

(b) the Alliance, a recently formed loose combination of the Fijian Association, the General Electors' Association and the Indian National Congress. It could expect the support of the great majority of Fijians, almost all the General electorate and a minority of Indians. Its leader was Ratu K. K. T. Mara, a high-born, well-educated Fijian who had resigned from the Administrative Service to contest the election.

4. The result was a clear-cut victory for the Alliance which won all the Fijian seats, all the General seats and all the cross-voting seats, a total of 27. The Federation Party won all the nine Indian communal seats. An analysis of the voting indicates that the Alliance had the support of just under two-thirds of the electorate and the Federation Party about a quarter.

5. I consulted Ratu Mara, as leader of the majority party in the legislature, on appointments to Executive Council. He rejected a coalition with the Federation Party on the grounds that the policies of the two parties were incompatible and that his Indian supporters would be alienated. This was realistic, and it is anyway doubtful whether the Federation Party would have agreed to join except on unacceptable conditions (such as exclusion of Alliance Indians from Executive Council and agreement on a new constitutional conference in the near future). Nevertheless it marked a significant departure from the practice in the previous constitutional phase of government by a consensus both within Legislative Council and Executive

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<sup>1</sup> See 103.

Council. Both Ratu Mara and Mr. A. D. Patel had been members of the outgoing Executive Council. From this a number of consequences have flowed.

6. By agreement with Ratu Mara, six Alliance Legislative Councillors (two Fijian, two Indian and two European) were appointed to Executive Council plus four public officers (three European and one Fijian). The system of associating unofficial Executive Councillors with the formulation and presentation of policy on certain specified subjects as Members for those subjects, which had been instituted in July 1964, was continued.

7. With one addition this team has continued in office unchanged. In May last year Ratu Mara gave up the Natural Resources portfolio in order to concentrate on his functions as Leader of Government Business and party chief. Another European Legislative Councillor was brought into Executive Council as Member for Natural Resources. Last September members were formally converted into Ministers. Although outwardly significant this has not been an abrupt transition since members had, in the preceding months, been encouraged to behave and perform more and more like Ministers.

8. Having relegated the Federation Party to Opposition status, Ratu Mara set out from the beginning to accord it the constitutional position it has under the British parliamentary system. He consulted and agreed with Mr. Patel on the election of a Speaker and Deputy Speaker (one from each side). The position of Leader of the Opposition was officially recognised and a salary allocated to it. House committees contained Opposition representatives.

9. At the first three meetings of the new Legislative Council (November 1966, March and June 1967), the Opposition reciprocated reasonably well. There were hard-hitting exchanges on the floor of the House but personal relationships were cordial and the constitutional proprieties were observed. At the September meeting came a change. Mr. Patel set down a motion which in effect asked the Government to agree that the present Constitution was all wrong and that it should be replaced by a straight one man one vote type as advocated by the Federation Party. He could not conceivably have expected the Alliance to accept the motion. Nevertheless when various amendments were proposed (which had the effect of turning the motion inside out) and when Mr. Vijay R. Singh (an Alliance Indian Minister and anathema to the Federation Party) was speaking, the Opposition walked out in a body. It did not return for the rest of the meeting and announced a policy of non-co-operation.

10. This walk-out was certainly premeditated. The Opposition has since accused the Government of behaving like a dictatorship and steam-rolling its measures through. The Government has been able convincingly to rebut these charges. The real reasons for this abrupt change of tactics can only be conjectured but they are probably a mixture of a number of factors at work. The Federation Party has probably found the role of constitutional opposition politically unrewarding as well as temperamentally uncongenial. The Alliance was being a mite too successful as a Government and seemed to be consolidating its position. Fiji was due for its annual airing in the United Nations and one of the purposes of the Federation Party was undoubtedly to demonstrate to the Committee of 24 that whatever the appearances, all was not well in Fiji. It must be remembered too that the walkout is not uncommon tactic in the politics of India, in which Mr. Patel was reared.

11. The vague and non-committal utterances of the Opposition after the walkout suggest that they had not at that time made up their minds how permanent it should

be. Events on the labour front, to which I shall shortly turn, may have decided them to take on the Government in an open clash and to force by-elections in the nine seats they held with the hope of returning with increased majorities. Absence at two consecutive meetings of Legislative Council renders a seat void. They stayed away from the November Budget meetings and it remains to be seen what they will do at the next meeting, probably in March. (One curiously inconsistent piece of conduct is that they have recently accepted the invitation of the Speaker to nominate two Opposition members to a select committee set up at the last meeting.) This hardening of attitudes coincides with a noticeable slackening of the reins of leadership by Mr. A. D. Patel and a strengthening of the influence in the Federation Party of Mr. K. C. Ramrakha and Mr. S. M. Koya, both fire-eaters in their different ways.

12. After some lesson-teaching experiences in 1959 and 1960, Fiji had built up an enviable record of trouble-free labour-employer relationships over the succeeding years. This was the result of responsible attitudes by the unions represented in the Trade Union Congress and by employers as represented by the Fiji Employers Consultative Association of up-to-date legislation administered by an effective Department of Labour, and of the favourable economic climate engendered by the sugar boom of 1963 and 1964 which permitted steady annual wage increases in all industries. When the Alliance Government took up office in October 1966 the Budget for 1967 had been already determined and it was clear that the economy was not going to expand during that year at the rate to which people had become accustomed. In my address to the Legislative Council at the Budget meeting in November, I asked for restraint in increases of wages, incomes and prices. To their credit, the Labour Advisory Board, composed of representatives of the Fiji Employers Consultative Association and the Trade Union Congress endorsed this policy. Unhappily the Congress, despite repeated advice, has never admitted to the fold the rogue elephant of the trade union movement in Fiji, Mr. A. V. Tora. Apisai Tora, a Fijian dismissed civil servant of doubtful mental stability, has over the years built up a considerable reputation as a flouter of authority, usually getting away with it. He had not long before been acquitted, after a protracted trial, of the arson of a considerable portion of a hotel whose employees his union was representing in a wage claim. The union of which he is president is the Airport, Hotel and Catering Workers' Union. He has assiduously and shrewdly built up its membership so that, although relatively small in number, it occupies a key position in aviation and the hotel industry; and it branched out into the building industry during the year.

13. In December 1966 Tora's union presented the Government with an absurdly inflated wage claim on behalf of the airport firemen, an essential service under the Trade Disputes Ordinance, together with the required 28 days' notice of intention to strike. The strike notice was withdrawn after the Government had indicated its willingness to refer the dispute to arbitration. The Commonwealth Industrial Court of Australia was asked to nominate an arbitrator and selected Mr. Justice Gallagher, its vice-president. The Government thought it had a cast-iron case for rejecting the union's claims, but it was mistaken. After a brief hearing, the arbitration tribunal made a recommendation which ignored all the issues before it and awarded the firemen an extra 30s. a week, a 20 per cent increase. All hopes of a wages pause were now dashed and it was only a question of time before the consequences of this irresponsible award would come home to roost.

14. They were hastened by the brief but electric re-appearance on the scene of another nonconformist character, Mr. James Anthony, on his way to take up a research fellowship at the Australian National University in Canberra after five years at Hawaii University on a United States scholarship. James Anthony had been the ring-leader in the 1959 Suva disturbances. His MA thesis at Hawaii was on guerilla warfare and he is no believer in peaceful evolution. He spent his few weeks transit making inflammatory speeches on every possible occasion, and he intervened successfully in a dispute which the Suva City Council had stupidly provoked with the Municipal Workers' Union of which he became Secretary. His style of oratory was heady wine to his listeners and certainly helped to condition them for the confrontation which took place in October.

15. Tora, flushed with the success of his airport firemen adventure and spurred on by Anthony, with whom he had been in close contact, now took on Qantas, the airline which services all aircraft transitting Nadi Airport. Once again the initial step was the presentation of a log of claims which went far beyond the limits of the realisable. In this case the increase asked for, drafted (it is thought) by Anthony, were in the region of 100 to 200 per cent. Simultaneously, claims of an almost identical nature were presented to the Suva City Council by the Municipal Workers' Union (Anthony's) and to two major construction companies operating in Suva by the Airport, Hotel and Catering Workers' Union (Tora's). On 5 October, Tora, in conjunction with the resident leader of the Municipal Workers' Union, brought out on strike, without notice, the City Council employees (other than those engaged on essential services) and the workers on four construction sites, about 800 in all. On the night of 10 October, the Qantas workers at Nadi Airport (97 in number) also struck.

16. The morning of 11 October was a critical and anxious one in Suva. Pressures amounting to intimidation were exerted on bus and taxi drivers to stop running and so cause a repetition of the 1959 disorders. The oil workers were also under pressure to strike. The atmosphere in the city was tense and jittery. Shops started to put their shutters up, expecting riots. Federation Party leaders (notably Koya and Ramrakha) worked closely with Tora to spread the strike, hoping to make it general and to bring about a political as well as an industrial crisis. The Chief Minister (Ratu Mara) had the previous afternoon flown back from a world tour which had ended at Noumea where he was attending the South Pacific Commission Conference. With his concurrence I imposed the Public Safety Regulations and at mid-day he made an admirably firm broadcast. This was really the turning point. The situation remained delicately poised throughout the remainder of that day and the 12th, but the strike did not spread. Buses continued running under police protection. Anthony, faced with the loss of his fellowship if he left, remained in Canberra despite many rumours to the contrary. On the 13th, first the construction workers and, later, the City Council employees, returned to work and negotiations were resumed. The return of the Qantas workers took a little longer, but on the 1 November they went back and on the 2nd I revoked the Public Safety Regulations.

17. I have recounted these events at some length because there is no doubt that they developed into a direct challenge to Mara's Government. He met it with commendable resolution and has deservedly emerged from it with greatly enhanced prestige. While it is true that he acted on the advice of myself and senior public officers, he did so without hesitation. He gave his own particular flavour to his broadcast and, as with all his public utterances, it came across with unmistakeable



sincerity. His month-long world tour, which took in Guyana, Jamaica, Trinidad, Singapore and Malaysia, besides New York, London, and New Delhi as well as the South Pacific Commission Conference at Noumea enabled him to meet Ministers in other Commonwealth countries. With many he established a warm personal relationship, receiving a sympathetic hearing for and understanding of Fiji's problems which has fortified his self-confidence. He is the unchallenged, and now well-nigh irreplaceable, leader of the Alliance and he is the nearest thing to a truly national leader that the country has. It is a position of great potentiality—and great responsibility.

18. How in fact does the Alliance Government's balance sheet stand as we enter upon 1968?

19. The Alliance had the misfortune to take up office at a time when the economy had stopped expanding at the 1964–66 rate. This was mainly due to depressed world sugar prices and to unfavourable climatic factors affecting all agricultural production. To balance the 1967 Budget it had to agree to fairly substantial increases in taxation. Fortunately the economy has held up surprisingly well, largely because of substantial injections of capital expenditure (mainly Government, but also private) and because of the continued growth of tourism, so the 1968 Budget was able to maintain development expenditure and to provide for a modest increase in services with no additional taxation. But many of the capital projects are dependent on the raising of a substantial overseas loan which is not yet assured, and so long as world sugar prices remain low the outlook is precarious. This is an uncomfortable situation for a Government which has to prove itself in the eyes of an electorate which will judge it only by results.

20. The threat of a wages inflationary spiral, so imminent in September, had receded by the end of the year. The services of Professor H. A. Turner<sup>2</sup> of Cambridge University had been obtained through the Ministry of Overseas Development's Technical Assistance Programme. He was here for only six weeks but he produced a report of great significance—the most significant for the economy of this country since the Burns Commission report of 1961, in my estimation. What is of equal importance is that he produced it at great speed. It was thus possible for it to be brought specifically within the terms of reference of the Board of Enquiry set up to examine and report on the disputes between Qantas and the Airport, Hotel and Catering Workers' Union which sparked off the October labour unrest. Sir Trevor Gould, a retired colonial judge living in New Zealand and frequently asked to sit on the Fiji Court of Appeal, was the Board of Enquiry, and he had an unenviable task as Tora, infuriated by the decision to appoint a Board, boycotted the Enquiry. Nevertheless, Sir Trevor duly produced a report which broadly followed the Turner line and advised that no increase in wages of more than 5 per cent was justifiable. Meantime, the two unions representing Government unestablished staff (Government being much the biggest employer in the country), and uneasy bedfellows in a fairly new Joint Industrial Council had agreed to negotiate their wage claim. They must have been sorely tempted to jump on the Tora bandwagon, little though they like him, but to their lasting credit and thanks to skilful handling on management side, they agreed to a settlement which did not violate the Turner/Gould limit. This set the fashion and the Municipal Workers' Union settled

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<sup>2</sup> Montague Burton professor of industrial relations, Cambridge, since 1963.

their dispute with the Suva City Council on similar lines. The construction workers' dispute went to arbitration and the result was that the union got less than it could have obtained by negotiation. Seeing the writing on the wall, Tora has settled his union's claim against Fiji Airways through conciliation by the Commissioner of Labour. There remains the dispute which started it all, that between Qantas and Tora's union. It has been referred to arbitration. This time one should not have to fear a repetition of the Gallagher award which sparked off the whole dismal train of events. Given a responsible award by the arbitration tribunal we have a good chance of implementing Professor Turner's recommendation for a mechanism which will keep wages, prices and incomes synchronised to national productivity. That may sound gullibly optimistic for a small country which has all the problems of a big one. Its smallness gives it the chance.

21. The Alliance is most vulnerable through the thinness of its Indian support and through its dependence on European expertise. It has genuinely tried to govern without racial prejudice and it hopes that its record of responsible and fair administration will gain it increased Indian support without losing Fijian or European. Mara is working hard to build up a network of district committees on a multi-racial basis. It is too soon to say how successful or lasting this will be. Certainly he himself is confident that he is gaining ground against the Federation Party. But it is always easier to oppose than to construct, and the Federation Party clearly hope to attract Fijian worker support through fomenting industrial unrest. The majority of workers who went on strike last October were Fijian. This does not necessarily mean that they have become Federation supporters. The Fijian likes the excitement of a strike—it is nearly as good as a fight.

22. So far, the Alliance Government has not had much opportunity to acquire a distinctive image of its own. It has had to live largely on the fat of its predecessor. The two years July 1964 to July 1966, were years of considerable achievement (see my despatch Personal No. 17 of 12 July, 1966). The development plan, the exciting prospect of the University of the South Pacific, the basically sound state of public administration, were all inherited. Moreover, it took office tarred with a somewhat reactionary brush. Attitudes have changed noticeably since then. The Chief Minister recognised that the support of the European community is in some ways a political liability and is coming more and more to make use of Europeans rather than to depend on them. In the public service, localisation is to be accelerated even if this involves a compensation scheme (which was not to be contemplated six months ago). The Chief Minister expects to be consulted on the whole range of Government business including matters which, under the Constitution, are the special responsibility of the Governor. Internal self-government has virtually arrived and the Governor's address to Legislative Council when a new session is formally opened next March will take the form of a statement of the Government's policy and programme as approved by the Council of Ministers. This will be the opportunity for it to strike a line of its own.

23. In my despatch Personal No. 37 of 15 December, 1966, written shortly after the present Government took office, I urged that the Alliance, offering as it did the best prospect of a stable non-partisan Government in Fiji, deserved the whole-hearted support of Her Majesty's Government. It has received that support and it continues to deserve it.

**112** FCO 32/23, no 108

26 Feb 1968

**'Fiji—Overseas Aid Scheme': Commonwealth Office brief. Annex A:  
'Pacific territories—expatriate staffing'***Background*

Difficulties have arisen with Ratu Mara, Chief Minister of Fiji, about the continuation of the Overseas Services Aid Scheme (O.S.A.S.) under which, in common with many other countries, Fiji receives financial assistance in the employment of British Expatriates in her Public Service. A memorandum setting out the background of O.S.A.S. and the history of the current difficulties in depth, and to some extent repetitive of what follows, is attached at Annex A.

2. In brief, for local political reasons, Ratu Mara has decided that he would wish O.S.A.S. to be brought to an end and a new arrangement negotiated with us to replace it. The matter is urgent because he has placed a time-limit of 31 December, 1968, on certain local legislation essential to the operation of O.S.A.S. as now applied in the case of Fiji, and difficulties over recruitment, coupled with great uncertainty and low morale on the part of the staff have already reached serious proportions.

3. Ratu Mara's proposals are:—

- (a) O.S.A.S. should be terminated and H.M.O.C.S. wound up;
- (b) as a corollary of (a), a compensation scheme should be introduced;
- (c) all future expatriate officers required in Fiji should be employed on contract by H.M.G. and provided on secondment;
- (d) there should be accelerated localisation.

*General*

4. There are acute difficulties to accepting any such arrangement. In particular, the Ministry of Overseas Development have indicated that in such circumstances:—

- (i) on all previous precedents immediate lump sum compensation should be payable in Fiji to officers whose careers as members of H.M.O.C.S. would be terminated;
- (ii) since this necessity did not arise from normal constitutional evolution but from the carrying into effect of a wish of the Fiji Government, they (the O.D.M.) would not feel justified in paying at once their normal 50% share of the cost of such a compensation scheme; initially, therefore, the full cost would fall on the Fiji Government who would only recoup 50% by stages over the standard 5-year period normal for such compensation schemes;
- (iii) all future British staff seconded from employment with H.M.G. to serve in Fiji would have to be integrated with Home Civil Service salaries, allowances and conditions of service, and would cost substantially more than the same staff serving in Fiji at present on O.S.A.S. terms;
- (iv) since the consequences in (iii) had been brought about at the wish of the Fiji Government, the O.D.M. would not feel justified in increasing their contribution to the costs of any officer above that at present obtaining under the O.S.A.S. arrangement; each expatriate serving in Fiji would therefore cost the Fiji Government appreciably more.

5. Whilst it might no doubt be possible for some of the adverse financial consequences noted above to be avoided if, in view of the delicate political circumstances, the O.D.M. could be persuaded to agree to special arrangements for Fiji, it seems certain that the consequences at (iii) could not be avoided. This is because of the importance attached by H.M.G. generally as an employer to employing staff on uniform terms and conditions of service and because it is a cardinal principle that officials in the employ of H.M.G. are liable to U.K. tax (at present O.S.A.S. officers pay local tax on their local salary; their Inducement Allowance is tax free). Quite apart from any other consequences therefore, one result of agreeing to Ratu Mara's proposals would be that the differential in emoluments between British expatriates serving in Fiji and local officers would be substantially increased. It is at least arguable that this fact would cause Ratu Mara just as much local political difficulty as does the present situation, even though he would be able to argue that the individuals concerned were no longer the employees of the Fiji Government but were employees of H.M.G. (which therefore determined their terms and conditions of service) loaned to Fiji.

*Present position*

6. Under the present Fiji constitution staff matters remain the responsibility of the Governor and not of his elected Ministers. In theory, therefore, it would be open to us to insist that the O.S.A.S. scheme should be continued in its present form with its present payment arrangements and for the Secretary of State to indicate that he would, if necessary, instruct the Governor to certify legislation to ensure this. It is not, however, considered that it is practical politics to adopt such a course. It would inevitably provoke an extremely bitter and hostile reaction from Ratu Mara and the elected members of the Fiji Government, which would be bound to infect the whole of their relationship with Britain. They would see such action as running entirely counter to the tenor of the relationship which has been developing between them and the British Government over recent years. Ratu Mara has been told that his essentially non-racial policies aimed at integrating the various communities in Fiji have the full support of H.M.G., and encouraged to move steadily forward into a situation in which elected Ministers take increasing responsibility for Fiji's affairs. He would not accept it as reasonable that we should refuse to discuss with him some alternative to O.S.A.S. to help him deal with what is undoubtedly a difficult local political problem. If we took such a course, there would be bound to be a risk of him turning his thoughts away from building a multi-racial society in Fiji, and thinking instead of means of perpetuating Fijian hegemony. This could only, in the short or long run, increase the risk of a violent racial clash in Fiji which could involve us, if Fiji were still a dependent territory, in an extremely serious security situation, made more difficult to deal with by our withdrawal in a few years' time from Singapore, and of a kind that has always been recognised as being the worst possible in Fiji, i.e. a situation in which the Fijians were against us and we were thus unable to rely on the loyalty of the Fiji Military Forces or of large parts of the Police Force.

*Line to be taken*

7. In these circumstances the only sensible courses open to us are either to persuade Ratu Mara that, despite the local political difficulties associated with it, a continuation of O.S.A.S. is in the best interests of Fiji; or, alternatively, to be ready to

discuss with him how arrangements on the lines he has requested might be brought into effect. Given that the results of doing what Ratu Mara has asked for would be essentially ridiculous (i.e. making a change because of local political objections to financial discrimination in favour of expatriate officers which has as its end result a substantial increase in the degree of such discrimination), it is our considered view, which the O.D.M. share at official level, that we ought, as a first step, to do everything possible to persuade Ratu Mara to see the difficulties of the course he has suggested and to accept that it is preferable that O.S.A.S. should continue, despite the problems it poses for him. Only if such an attempt failed would we propose to pursue further the details of some arrangement on the lines of Ratu Mara's request.

8. These considerations have been put to the Governor in a series of telegraphic exchanges (See Annex B, in particular Commonwealth telegram Personal No. 12 of 9 February).<sup>1</sup> The upshot of these exchanges was our proposal that personal invitations might be sent to both the Governor and the Chief Minister to come to London to discuss Public Service issues with Ministers presiding over these negotiations. Sir Derek Jakeway has come down against this proposal (his telegram Personal No. 17 at Annex B) the main argument being that the Chief Minister of Fiji is adamant that substantive discussions on the problem should take place in Fiji. The Governor has suggested that a Commonwealth Office Minister should visit Fiji for this purpose in the near future. He has recommended that his Chief Secretary, Mr. G.P. Lloyd, should come to London to explore what common ground can be reached prior to the Fiji discussions. We have accepted this latter proposal and Mr. Lloyd will be arriving here for discussions.

9. It is now for consideration how far we can get on the lines proposed in paragraph 7 above. A meeting is to be held at the Ministry of Overseas Development at 10.30 a.m. on Tuesday 27 February at which the Chief Secretary and Commonwealth Office officials will be present to decide this or other alternatives.

## Annex A to 112

British staffs are provided under the Overseas Service Aid Scheme (OSAS) to serve in upwards of 40 countries, both dependent and independent, throughout the world. In each case there is an OSAS agreement between Britain and the receiving government laying down the arrangements. The most important feature of them is that, although the staff are employees of the receiving government their emoluments (based on local salary scales) are topped up by an inducement allowance—and certain other benefits—to a level which enables the Ministry of Overseas Development to recruit staff of the calibre required in the open market.

2. These arrangements apply also to Fiji and the Western Pacific territories. These territories however differ from most of the OSAS territories in that in them are now to be found the last remaining substantial group of permanent and pensionable members of Her Majesty's Overseas Civil Service (apart from Hong Kong where OSAS was not offered).

3. The permanent and pensionable officers in the Pacific territories have increasingly felt themselves the forgotten rump of a once proud Service most of

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<sup>1</sup> Annex B not printed.

whose members they have seen receive handsome compensation as the territories in which they were serving became independent, whilst they themselves have remained locked into small services with rapidly declining prospects of promotion and transfer. They have consistently pressed us, as have their governments, over recent years for a winding up of HMOCS and either or both of the payment of compensation (basically for loss of career prospects and for what they regard as a decline in the power of the Secretary of State to protect their careers) and the creation of a United Kingdom based service to which they could transfer and from which they could be seconded to continue to serve overseas, whether in remaining dependencies or elsewhere.

4. The dissatisfaction of the staff, in particular in the Western Pacific territories, had reached something approaching crisis proportions some 18 months ago when Mr. Lee, the last Secretary of State for the Colonies, visited the Pacific. Many officers, both permanent and pensionable, had voted with their feet and simply left, abandoning pensions, gratuities, etc., and, particularly from the Western Pacific territories, we were receiving increasingly insistent warnings that a breakdown in the administration was not far off.

5. A Working Party consisting of representatives of the Commonwealth Office, the Ministry of Overseas Development and the Treasury was established to look into the problem. The Working Party rapidly concluded that, despite whatever efforts the Pacific territories might make to localise their public services, there would be a substantial requirement for expatriate officers for as far ahead as could be foreseen. The Working Party also concluded that the level of emoluments in Pacific territories was unduly low by comparison with world market rates and that as an initial short-term measure it was necessary to improve them to what were demonstrably fair and reasonable levels. As regards the longer-term problem, the Working Party recognised that we could not continue to staff, in particular, the Western Pacific territories (Fiji being a more pleasant country and having a larger service did not at that stage seem such an acute problem) on the basis of simply keeping on the present slowly ageing staff (permanent and pensionable recruitment had been stopped some years ago and there was accordingly no new blood coming into the service).

6. After some months of deliberation the Working Party decided to send a mission to the Pacific consisting of one representative each of the Commonwealth Office and the Ministry of Overseas Development, charged with looking into the whole situation and:—

- (a) making recommendations on an immediate improvement in emoluments and terms and conditions of service to demonstrably fair levels,
- (b) discussing with the Governments and Staff Associations in the Pacific territories of various possible longer-term solutions to the problem of staffing these territories, including a number of particular ideas for improving the present situation which had emerged in the course of the Working Party's deliberations.

7. It should perhaps be explained at this stage that in the course of the Working Party's consideration of the longer-term problem, the Commonwealth Office had formally put forward a proposal for the creation of a Home based service as the only satisfactory means of ensuring effective administration in the long-term. The essential feature of this proposal was that newly recruited staff should be offered contracts of varying lengths. After 10 years continuous contract service, if both the Government and the officers so decided, any further service could be on pensionable

terms. Existing officers in the territories were to be integrated into the proposed new service on the basis of their current conditions of service and/or length of service in the territories, i.e. pensionable officers and contract officers with longer than 10 years service would transfer into the new service on pensionable terms. This proposal did not find favour with either the Ministry of Overseas Development or the Treasury since:—

- (a) the creation of such a Service on pensionable terms would require United Kingdom legislation, special arrangements with the Civil Service Commission and clearance with the National Staff side;
- (b) even if such a Service were finally created, compulsory transfer to it would be so contrary to precedent that it would scarcely be defensible. If compulsory transfer were not practicable (and many existing officers are in any case unsuitable for such transfer), a compensation scheme for the pensionable staff under Colonial 306 would be a prerequisite; experience suggests that at this point many existing officers would be content to retire with compensation, thus reducing the effectiveness of such a Service.

Further consideration of the proposal was therefore deferred whilst alternatives were explored. It has never, however, been formally rejected and remains before the Working Party.

8. The joint Commonwealth Office/Ministry of Overseas Development mission from the Working Party visited the Pacific territories in April 1967 and on its return submitted two reports. The first dealt with the short-term issue of terms and conditions of service, and recommended a substantial increase in emoluments and a change in the previous arrangements for payment of inducement allowances and other benefits so that:—

- (a) Inducement allowance would in future be paid tax free direct by the British Government—and thus not have to pass through territorial estimates;
- (b) all offshore payments would in future be met by the British Government—hitherto a part share of certain allowances had been made by the territorial governments.

The second explored the longer-term problems and, whilst not making a firm recommendation as to what the solution might be—and indeed envisaging that there would probably be no simple single solution—made two significant points:—

- (i) that before any long-term decisions were taken a study should be made to assess the likelihood of the Ministry of Overseas Development being able, over a 10-year period, to fill and keep filled on contract with adequate staff the senior posts in the territories' Administrations;
- (ii) that in all probability it would be necessary for us to think in terms of introducing a Compensation Scheme (not related to the normal constitutional criteria for the introduction of such schemes) in the relatively near future; the Mission envisaged a deferred scheme under which benefits would be frozen on a current date but compensation would only be paid at a period some years ahead; the thought was that in the years of grace which this arrangement would give other necessary steps to enable the staffing of the Pacific territories to be put on a sound long-term basis, even though relying on contract staff, would be taken.

9. Implementation of the Mission's short-term proposals involved legislation in all the Pacific territories (excluding the New Hebrides) to ensure that the Inducement allowance was free of local tax and to ensure that for pension purposes a notional gross figure was taken into account rather than the actual tax free (and thus net) payment. In the course of the Mission's discussions in the territories all the territories concerned undertook that they would make the necessary legislative changes if the Mission's recommendations were approved in London. Approval was given rapidly after the Mission's return and the territories notified, but the local legislation required ran into difficulties, particularly in Fiji where, although it was adopted, a terminal date to its effectiveness was imposed in the ordinances concerned so that, unless further legislation is introduced, the arrangements adopted, in accordance with what had been agreed with the Mission, will lapse automatically on 31 December, 1968.

10. Although the Mission had put forward no long-term solution to the staffing problems of the Pacific territories, the dissatisfaction and uncertainties of the staff in these territories were considerably alleviated by the rapid adoption by Her Majesty's Government of the Mission's short-term recommendations on pay and conditions of service. Morale greatly improved and it looked as if we might have something of a breathing space in which to try and tackle the much more intractable problems of maintaining adequate Services in these remote territories in the longer term. All these gains were set at nought, however, as a result of the decision of the Fiji legislature to put a terminal date on the amending legislation which they passed. Before the legislation went through the legislative council a considerable public campaign was mounted in Fiji against pay discrimination in favour of expatriate officers and against the OSAS scheme as a whole. The Chief Minister of Fiji for personal reasons has always been antipathetic to the OSAS and, as a result of the public campaign mounted and remarks made during the legislative council debate by the Chief Minister and others, the morale of the staff slumped to an all-time low and uncertainty returned in a greatly accentuated form. In considering the problems of staffing the Pacific territories, the focus thus shifted dramatically from the Western Pacific territories to Fiji. In the former the staff were by and large reasonably content with the short-term improvements, whilst in the latter they immediately petitioned the Secretary of State and asked for the winding up of HMOCS and the introduction of a compensation scheme.

11. The Fiji Government for its part indicated that it no longer felt able to operate the OSAS arrangements and that it hoped that some appropriate replacement arrangements could be negotiated between it and the British Government before 31 December, 1968. In the course of discussions with British Ministers and officials during his visit to London in September, 1967, Ratu Mara, the Chief Minister of Fiji, made plain his reasons for adopting this attitude although little progress was made at that time in determining what alternative arrangements to OSAS might be feasible. Basically the reason given by Ratu Mara for wishing to see the OSAS brought to an end was that it both was, and was viewed as being, discriminatory in favour of expatriate officers who were all, as it happened, European. The whole scheme was thus rightly or wrongly regarded in Fiji as being racially discriminatory. Ratu Mara was, with the full approval and support of British Ministers making a determined effort, which posed considerable difficulties for him within his own community, to evolve the policy of the multi-racial Alliance



Government on strictly non-racial lines. He regarded this as the only sane course for Fiji, given its racial problems, to adopt. He was having to take decisions in other fields which would be unpopular and against this background he could no longer countenance the continuation of the OSAS scheme given the view that was held of this in Fiji, not least amongst local Europeans.

12. Further discussions on the whole problem took place at the end of October 1967 when Mr. Fairclough was in Fiji for a few days. Ratu Mara's thoughts had by then developed further on the whole matter. An idea of designating posts, rather than officers, for inducement allowances which had been considered during Ratu Mara's visit to London in September 1967 had, on examination, proved to be impracticable. And the introduction of a compensation scheme which, at the time the Mission had visited Fiji in April had simply 'not been on', so far as Ratu Mara was concerned, now seemed to have come within the realms of the possible. Moreover, Ratu Mara's ideas as to the sort of arrangements which he sought to succeed OSAS had clarified to the extent that he made plain that he hoped, for the future, that all expatriate staff provided for Fiji with British Government assistance could be employees of the British Government rather than of the Fiji Government; this would bring them into line with other overseas staff working in Fiji (e.g. New Zealand teachers, United Nations officials, etc.) and in political terms would enable Ratu Mara to deal with any criticism of the level of their emoluments by insisting that they were the servants of the British Government rather than of the Fiji Government, and thus that their terms of service were the affair of that Government, and not his concern at all.

13. In short, it became plain that Ratu Mara would like to see introduced, to replace the present OSAS arrangements, a package comprising the following elements:—

- (i) the winding up of HMOCS in Fiji;
- (ii) the introduction of a compensation scheme;
- (iii) all future expatriate staff provided with British Government help to be British Government employees on contract seconded to Fiji;
- (iv) accelerated localisation.

The Staff Associations, now thoroughly distrustful as a result of what had transpired in connection with the passing of legislation through the Legislative Assembly, at the same time demanded a virtually identical package.

14. In response to these demands we have already indicated that the British Government would send to Fiji a further mission to discuss the whole complex of problems arising with both the Fiji Government and the Staff Associations with the object of evolving a long-term solution acceptable to both and to the British Government. Under pressure from both Ratu Mara and the Staff Associations we originally undertook that this mission would visit Fiji as early as possible in January. Subsequently, as a result of difficulties in the Ministry of Overseas Development thrown up by devaluation, we have had to defer the visit. But for reasons made plain in the next paragraph it should certainly take place as soon as reasonably possible. How soon this will be will depend upon the progress of consultations which we must now have, since there is plainly no point in the mission going to Fiji until we, for our part, know what line we are going to take and, for preference, there is at least some reasonable prospect of a solution satisfactory to all concerned being worked out.

15. The factors which import urgency into the proposed visit by the mission are obvious. The effect of the imposition by the Fiji Government of the terminal date of 31 December, 1968 to the new arrangements for handling OSAS benefits means that there is no certainty as to the terms and conditions of service which would apply after that date. The OSAS agreement between the British and Fiji Governments runs until 1971 and cannot be varied without the consent of both governments, and thus, if nothing were done, all that in theory should happen at 31 December, 1968, would be that the arrangements for paying inducement allowances, etc., would revert to those formerly in force i.e. the Fiji Government would again become liable to meet half the passage costs and also to pay gross, subject to net reimbursement by us, the largely increased salaries of both pensionable and contract staff. But this would imply that the payment of OSAS benefits would thereafter be made, as formerly, not direct but through the Fiji Government; and the necessary financial provision would require to be voted by the Legislative Council. In view of all that has been said in recent months about OSAS and about expatriate staff generally, the staff can be forgiven for feeling no certainty that in fact the benefits accruing to them would in fact remain unaltered; they fear that the legislature might simply refuse to vote the money for their inducement allowances. This fear, coupled with the related fear that the Secretary of State no longer has the will, even though he has the power, to insist upon what he regards as appropriate terms of service for, in particular, members of HMOCS (for whom he is of course responsible), are the reasons put forward by the Staff Association in justification of their demand for a compensation scheme under the classic Colonial 306 terms. Whatever the arguments for or against this point of view, the staff certainly see 31 December, 1968, as a crucial date from their point of view. Thus pensionable officers over 45, being eligible to retire with pension, are now considering whether or not they should do so. If no satisfactory long-term solution emerges within the next few months, some of these officers will certainly retire taking the view that by terminating their service with Fiji (including leave) before 31 December, 1968, they will at least know what pensionable emoluments their pensions will be based upon and what pension they will thus draw; thereafter, they have no such certainty. Others would no doubt recognise that they stood to gain by waiting for whatever solution Her Majesty's Government produces. However, it is clear that, in the absence of an early and acceptable solution, there will be some loss of experienced pensionable officers.

**113** FCO 77/32

29 Apr 1968

[Merger of Commonwealth Office and Foreign Office]: letter from Sir D Jakeway to Sir M James expressing concern about a betrayal of dependent territories<sup>1</sup>

When Arthur Galsworthy was here last week I asked him how the affairs of the dependent territories were likely to be handled when the Commonwealth Office was merged with the Foreign Office. He told me that no decisions had yet been taken but

<sup>1</sup> The letter was signed in Jakeway's absence by G P Lloyd.

that there was a body of opinion in the Foreign Office which considered that no separate division for dependent territories was necessary and that their interests could be looked after by the division which had responsibility for their particular geographical area i.e. Gibraltar would go with Spain, the Falkland Islands with Latin America, Fiji with Australia, New Zealand and the rest of the South Pacific and so on.

2. I can understand the attractions of an arrangement so tidy and potentially so economical. But I feel I must nevertheless write to tell you of the consternation and alarm with which I view it. For no matter what was intended, my considered judgment is that it would in practice make impossible the continuance of the present special relationship between Britain and her dependent territories. This is, of course, altogether different from the relationship with independent countries, whether Commonwealth or foreign. The primary purpose of diplomatic posts in independent countries is to protect and further British interests. Britain's first responsibility towards the dependent territories is to protect their interests, not hers. This may be an over-simplification of a complex relationship, but in essence it is the truth, and it depends for its preservation on there being in Whitehall a body of officials with special knowledge of the dependent territories, with time to study their problems and with responsibility for representing their interests and promoting their welfare. Less than two years ago that responsibility was discharged by a separate department headed by a separate Secretary of State. There is no longer a Colonial Office, nor a Secretary of State for the Colonies. The diminishing number of dependencies no doubt made that inevitable but the adverse effects on the remainder have been cushioned by the retention in the Commonwealth Office of ministers with special responsibility for them and of departments dealing specifically with them, under the direction of a deputy under-secretary. Thereby, the relationship has been largely maintained. I do not believe it could persist once no officer spent more than a (probably quite small) part of his time on dependent territories. For everyone would then be preoccupied with more important issues and subject to extraneous pressures. And indeed I am bound to say that already there has been a noticeable drawing-away and lack of understanding when our dealings have been with functional departments.

3. If in the merged office there is to be no separate division charged with responsibility for the remaining dependent territories I do not therefore see how Britain can honestly and honourably discharge her obligations towards them. There will be no identifiable voice in Whitehall to speak for them. They will be left to fight their own battles with the British Government. While remaining citizens of the United Kingdom and Colonies, they will have all the disadvantages of dependencies and none of the advantages. It will be no less than a betrayal. Britain's responsibilities towards the dependent territories have not changed in nature just because the number has diminished.

4. If the geographical distribution of the dependent territories goes through, not only will the position of a governor be an unenviable one but, in Fiji, the reaction when the significance sinks in will be sharp and bitter, both in the Government and in the community at large. The changes so far made have evoked little public comment (fortunately that third leader in the Times of April 6th was seen by few and I understand from Arthur that it appeared only in the first edition and was incorrect). There is a touching faith that Britain will always stand by Fiji and that how she does it administratively can safely be left to her. But if people find themselves lumped with

foreigners in an office which, whatever the name, is organised to deal with foreigners I foresee a growing sense of abandonment; and the personal assurance given by the Secretary of State in his telegram of the 20th March, and the Prime Minister's statement in House of Commons on the 9th April, will sound hollow indeed. The process of bringing Fiji, in partnership with Britain, to full management of her own affairs will be hindered, not advanced. Distrust, bitterness and suspicion will take the place of loyalty, goodwill and faith.

5. There will be no opportunity for me to get this letter typed before I go on tour so I am asking Peter Lloyd to sign it for me. He agrees throughout with the views I have expressed.<sup>2</sup>

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<sup>2</sup> The Commonwealth Office merged with the Foreign Office to form the Foreign and Commonwealth Office on 17 Oct 1968. The handling of the affairs of dependent territories in the merged Office was a major discussion point in Whitehall prior to the merger. For background, see S R Ashton & Wm Roger Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP, 2004) part II, chapter 8.

**114** FCO 32/61, no 55 28 May 1968  
**[India and Fiji]: letter from A J Fairclough to D L Cole<sup>1</sup> on  
 Government of India concerns over the Legislative Council, the  
 sugar industry and cane growers**

Mr. P. N. Kaul,<sup>2</sup> India House, came to see me on 22 May. He said that Mr. T. N. Kaul,<sup>3</sup> following his visit to Fiji at the beginning of the year, had raised one or two points with the High Commissioner in Delhi. India House had now been instructed to follow up matters with the Commonwealth Office since it was known that the Chief Secretary of Fiji had visited the U.K. in February and it seemed likely that the Commonwealth Office had discussed these matters with him then.

2. The three points which India House wished to discuss were as follows:—

- (i) The future composition of the Fiji Legislative Council
- (ii) Sugar Cane Farmers
- (iii) Land Tenure

We did not pursue the question of the Chief Secretary's visit or the reasons for it.

3. On (iii) Mr. Kaul said that normal leases were given for ten years. Indian residents of Fiji had complained that they were experiencing considerable difficulty in getting their leases renewed. This resulted in hardship since ten years' tenure was insufficient to pay off their debts. I went into this in some depth with him explaining that the issue of land tenure in Fiji was perhaps one of the most complicated tasks facing the authorities; that there had been introduced (in 1966) the Fiji Agricultural Landlord and Tenant Ordinance which provides for leases to be for a minimum period of ten years and for them to be automatically renewable for two further periods of ten years unless tribunals (established under the Ordinance to investigate

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<sup>1</sup> Minister (Political), UK High Commission, New Delhi.

<sup>2</sup> Counsellor, India High Commission in London.

<sup>3</sup> Foreign secretary, Ministry of External Affairs, Government of India.

precisely the type of complaint Mr. Kaul had mentioned, and having as their criterion for deciding whether leases should be renewed the concept of 'greater hardship')—if the tribunals decided that greater hardship would result from evicting the farmer from the land than from depriving the owner of the opportunity of using it himself, then the tenant would have his lease renewed); that this development was recent and that we had as yet no yardstick of its success; but that we did know hearings before these tribunals were now taking place in 62 instances and more references to the tribunals were expected. I expressed the hope that Mr. Kaul would understand that the Fiji authorities were very much concerned to bring about an equitable solution and added that it was a hopeful sign that the new legislation had, when going through Legislative Council, been supported by Members of all races and indeed by virtually the whole of the Council. Mr. Kaul enquired about the composition of the tribunals and I said I would find out about their make-up.

4. Turning to the question of sugar cane farmers, Mr. Kaul said that they were not being paid in cash but by instalments, and that they had to pay interest on instalments outstanding. I said I thought there must be some mistake about the interest question since the Fiji Sugar Inquiry Commission had specifically decided on a system of instalment payments designed to protect the interests of both millers and growers, which obviated the necessity for growers to ask for interest payments. I outlined the position on the basis of the information in Fiji Savingram No. 73 and mentioned that the matter had already been discussed in New Delhi with Mr. Jaipal.<sup>4</sup> Mr. Kaul professed to be unaware of these discussions; he noted however that the present arrangements were those resulting from the investigation of an impartial commission.

5. On the question of the Legislative Council Mr. Kaul (whilst stressing that it of course remained the policy of the Indian Government not to interfere in any way in Fiji and that people of Indian origin who had made their home there should give their loyalty to Fiji) said that India was naturally interested in developments there. He said that it had been suggested that the composition of the Council should be changed so as to be as follows:—

- 15 Fijians
- 15 Indians
- 5 European/Chinese
- 5 General seats.

The Indians had the idea that the General seats could be used to promote interracial harmony and might be divided, giving three to the Fijians, one Indian and one European. I said that we had heard that the Federation Party had discussed such a possible composition with Mr. T. N. Kaul during his visit to Fiji and that Mr. Patel had subsequently mentioned this idea informally to the Chief Minister, Ratu Mara; the Alliance Party were also on record supporting a reduction of the number of European seats and an extension of the number of cross-voting seats. I naturally, however, declined to comment on the particular composition suggested by the Indians or on the possible timing of any change. I said, however, that there could be little doubt that at the appropriate time H.M.G. would be likely to accept the idea of some reduction in European representation and an extension of cross-voting. I

<sup>4</sup> R Jaipal, joint secretary, Ministry of External Affairs, Government of India.

remarked that there had been signs that a measure of agreement was emerging in Fiji on changes in the composition of the Legislative Council; I stressed the significance of this and said that H.M.G. were watching developments with great interest. Unfortunately, however, by their continued boycott of the Legislative Council the Federation Party had now forfeited their seats and by-elections were pending. It seemed likely that local exchanges of view on the composition of the Legislative Council had now come to a halt and that, until the by-elections had been fought, there would be no further developments on this front.

6. I concluded by reminding Mr. Kaul that our policy was to encourage a multiracial approach on the Fiji political scene and any moves to this end will receive our support.

7. I am sending a copy of this letter to Sir Derek Jakeway in Fiji. I mentioned my discussion with Mr. Kaul very briefly to Ratu Mara during his recent visit to London.

## **115** FCO 32/31, no 14

10 July 1968

[Fiji and the Committee of 24]: minute by Sir A Galsworthy on the prospect of a UN Visiting Mission going to Fiji

[Extract]

[The minute was written against the background of a request (in the form of a number of questions) from the UK Mission to the UN in New York for information about Fiji in preparation for debate in the Committee of Twenty-Four. Fiji was 'firmly on the agenda' of the committee, along with the Portuguese territories, French Somaliland, British Honduras and the Falkland Islands, and it seemed likely the committee would favour a visit by a Visiting Mission (FCO 32/31, no 8, J D B Shaw (UK Mission, New York) to A M Warburton (UN Political Dept, FO), 24 June 1968). The correspondence was passed to the Commonwealth Office where second secretary G T P Marshall replied to the requests from New York, observing 'While we should aim to be as forthcoming as we can, some of the questions posed do raise difficulties, particularly as regards any premature disclosure of the substance and timing of changes to the present constitution' (*ibid.*, no 13, Marshall to Shaw, 9 July 1968).]

... In fact in many of the dependent territories a firm statement now that we were not prepared to agree to Visiting Missions from the Committee of 24 would be warmly welcomed and be seen as a considerable reassurance. This is particularly the case in Fiji. The situation there is that we have an all elected Government. The Government is formed by the Alliance Party, under Ratu Mara. This is a genuine multi-racial Party, which is genuinely doing its best to break down communal attitudes. But the Opposition, in the shape of the ('Indian') Federation Party, is operating on purely communal lines. They are doing their level best to bring down the Alliance Government and, more than that, destroy the present Constitution. Thus they walked out of the Legislature, have forfeited their seats, and are trying to force a new general election. We are clearly not falling for another general election, although in a few weeks time there will have to be a mini-general election involving nine seats. We know that the present intention of the Federation Party is again to vacate any seats they win, and to go on repeating these tactics in the hope that thereby they will completely discredit the present constitution. And Mr. A.D. Patel, who is Chairman of the Federation Party in Fiji and recently got himself a trip to the Committee of 24, as the Legal Adviser to the Banabans, is constantly taking the line

in Fiji that he will bring the United Nations into Fiji and use the United Nations to achieve the Federation's ends.

4. If the Alliance Party in Fiji, and the attempt at Multiracial Government which they represent, should fail, then we may well be in serious trouble in the Colony, with communal troubles on a scale which could necessitate the despatch from this country of a brigade group. Ratu Mara made it clear when he was last here in May that he would be very strongly opposed to a Visiting Mission from the United Nations, or indeed to any member of the Committee of 24 going to Fiji in any capacity whatsoever; and he equally said that it would very considerably undermine his position in Fiji if H.M.G. were at any time to give the impression that they were thinking in terms of a Visiting Mission of representatives of the Committee of 24 going to the Colony. . . .

## **116** FCO 32/37, no 11

18 July 1968

[Governor-designate]: minute by T C D Jerrom on a meeting with Sir R Foster

I do not think that we need make any record of our preliminary conversations with Sir Robert Foster about Fiji; we will now try to arrange a meeting with Sir Arthur Galsworthy on 13 August for a full discussion in preparation for Sir Robert's visit to Fiji later that month. There are however three points of particular interest which came up whilst Sir Robert was here which I should perhaps put down:—

- (a) Sir Robert Foster expressed apprehension about the likelihood of an effective transfer of power to local politicians in Fiji before there was a straightforward transfer of responsibility. (By coincidence Sir Derek Jakeway's letter, in which he made the same point, arrived while Sir Robert was here and we showed it to Sir Robert.)
- (b) Sir Robert noted with interest the (to me striking) development that Ratu Mara himself had sent an invitation to a Minister of the Indian Government to visit Fiji in September. He remarked on the risks of getting further involved with the Indian Government but took a philosophical view of what was happening on the basis that the first contacts with senior officials of the Indian Government had proved generally beneficial.
- (c) Sir Robert wanted to get a clear line from the office about the possibility of Associated Statehood for Fiji. He raised this point with the Secretary of State (no officials were present) and told me that the Secretary of State's reaction was that Associated Statehood was 'open'. In speaking to me, Sir Robert then said that all he had wanted to know was whether it was 'on offer'. It seemed to me that he might be inclined to put a gloss on what he had been told. I said that I thought that the word 'open' meant that the U.K. Government had a completely open mind about the future of Fiji. I said that I thought it was important that before he saw Sir Derek Jakeway we should have a further word about this and that the meeting with Sir Arthur Galsworthy would be the best time to deal with it. (Incidentally, Sir Robert told me that nearly all his conversation with the Secretary of State was about Western Pacific matters, not, as we had expected, about Fiji.)

2. I am sending a copy of this minute to Mr. Marshall to note these points before the meeting on 13 August.

## **117** FCO 32/364, no 8

30 July 1968

### **'Fiji and Australia': Commonwealth Office note on Australian aid to Fiji**

[This note was sent with a covering letter by J C Morgan to Sir C Johnston, UK high commissioner to Australia. Morgan explained that the priority of Far East and Pacific Dept (FEPD) at the Commonwealth Office was to persuade Australia (and New Zealand) to assume part at least of the UK's former defence responsibilities in South-East Asia following Britain's announcement of its intention to withdraw forces from the region by the end of 1971. FEPD suggested it was important that any initiative on Fiji did not reduce the prospect of persuading the Australians to retain forces in Malaysia and Singapore, and did not give rise to renewed Australian suspicion the UK was seeking 'to unload responsibility for our Pacific territories on to them'. Morgan suggested Johnston was in the best position to judge the timing and nature of any approach to the Australians. Despite the defence imperative he concluded: 'I know you agree that we should continue to push hard for the Australians to give more generous aid to Fiji in particular, and, in due course, our other Pacific dependencies in general.']

The increasing importance of the Pacific area to Australia's export trade was recently highlighted in a statement by the Australian Trade Commissioner for the Pacific. Mr. Carney at a meeting with Tongan Government and business leaders in May said that the Pacific area is now Australia's fifth largest export market and in 1967 exports to the area topped the \$100,000,000 (Australian) mark. Plans are in hand to encourage this trade and to help with problems of three million Pacific islanders spread over twelve and a half million square miles with poor communications and restricted markets for their exportable product. Mr. Carney also stressed the growing aid provided under the Technical Assistance Programme for the Pacific Territories (ASPTAP) since it was introduced three years ago; it had already benefited many of the territories in the area.

2. This expression of continuing Australian interest in the economic and financial development of the Pacific area is both welcome and encouraging. Australia has of course heavy commitments in Papua and New Guinea and it is understandable that she should be reluctant to become over-involved elsewhere in the Pacific. But there are a number of reasons why her trading and financial role in the area, and particularly in Fiji, cannot be other than a growing one. In the first place most of the currencies of the Pacific area are geared to the Australian dollar, and most of the trading companies in that area are based on Fiji and have close connections with Australia. The greater part of private investment in Fiji is of Australian origin and as a result there is a large outflow of dividend income from Fiji to Australia. An examination of Fiji's trading and economic position *vis-à-vis* Australia can hardly be said to present a balanced picture and suggests a very strong case for more Australian help to Fiji in the economic and financial spheres. A background paper supporting this thesis is attached.<sup>1</sup> Briefly, Australia has a favourable trade balance of some £5,000,000, a direct income of over £2,000,000 per annum, from investment, and takes all Fiji's unrefined gold exports to the order of some £1,500,000 per annum.

<sup>1</sup> Not printed.



3. Our interest in promoting Australian involvement, particularly in the form of commercial trading and investment, should not be taken to mean that we see their contribution as replacing our own, but rather as an addition to the help which we have continued to give to Fiji in a time of financial stringency for this country. But we do consider that Australia ought to play a greater part in the promotion of general development as well as private investment in the Pacific Territories.

## **118** FCO 32/37, no 18

13 Aug 1968

### [Future of Fiji]: Commonwealth Office note of a meeting with Sir R Foster

*Mr. Jerrom* raised the question of the formal announcement of Sir Robert's appointment to Fiji. He said that the first week in September seemed an appropriate date. *Sir Arthur Galsworthy* commented that the announcement would have to be made in London and it would be necessary to arrange for simultaneous announcements in Suva and Honiara. The announcement might be drafted this week and the text telegraphed to Fiji early next week for clearance by Sir Derek Jakeway and Sir Robert Foster who would then be in the Colony. There was a point to be considered in that the appointment of Mr. Gass to succeed Sir Robert Foster in Honiara was not completely finalised. It would be appropriate if the appointment of a successor could be announced simultaneously with Sir Robert's new appointment, but if this was not possible it would be best to go ahead and include in the communiqué a note to the effect that it was hoped to announce Sir Robert's successor in the near future.

2. *Sir Arthur Galsworthy* then turned to the present position in Fiji. Mini-elections were about to take place. When he last saw the Chief Minister of Fiji, in April, the latter had mentioned that he expected the Alliance to win at least one and possibly two of the Indian seats. If this happened, it would put Ratu Mara in a strong position. The Federation Party on the other hand seemed confident that they would win all nine seats. They have stated that it is their intention to continue to boycott the Legislative Council. *Sir Arthur Galsworthy* had asked Sir Derek Jakeway whether in such circumstances he could carry on. The latter had said he could but wondered how long London would be prepared to let the constitution run in such circumstances. *Sir Arthur* thought that London would be prepared to accept the position provided that the Alliance Party were able to carry on effectively.

3. *Sir Arthur* then went on to discuss the political future of the Colony. At present the Opposition Party were led by Mr. Patel who might be characterised as a typical pre-war Indian congress-party type of man. He was however a very sick man. Should he go his likely successors were of a different calibre. They were, not to put too fine a point on it, strong-arm types and it could not be ruled out that they might have recourse to violence. *Sir Robert* wondered what sort of warning there would be that a situation of this nature was brewing. *Sir Arthur* thought that there would be ample warning since the special branch in Fiji was a reliable one. Referring to the by-elections, *Sir Arthur* said that Sir Derek Jakeway's view was that the key to future stability was early agreement on the timing of constitutional development. The Chief Minister had been thinking of a conference in 1970 but it now seemed that he was prepared to advance this timing and would not be averse to a further constitutional

conference as early as the autumn of 1969. But Mara's difficulty was to avoid giving the impression that he had been pushed into the position of calling for a conference by the Federation Party. Mr. Morgan said that in a recent letter from Sir Derek Jakeway the latter had commented on the way in which ministerial responsibility was lagging behind power. This could give the Alliance Party a good lever in seeking a constitutional conference to correct the position. *Mr. Jerrom* mentioned a press statement recently made by the Chief Minister. This seemed to indicate that the Alliance might come out pretty soon, possibly before the by-elections, on its position regarding a constitutional conference. *Sir Arthur Galsworthy* then mentioned the Indian involvement in Fiji. A visit earlier this year by Mr. Jaipal and Mr. Kaul,<sup>1</sup> two senior Indian officials, had been successful and their advice to the Federation Party was that the latter should be co-operate and abandon their boycott of the Legislative Council. A further invitation had now been sent by the Chief Minister to a prominent Indian politician who was expected to visit Fiji shortly after the by-elections. It was hoped that by the use of the good offices of the visitor, it would be possible to get Mara and Patel talking again.

4. *Sir Arthur* went on to say that Sir Derek Jakeway during his term of office had managed to get things moving. Now however there was some uncertainty about going further. Our dilemma was that the Federation Party want to speed things up but we are not sure how far the Alliance would wish to go in a further constitutional conference. *Sir Robert Foster* asked what the next step might be at such a conference. *Sir Arthur* said that it ought to be possible for our lawyers to devise further steps towards internal self-government with built-in refinements. In particular there must be unimpaired clear-cut responsibility for internal security remaining with the Governor.

5. *Mr. Jerrom* enquired when Sir Robert would take up his appointment. *Sir Arthur* said that he had thought somewhere around Christmas. What were Sir Robert's own views? *Sir Robert* said for his part he would be happy to move from Honiara at the beginning of December. *Sir Arthur* agreed that Sir Robert should discuss the matter with Sir Derek Jakeway next week and send a telegram from Suva. It was hoped that they could settle on the beginning of December. It would be necessary to sort out the mechanics of the financial overlap involved in having only a short interregnum.

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<sup>1</sup> See 114, notes 4 & 3.

## 119 FCO 32/429

Aug 1968

'Report on a visit to Fiji': report by Professor Stanley de Smith<sup>1</sup>  
suggesting alternatives to communal representation

[Extract]

...

### *Defects in the 1966 constitution*

13. Viewed in August 1968, the constitutional scheme accepted by the majority of the participants in the 1965 London Conference and implemented in 1966 has two

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<sup>1</sup> See 75, note 6; de Smith visited Fiji, 27 July – 4 Aug 1968.

main defects. It relies far too heavily on communal representation with separate electoral rolls, and it guarantees too many seats in the Legislative Council to members of the General electorate.

14. Till the cross-voting system was introduced for the 1966 elections, there had never been any form of elected representation in the Fiji Legislative Council other than the strictly communal; indeed, only in 1963 had direct elections been introduced for Fijians. In this context, as I have already indicated, cross-voting was a distinct advance in that it compelled European and Fijian candidates to make an appeal to all races and to shed some of their parochial attitudes. Nevertheless, separate electoral rolls were maintained; and even the cross-voting electorate was produced by an amalgamation of separate rolls, though in substance this entailed common-roll elections with reserved seats. Moreover, the number of members elected on a strictly communal basis was substantially increased. To this extent the 1966 Constitution could be stigmatised, and was of course stigmatised by the Federation Party, as a retrograde step. Looking back three years, it may be unfortunate that the Federation Party's relatively moderate compromise proposal (Report of the Fiji Constitutional Conference 1965 (Cmnd. 2783), paragraph 24) received such short shrift.

15. Communal representation with separate electorates is not necessarily or usually an artifice cunningly implanted into a body politic by the imperial power to perpetuate a policy of 'divide and rule'. Nevertheless, it is widely so regarded on the international scene. Most of the countries in which it has been adopted at one time or another (e.g. India, Ceylon, Cyprus, Kenya) have had a depressing record of intercommunal friction. Of course, matters might have gone no better in those countries if minorities had been denied this form of protection. One can have just as much friction, just as narrow an appeal to sectional interests, in a country which has never adopted this device and has adopted the system of one man one vote one value on a common roll from the start. Moreover, the system of communal representation for Maoris in New Zealand was generally approbated till Maori opinion itself began to shift. And it is perfectly possible for such a system to work well, if it is agreed by all the main communities to be the best available answer to the problems of a country at a particular period of time. The Mayor of Suva, Mr. L.G. Usher, insisted that it worked well, on a basis of parity between the three main racial groups in the Suva City Council. Be that as it may—and in terms of population Suva is a predominantly Indian city—it is vigorously assailed by the Federation Party; it will, I believe, be a continuing obstacle to inter-racial harmony in Fiji if it is retained on a large scale in the long term; and as far as I am aware it does not exist in any other colonial territory. For the moment it serves the purposes of reassuring the Fijians that, in alliance with the Europeans, they will not be swamped by superior Indian numbers, of reassuring local European business interests that they will have some representative spokesmen in the Legislature and allaying their misgivings about a prospective ascendancy of the Federation Party, and of providing the Legislative and Executive Councils with a good leavening of competent and experienced European members in a period of transition. But the movement must necessarily be towards a common electoral roll, with or without racial reservation of seats. The only real question is one of timing.

16. The second main defect is the over-representation of Europeans. Under the 1966 Constitution 4 per cent of the registered electorate was guaranteed ten out of

thirty-six of the elected seats. This 4 per cent was composed of Europeans, part-Europeans and Chinese. As things turned out, nine of these general seats (or 25 per cent of all elected seats) were won by European candidates. Europeans constituted 1.4 per cent of the population at the census. The average registered electorates for the Indian and Fijian communal seats were well over 9,000. For the General communal seats the average was 904. All Europeans to whom I spoke agreed that their disproportionate guaranteed representation had to be reduced at the next round of constitutional changes.

17. A third reason why the London decisions were denounced by the Federation Party (and criticised by a respectable body of independent opinion) was that the Fijians were allocated two more communal seats than the Indians. The fact that the two extra Fijians were the representatives of the Great Council of Chiefs was probably not the main issue, but there is clearly a case for not giving the Great Council of Chiefs special representation in a unicameral legislative body. This point is appreciated in Fiji. The possible disadvantages of proposing such a change also became apparent to me, and I think that this question cannot be discussed except in the framework of a larger political and constitutional setting.

#### *Lines of approach to reform*

18. The next system of election and legislative representation should, as far as is practicable:—

- (i) have adequate regard to the reasonable interests of all sections of the community, including the two major parties;
- (ii) bear especially in mind the apprehensions of the indigenous Fijians, and also take into account the contribution made to the prosperity of the islands by the smaller minorities;
- (iii) tend to discourage purely communal appeals to the electorate;
- (iv) be capable of commanding the greatest possible measure of local acceptance or acquiescence;
- (v) not be over-complicated for the ordinary voter;
- (vi) lend itself to justification by the United Kingdom Government and approval by moderate and well-informed international opinion (whatever view might be expressed by a majority of the Committee of 24);
- (vii) be suitable for a system of internal self-government.

To state these desiderata is enough to emphasise the magnitude of the problem. I do not believe for a moment that a new system commanding the agreement of both major parties could be devised in August 1968. One must, however, look ahead in the hope that a more propitious political climate may emerge.

#### *A. The 'Kaul' scheme*

19. In 1967 Mrs. Ahman, the Swedish representative in the Fourth Committee of the General Assembly of the United Nations, had suggested that constitutional development in Fiji presented peculiar problems and should develop along three lines: the extension of the cross-voting system, a reduction of European representation, and the enlargement of internal autonomy. A few months ago Mr. Kaul, of the Indian Ministry of External Affairs, had proposed a substantial extension

of the cross-voting system during the course of an official visit to Fiji,<sup>2</sup> and Mr. A.D. Patel, the leader of the Federation Party and then Leader of the Opposition, had expressed interest in the idea. According to the Kaul scheme, there would be fifteen Fijians, fifteen Indians, five Europeans (or possibly five General candidates) and five others; who the five 'others' were to be and how they were to be chosen under this scheme were not altogether clear. The Governor, when I first saw him on Sunday, July 28th, suggested to me that I should sound Mr. Patel on the Kaul scheme.

20. I saw Mr. Patel in Nandi on July 30th. Mr. S.M. Koya of the Federation Party, who it was hoped would be present, was unfortunately unavailable, but I was able to talk to Mr. Patel about political issues for nearly three hours.

21. Mr. Patel was entirely affable towards me and reasonably forthcoming, but it was apparent that there was no possibility of a *rapprochement* between the party leaders at this time on the cross-voting issue. The political temperature in Fiji was running high. The nine Federation Party members had decided to dramatise their protest against the 1966 Constitution and subsequent developments by walking out of the Legislative Council after the introduction of the ministerial system in September, 1967. They continued their boycott till they incurred disqualification for membership; the intention was to make a demonstration of the party's strength in the Indian community when they stood again as candidates at the ensuing by-elections. When Mr. Patel thus ceased to be Leader of the Opposition, Ratu Mara withdrew Mr. Patel's invitation to accompany him to the International Sugar Conference in Geneva; this led to further recriminations. The dates fixed for the by-elections were August 31st–September 7th; the Alliance was contesting all nine seats, and one of its candidates was Mr. M.T. Khan, a recent recruit from the Federation Party. The Federation Party was about to issue an election manifesto; this was not available to me, but Mr. Patel referred me to his presidential policy speech delivered at the party's annual convention at the end of June. In this speech he had vehemently denounced the white colonialists and their satraps who in his view dominated the Alliance; he had appealed for Fijian solidarity with the Indian population, and had affirmed that the party stood for immediate independence within the Commonwealth with a popularly elected Fijian as non-executive head of State; the electoral system was to provide for one man one vote one value on a common roll.

22. For my benefit Mr. Patel re-iterated and amplified these points. He seemed confident that his party was gaining ground by its policies and tactics and would not only win the by-elections by bigger margins than before but also win substantial Fijian support in a new General Election. He was particularly gratified at having recruited two Fijians of chiefly blood—Ratu Julian Toganivalu, who had been made organising secretary of the Party, and Ratu Mosese Vareseketete, an economics graduate who had been made editor of the *Pacific Review*, the party's English and Fijian language organ. (I was later to meet these two gentlemen in the company of Mr. K.C. Ramrakha, the sophisticated and intelligent General Secretary of the Party. Ratu Julian proved to be an exceptionally voluble and angry critic of the *status, quo* in Fiji.) In these circumstances it was not easy to engage Mr. Patel in a serious discussion of alternatives to his proclaimed views. Battle was about to be joined; the

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<sup>2</sup> See 114.

scent of victory was in his nostrils; he was even looking forward to the ultimate consummation of his political ambitions within the next three years.

23. Nevertheless, he was willing to talk briefly about the Kaul proposals. He said that he would have been prepared to explore them 'as an interim measure' and had expected to hear further from Ratu Mara about the matter, but nothing had happened. Mr. Patel indicated, indeed, that he might be prepared to look at them again if an approach were to be made to him. However, his understanding (or re-interpretation) of the 15:15:5:5 scheme differed from that of members of the Executive Council. As Mr. Patel saw it, the forty members would be elected in single-member constituencies on a common roll, and the last five seats would be open seats, which could be filled by members of any community. A Boundary Commission would be necessary to delimit constituencies. He was strongly opposed to a perpetuation or extension of the cross-voting system, and would not even accept multi-member constituencies with reserved seats on an overtly common roll; these contrivances tended to divide Indians from Fijians.

24. It would have been pointless for me to ask Mr. Patel there and then a series of hypothetical questions in an attempt to elicit an alternative basis for inter-party discussions. Such a basis, Kaul-like or otherwise, may be constructed after the by-elections are over; or it may not. Mr. Patel is apt to take up rigid stances; he is also capable of adopting pragmatic approaches in a spirit of compromise. His objections to cross-voting and reserved seats in multi-member constituencies are doubtless influenced by calculations of immediate party political advantage. But I have formed the opinion that his ideological objections to ethnic identifications run very deep. If this opinion is correct, the road to an accommodation may be stony.

25. The biggest single obstacle to an accommodation has lain, and probably still lies, in fears of 'Indian domination'. These fears often express themselves in different answers to the question: Who 'belongs' to Fiji? In an address recently delivered in Australia by Mr. James Anthony, a prominent Fiji-born radical of primarily Indian stock, the following passage appears (*Pacific Islands Monthly*, May 1968. at pp. 65-66):—

'Indians must recognise certain facts of political life in the islands. They must recognise that they are considered by the Fijian to be *Vulagi* (visitors).

Now, from a legal point of view, second and third generation Indians born in Fiji and who know no other home but Fiji may consider it an insult to be so classified. But the fact of the matter is that Fijians have had it drummed into them that Indians are *vulagi* and it is what the Fijians believe that determines their attitudes and political behaviour towards the Indians. . . .

Patel and his colleagues, it seems to me, cannot and will not accept their being *vulagi*—consequently any hope of their allaying the fears of the Fijians is very doubtful—perhaps impossible. . . .'

26. Given their numerical inferiority and economic vulnerability, the Fijians are understandably apprehensive. Certainly Mr. Patel and his colleagues do not accept that they are *vulagi*. Of the Indian population in Fiji, they often point out, nineteen out of twenty are Fiji-born (though Mr. Patel is the twentieth); they stress the common interests of Indians and Fijians; it is the Europeans, only one in seven of whom is Fiji-born, who are really the *vulagi*. And so the *Pacific Review* (see for example the issue of July 30, 1968) inveighs against the Colonial Alliance, the

Expatriate Alliance, and even the 'whites and their black sycophants'. But at the convention of the Fijian Association a speaker denounced outsiders who wanted to smash the Constitution to pieces (*Fiji Times*, August 1st, 1968). How far the Fijian and Indian communities are divided within themselves is a question to which I cannot presume to offer an answer; nor am I willing to make prognostications about the political prospects of the Alliance and the Federation Party. However, it would be surprising to me, if any substantial number of Fijians, even if alienated from the Alliance leadership, were to cast their lot with the Federation Party in the immediately foreseeable future. In present circumstances there is no obvious reason why the Fijian leadership should be more flexible than Mr. Patel in its approach to problems of electoral reform and legislative representation.

### B. A 'radical' approach

27. In these last few paragraphs I have not painted an optimistic picture. I hope, however, that it is a reasonably accurate representation of the scene. In this context I am not interested in surrealism. And because I wanted to follow a strictly realistic approach in Fiji, I refrained from throwing off ideas which seemed to me to have no chance of being taken seriously by the majority of the Executive Council at present. Here I am going to put forward an idea which would be regarded as radical in the context of Fiji, and which might be thought of as being at best utopian and at worst fundamentally obnoxious. But what may be an absurdity today may be a basis for discussion the day after tomorrow. If I had formulated this idea before my last day in Fiji (when I was sitting by myself reconsidering the problems) I should certainly have put it privately to the Governor, the Chief Secretary and Ratu Mara in the first instance to test their preliminary reactions.

28. Such a scheme would be along the following lines:—

(a) There would be a slightly larger Legislative Council, consisting of (say) forty-five elected members. If this change were to be made for the introduction of internal self-government, there would be at the most two official members and possibly none.

An enlargement of Leg Co is supported by some Alliance backbenchers. It can be justified as a means of accommodating as many interests as possible, and in particular as a means of finding seats for existing members who would otherwise be deprived of these seats upon a change in the method or distribution of representation (cf. Mauritius in 1967). It can also be justified in the light of the increase in population and a prospective increase in the number of non-official Ministers.

(b) Two of these members would be the elected representatives of the Great Council of Chiefs. This would be disliked by the Federation Party, but to propose to take away the representation of the Council of Chiefs (or to demote them to non-voting members, or members with a vote only on issues affecting special Fijian interests) would cause alarm in many Fijian circles when other big changes were being contemplated. There have been precedents for indirectly elected chiefly representation in unicameral legislatures in the independence constitutions of Sierra Leone and The Gambia.

(c) The other members would be elected mainly in two-member constituencies, with some single-member constituencies and perhaps one or two constituencies returning more members, on a common roll without racial reservation of seats.

(d) The new constituencies would be delimited by a Boundary Commission appointed by the Secretary of State; its terms of reference would require it, *inter alia*, to have regard to the wide geographical dispersion of population in rural areas and existing provincial boundaries; I note that at the last census (see Table 2 annexed to the Census Report) the Fijians were in a majority in nine out of the fourteen provinces. Obviously there would be a good deal of controversy about the Commission's terms of reference (which would be potentially helpful to the Alliance) and its recommendations.

29. From the point of view of presentation outside Fiji the great advantage of such a scheme would be that it would almost entirely eliminate the overtly communal features of the present system, which now stand out so starkly. And the purposes of basing it on multi-member constituencies would be to encourage parties to put up candidates of more than one community in a constituency—this happened in Mauritius in 1967—and to facilitate linguistic communications between the candidates and the electorate.

30. I do not pretend that I think such a scheme would be readily acceptable to the Alliance.

(i) The Federation Party would have a reasonable chance of getting into power if it had significantly more popular support than the Alliance. On the other hand, the presence of the two representatives of the Council of Chiefs and (almost certainly) the results of the delimitation of constituencies would give the Alliance a built-in advantage.

(ii) It would introduce the feared common roll. Voters could, of course, still be registered on separate communal rolls, merged (as in the present cross-voting constituencies) for the purpose of the election, if this were thought to be of any psychological value.

(iii) It would deprive Europeans (and therefore the Alliance) of any guarantee of securing the election of representative European candidates elected by European votes; it would seem almost impossible to devise even a single-member constituency in Fiji in which European voters would be in an overall majority; where Europeans are settled they are outnumbered by Indians. On the other hand, one would expect the Alliance to put up, for example, a European and a Fijian, an Indian and a Fijian, a Chinese and a part-European, a European and an Indian, in some constituencies where victory could be expected; Europeans who wished to remain in politics and were prepared to put themselves to some inconvenience would probably then be elected mainly on the strength of rural Fijian votes. One notes, incidentally, that several Europeans were elected in open seats in the New Guinea elections earlier this year.

31. Among five possible electoral schemes which I put to non-official members of the Executive Council on the penultimate day of my visit—unfortunately Ratu Mara and the Indian members were unable to be present—was one very similar to this. The only difference from the scheme I outlined to them as compared with the scheme outlined in paragraph 28, was that the seats would still be reserved for members of particular communities. The scheme, which was not received with obvious enthusiasm, would, I think on reflection, be inferior to the one outlined in the foregoing paragraphs in two respects: it would still emphasise racial divisions



without conferring compensating advantages on minorities: and, given the ethnic composition of the new constituencies to be delimited by the Boundary Commission, the allocation of particular seats to 'General', 'Fijian' and 'Indian' candidates might appear very artificial and would overstress unnecessarily any bias against the Federation Party that might emerge from the delimitation.

### C. A 'realistic' approach

32. At the meeting referred to in the previous paragraph, I offered, as my own provisional first choice, the following scheme. There would be a Legislature of about forty-five members elected on a common roll; a Boundary Commission would delimit constituencies, which would be mainly two-member; the representatives of the Council of Chiefs would retain their seats and full voting rights, and there would be four seats reserved for General candidates; there would be no other reserved seats. To ensure that the General candidates were not unrepresentative of sentiment among the General electorate, there would be a primary election conducted by General voters, who would have to be registered on a separate roll for this purpose. The two candidates with the highest votes in the primary for each General reserved seat would then go forward to the main election, and one would then be chosen by voters on a common roll. (Alternatively, all candidates with more than 20 per cent of the votes cast at the primary could go forward to the main election.) Another possibility would be not to have primaries but to declare elected in a reserved constituency only a candidate who had obtained more than 20 per cent of the General Vote. It should, I thought, be open to voters in the main election to refrain from voting for the General candidate in a multi-member constituency without invalidating their ballot-papers where provision for a primary had been made, but in non-reserved seats the electors should be required to vote for as many candidates as there were seats to be filled. General candidates would not be precluded from standing in non-reserved seats if they so wished.

33. This tentative proposal (inspired by the arrangements made for the Kenya elections after the Lancaster House Conference in 1960) aroused a good deal of interest. Its immediate advantage for the Alliance is, of course, as manifest as its detriment to the Federation Party. Its drawbacks may be:—

- (i) It is too obviously disadvantageous to the Federation Party to command that party's acquiescence or, perhaps, to be convincingly justified to critics outside Fiji.
- (ii) Justification becomes more difficult because the most influential section of the community will be singled out for special protection.
- (iii) There might be a demand by Fijians for similar protection, which would be difficult to resist.
- (iv) Various consequential problems could arise. Should there be special General constituencies (e.g. two in Suva City, one for the rest of Viti Levu and one for all the other islands)? If so, there would be an awkward overlapping of constituencies, and two of the four constituencies would be very large. The holding of primaries in the very large constituencies would be time-consuming, perhaps to the point of impracticability. If the reserved constituencies were to be integrated with the other constituencies, which constituencies outside Suva City could be so reserved? If a percentage requirement without primaries were to be imposed, a candidate well down in the poll might be declared elected; this would look very odd. If there

were to be primaries, a sufficient number of candidates to have a contest might not in fact present themselves, and the exercise, having aroused much controversy, would then seem futile.

34. However, I think that a scheme along the lines I have indicated does at least merit careful consideration.

#### D. *Cross-voting systems*

35. The other three schemes that I outlined to the meeting of non-official Ministers involved large or small elements of cross-voting. To the best of my recollection, they were generally on the following lines:—

(i) Cross-voting over almost the whole country. There would be sixteen Fijians, sixteen Indians, four General, two Council of Chiefs and perhaps six other 'open' members who might be returned on the basis of proportionality as between the parties or on the basis of the most successful party (in terms of seats or votes) taking all. Since cross-voting is unpalatable to the Federation Party as is the common roll to the majority of Alliance supporters, this would cause political difficulties; they would not necessarily be insuperable. I had in mind four large cross-voting constituencies, each returning nine members (4:4:1). To have constituencies of this size as the core of an electoral system would not be very satisfactory. The Governor later suggested to me a more detailed scheme for smaller multi-member cross-voting constituencies, returning unequal numbers of candidates from the various sections of the population but conforming in the aggregate to a 16:16:4 distribution; there might be a further eight open seats. This idea seemed interesting to me.

(ii) Reducing the irritant caused by the fact of cross-voting by having only a slight extension of the cross-voting system (e.g. to four three-member constituencies), with the other members (apart from the representatives of the Council of Chiefs) elected in unreserved open constituencies on a common roll or combined rolls.

(iii) As in (ii) above, but retaining the present three cross-voting constituencies.

It is worth mentioning that I do not remember any of the European Ministers objecting to the ratio of 16:16:4.

#### E. *General*

36. These, then, are the main possibilities as I see them. Each of them has advantages and disadvantages; none of them will command general assent at this moment of time. Talk of justice and expediency is not particularly helpful: all that succeeds is success, and whatever is most generally accepted must be deemed to be the best available solution. In the absence of general acceptance, one must fall back on basic policy considerations, on which there may be profound differences of opinion. The great Fijian dilemma is strikingly exemplified by the motto of the City of Suva, prominently displayed beneath the coat of arms in the City Centre. It reads 'Valataka na Dina' ('Fight for the Right'). The supporters flanking the coat of arms (devised by the College of Heralds) are an old colonial European and an old colonial Fijian: the Indian is conspicuous by his absence. What is 'right' in Fiji is a question to which one can proffer no smart answer.

*Some miscellaneous points*

37. In the course of my talks I threw off three other suggestions for incorporation in a new electoral system. The first two were the alternative vote (or 'preferential voting'), which is in force for elections to the Australian House of Representatives, and the second ballot, which is adopted in France where no candidate has obtained an absolute majority in a constituency. It was rightly pointed out that these devices, which might be helpful in certain circumstances, would be irrelevant unless there was a significant third party or a large independent vote. I also indicated that it might be worth while to think about a proposal put forward by the Banwell Commission in one of its abortive recommendations for Mauritius (see Colonial No. 362 (1966) paragraph 50): that if a party received more than (say) 25 per cent of the votes at a General Election but won fewer than 25 per cent of the seats, extra seats should be added to give it 25 per cent of the composition of the Legislature. This idea would be relevant only in a context where ultimate status was being determined and specially entrenched procedures for constitutional amendment within Fiji were being considered.

38. I also asked leaders of both parties whether the qualification for candidature at an election (two years' residence out of the last three) should not be relaxed. The present constitutional rule will prevent some former students, returning from overseas, from standing as candidates. Ratu Mara did not think any change would be desirable. Mr. Patel, mentioning the name of James Anthony as an illustration, thought that it would be fairer to modify the present rule.

39. Common roll elections are now held in all towns and townships except Lautoka and Suva; there is a move in Lautoka for the substitution of a common roll for the present separate rolls with communal representation but I understand that in Suva (four Fijians, four Indians, four Europeans, and two nominated members) there is still a big majority on the council opposed to such a change. I was unable to delve adequately into this question, but my provisional view would be that although reform in Suva was inevitable and desirable, this might have to follow rather than precede change at the national level.

*Safeguards for Fijian land rights*

40. The Federation Party leaders are still dissatisfied with the law relating to Fijian reserves and the right to own and dispose of land, though grievances have been reduced by the progressive landlord and tenant legislation of 1966. I was given to understand, however, that the Party would be prepared to accept any constitutional safeguard that the Fijians wished to have for their existing land rights, provided that an acceptable new constitution was devised. In any event I think it essential that such rights should be explicitly guaranteed in an appropriate form which would preclude any erosion except with the concurrence of a representative Fijian body.

*A last word*

41. My time in Fiji was brief. I came and went while the political situation was in a state of uncertainty. Opinions among Fijians and Europeans had become more flexible over the past three years; the Federation Party had adopted a more rigid stance; but in any event a serious attempt to identify points of likely agreement for the future while an acrimonious electioneering campaign was being waged was foredoomed to failure. I hope, however, that some of my comments made in Fiji and in this report may help to improve the chances for constructive and realistic discussions on constitutional reform when a more favourable climate emerges.

42. I wish to express my gratitude to His Excellency the Governor, to the Chief Secretary and to all who made it possible for me to see a large number of people in a short period of time. I was also fortunate in finding so ready a response from those with whom I held discussions.

## **120** FCO 32/364, no 9

26 Aug 1968

**[Fiji and Australia]: letter (reply) from Sir C Johnston (Canberra) to J C Morgan**

Thank you for your letter QN 6/4 of 30 July about Australian help to Fiji.<sup>1</sup>

2. As you know we have on numerous occasions made clear to the Australian Government that Fiji needs more aid and that in our view and that of the Fiji Government it is reasonable that Australia, because of the benefit she derives from her special economic position in Fiji, should give this aid. The arguments have been put by British Ministers (the Colonial Secretary raised it in August, 1966 and the Commonwealth Secretary raised it in February 1967) and at senior official level to Australian Departments on numerous occasions.

3. The conclusion which the Australian Cabinet reached when rejecting the Fiji Government's request for a Government to Government loan (my telegram 227 of 8 February 1967) was a directive that 'a study be made of possible ways and means by which assistance might be offered by Australia to Fiji'. Though we have seen no results from this study we know from conversation with Australian officials (e.g. with Jim Plimsoll<sup>2</sup> when Harry Ritchie was here earlier this year) that the Australian position is that any aid to Fiji must fall within the framework of existing Australian aid policy. This is a pretty limiting restriction given the nature of that policy which is broadly speaking that Papua/New Guinea get the lions' share; the rest of the carcass goes to South East Asia; and the crumbs go elsewhere—including ASPTAP which covers Fiji.

4. In my view any frontal attack on this position at this stage is likely to be counter-productive. We know that Mr. Gorton<sup>3</sup> feels that Australia's task is to help in South East Asia and that he is prickly about suggestions that Australia should do more in areas which he regards as the preserve of others. What is more, as you rightly say, we must be very careful not to give the Australians the impression that we are getting ready to pull out of the Pacific and wish to slough off our imperial responsibilities onto them.

5. My conclusion is therefore that there is at this stage no profit in seeking to persuade the Australian Government that they have a responsibility to help Fiji on a broader basis than they have indicated that they are prepared to do. The Australians are not prepared to see it that way and H.M.G. will not be able to make them do so, and would probably be unwise to try. My recommendation is that we should seek to build on the Cabinet decision which I refer to above. I do not believe that Australian officials are in practice going to think of any of these ways and means. But I would be

<sup>1</sup> See 117, note.

<sup>2</sup> Sir J Plimsoll, secretary, Dept of External Affairs, Australia, 1965–1970.

<sup>3</sup> John Gorton, prime minister of Australia, 1968–1971.

very ready to present the Australians with a 'shopping list' if Derek Jakeway's officials could compile a list of things which they would like Australia to do for Fiji within the terms of Australia's aid policy, that is to say in practice within the terms of ASPTAP or possibly by liberalisation of trade.

6. I do not despair of the Australians taking a more generous view in the longer term as they become accustomed to the idea of themselves seeking to maintain the stability amongst their smaller neighbours which is in their interest and which the colonial powers in the past have maintained for them. There might be ways in which this development could be encouraged. For example if the Fijian Chief Minister were to pay a goodwill visit to Australia I do not doubt that the Australians would be very ready to receive him and that his people's expectations from Australia could be more cogently put by him than by us. Major, Fijian Government representative on my staff, intends to recommend this. Apparently no Fijian Minister has yet visited Australia officially.

7. In sum I entirely agree that we must continue to push for more Australian aid to Fiji. But I think we should concentrate our pressure on the doors which are ajar. We should not give up hope that other doors will be opened but we shall best achieve this indirectly by ensuring that the problems of Fiji are kept before Australian Ministers' minds. I have mentioned the possibility of a visit by Ratu Mara. In addition Bob Major has suggested that Harry Ritchie might have a chance to talk generally about Fiji's problems with Mr. McMahon<sup>4</sup> at the Commonwealth Finance Ministers' Meeting later this year and there would obviously be advantage in that.

8. I am sending a copy of this letter to Derek Jakeway.<sup>5</sup>

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<sup>4</sup> W McMahon, Treasurer, Government of Australia, 1966–1969.

<sup>5</sup> Johnston returned to the matter of Australian aid in Oct 1968, reporting that Australia had agreed to a suggestion made by Major to Plimsoll whereby Fiji would receive aid in the shape of flour from Australia which the Fiji government could then sell. There were precedents about giving food aid in this manner in relation to Indonesia and India. Australia agreed to give Fiji 10,000 tons of flour (valued at \$800,000) in the year ending 30 June 1969, and might do the same in two subsequent years. This would be in addition to the aid valued at around \$20,000 a year which Fiji received through Australia's South Pacific Aid Programme. Johnston described this as a 'generous gift'. It would not alter consideration of what else Australia might do for Fiji but it would influence the timing of any further approaches (FCO 32/364, no 15, Johnston to Morgan, 8 Oct 1968).

**121** FCO 32/31, no 35

10 Sept 1968

[Federation Party]: letter from J H Lambert<sup>1</sup> to J D B Shaw<sup>2</sup> refuting claims made by Mr Patel in his presidential address to the Federation Party

In my letter UP 4/238/2 of 3 September I undertook to let you have material on the two 'petitions' from Ramrakha<sup>3</sup> which have circulated to the Committee of 24. (Nos. 1868 and 1859).

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<sup>1</sup> Head of UN (Political Dept), FO.

<sup>2</sup> UK Mission to the UN, New York.

<sup>3</sup> See 119, para 22.

2. You will by now have received a copy of the Supervisor of Election's reply to Ramrakha's letter of 16 July. It is typical of Federation Party tactics that while forwarding their letter to the U.N. Secretary-General they omitted to send Halstead's reply which demolishes their case. This exchange of correspondence, incidentally, has not been published in Fiji.

3. Petition No. 1859 enclosed Patel's Presidential statement to the annual conference of the Federation Party. It will not escape you that this rambling peroration is in fact a party manifesto issued with an eye to the by-elections. But as you say in your letter of 20 August it will provide a quarry for those of our critics in the Committee of 24 who wish to throw stones. Its very diffuseness however makes it difficult of concise rebuttal but the following material may be of help to you in countering charges to which the more provocative sections of the speech could give rise.

4. The allegation that Mr. Greenwood, when he was Colonial Secretary, gave assurances in 1965 that there would be another constitutional conference in two years, is completely without foundation. Nothing in our records of the conference could possibly be construed in a way to give support to Patel's contention.<sup>4</sup> For your own information the Minister of Housing has recently commented that he is quite certain that he gave no assurance of the sort claimed. Nor does he recollect that he had any private talks with Patel. If the allegation was true we would enquire why did the Federation Party walk out after one year and why was it not produced until after the walk out?

5. Similarly belated is the charge that the elections in 1966 were rigged. No election petition was filed after they took place. There were some isolated complaints by pro and anti-Federation candidates of malpractices by a few individual polling clerks (who were thereupon removed from duty), and defects in electoral regulations have been corrected by amending regulations made by the Governor after consultation with leaders of both parties. The fact is, the Alliance won the election fair and square. There is no evidence to support allegations of pressure on voters.

6. A further nonsense is Patel's complaint that the Alliance Party have made excessive use of the guillotine in debates. Debate has been curtailed on only four occasions and then only when minor matters were being debated. What Patel is really objecting to is the Government's use of its majority to get its measure through. In fact the Government has leant over backwards to treat the opposition constitutionally but I think I cannot do better than refer you to the enclosed copy<sup>5</sup> of a press release put out in Suva recently which demonstrates in detail the extent to which the Government has endeavoured to co-operate with the opposition party. I hope you can agree that in the light of this any charge of non-cooperation could more appropriately be levelled at the opposition. In the important matter of the introduction of the Ministerial system you will see that the provisions essential to the introduction of that system were sent to Patel a month before the Council Meeting, and, although his comments were invited he made none until the meeting itself (at which the opposition walked out). Incidentally the composition of the Executive Council was not changed when it became a Council of Ministers on 1 September,

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<sup>4</sup> After he left the CO in 1965, Greenwood was minister of overseas development, 1965–1966, and minister of housing and local government, 1966–1970.

<sup>5</sup> Not printed.

1967. The normal complement is three Fijians, two Indians and six Europeans. Patel has elected to omit the second Indian (an Assistant Minister) and to pick on the temporary appointment of a European who was acting for the Fijian Public Officer on the Council, who was on leave.

7. One could go on indefinitely refuting various matters touched upon in this rather wide-ranging speech, but I think it will suffice if I mention one further particularly discreditable smear. This is the claim that the Chief Minister has been personally associated with the Lomaivua project. It is true that the scheme has been a disappointment as a banana project but Mara has not been particularly closely involved with it. It started in 1963 when he was in administrative service and posted to another division. It was carried into Stage II when he was Member for Natural Resources, on the advice of Managing Agents. Settlement on the project was open to all and though a few Indians joined at the outset these did not stay the course.

8. I trust the foregoing will be of use should you come under fire in respect of the petitions.

## **122** FCO 32/406, no 2

6 Nov 1968

### [Council of Chiefs]: address of loyalty to Her Majesty the Queen

May it please Your Majesty,

Once again this year the Great Council of Chiefs is assembled; and it wishes to convey to Your Majesty its expression of loyalty to Your Majesty's person, to the Throne, and to the British Government.

2. It is with profound feelings of respect and humility that we, Your Majesty's obedient subjects and members of the Great Council of Chiefs, beg to bring before Your Majesty certain matters concerning the Fijian people.

3. It is a source of satisfaction and encouragement to us that, ever since Cession, the way has remained open for the direct communication to Your Majesty of the wishes of the Great Council of Chiefs.

4. This Council meets at an unhappy time. For one thing, we are saying goodbye to our esteemed Governor, Your Majesty's representative in Fiji, Sir Francis Derek Jakeway, K.C.M.G., O.B.E., whose counsel and wisdom have greatly contributed to the political, social and economic advances now taking place in Fiji. Looking back over the 94 years since Cession, we in Fiji have happy memories of our link with Britain, and we have much to be grateful for, to the British Crown. One of the consequences of the current change is localisation, which will hasten the departure of administrative officers and professional and technical advisers who have brought to our country invaluable service without which our Colony would be in a much poorer state to-day to cope with the many problems of modern administration. These British men and women have, by their example, laid the foundations of integrity, perseverance and that high standard of moral purpose which pervades the British Law. For these people, of whom many have gone, but of whom some still remain here to guide and advise us, we offer our humble and sincere gratitude.

5. In our last Address to Your Majesty, we referred to our grave concern at the attitudes of the United Nations Special Committee on Colonialism. This concern has been increased by recent political activities, within Fiji, in support of these attitudes.

An organization which has the support of the majority of the race which outnumbered ours but with whom we would wish to live in amity, is increasingly insistent in its demand for constitutional advances in the direction of independence from Great Britain and the introduction of a common roll system of election. We strongly oppose both.

6. We are steadfast in our purpose to maintain and strengthen the link between the Crown and our people. We know, further, that Your Majesty is aware of the widely different situations which exist in the United Kingdom and in Fiji; and we are confident that Your Majesty's government would not insist that the political system which is good for the one must necessarily be good for the other. We find ourselves to be a minority people in our own land. The form of government which is being demanded by certain elements in Fiji and overseas, in the name of 'democracy', would result in our being placed under the political control of immigrant races. It was not for this that we ceded our land to your illustrious forbear. And we are confident that Your Majesty, and Your Majesty's government, will not allow this to happen.

7. We firmly believe that Fijian interests will continue to be acknowledged as paramount in our land by the great power to whom we, in faith and hope, entrusted the care of our people; that we shall continue to be watched over by the Throne; and that such decisions as may, in the future, be taken will safeguard these interests.

8. We convey once again to Your Majesty an assurance of our steadfast loyalty to the Throne and pray for a long and happy reign by Your Majesty, His Royal Highness the Duke of Edinburgh and the Royal Family.

We, Your Majesty's most humble servants, subscribe ourselves on behalf of the members of the Great Council of Chiefs, and of the Fijian people.

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<sup>1</sup> Signed by Na Vunivalu mai Bau, Na Roko Tui Dreketi, Na Qaranivalu, Na Tui Nayau, and forwarded by Foster on 14 Jan 1969.

## **123** FCO 32/401, no 1 12 Nov 1968 [By-elections]: letter from Sir D Jakeway to Sir A Galsworthy<sup>1</sup> on the political situation following the Federation Party victories. *Enclosures*

When forwarding the report of the Fiji Intelligence Committee for September, I said I would try to produce a re-appraisal of the political scene, which might have changed significantly. Now, a month later, one can say with some certainty that it has. The Fijians, instead of being reluctant to consider further early constitutional advance are now likely to press for a quick move to self-government—on their terms.

2. Against the advice of Kaul (the senior Indian diplomat who visited Fiji last January),<sup>2</sup> Patel persisted in boycotting the Legislative Council and thus forced by-elections in the nine Indian communal seats. If his object was to demonstrate the support of the Indian community for his party it succeeded all too well, for it provoked a highly emotional, and at times ugly, communal Fijian reaction. The first high tension

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<sup>1</sup> At this point Galsworthy is now superintending deputy under-secretary of state of the Pacific and Indian Ocean Dept at the FCO, the FO and the Commonwealth Office having merged as from 17 Oct 1968

<sup>2</sup> cf 114.



has subsided but the underlying feeling of revulsion remains and showed itself at the meeting of the Council of Chiefs which has just ended. At the time of writing I have only hearsay reports but it appears that strong opinions were expressed from the floor and Mara and Penaia had a difficult time in preventing them from being reflected in thoroughly reactionary resolutions. A proposal to demand the abolition of the Landlord and Tenant Ordinance (which is regarded as favouring Indian tenants against Fijian landowners) was referred back to the Fijian Affairs Board, whence it originated. But a resolution was passed favouring an early constitutional conference and expressing support for the communal system of voting.

3. The first part of the resolution reflects a view which, as reported by the Fiji Intelligence Committee, is gaining ground with the Fijian intelligentsia and was given expression in that committee by Ratu Penaia. It is that self-government with built-in Fijian paramouncy should be sought as quickly as possible. What exactly they mean by this is not clear but Mara has gathered round him a group of bright young Fijian graduates who are doing some hard thinking on it. Judging from his latest talks with me, Mara himself still favours a continuing link with Britain on the Associated State pattern.

4. I have, as you know, consistently expressed the view that we should move from the present constitutional stage sooner rather than later. (See my letters in this series of 17th February and 16th June 1967.) It now seems likely that both the major political parties will themselves be pressing for this. The visit of the Indian minister, Mr Hathi,<sup>3</sup> came at an opportune moment in that it was, mercifully, not too soon after the by-elections but early enough to allow its impact to take effect before the next meeting of Legislative Council (which begins on 22nd November), when the Alliance and Federation Party will again be face to face. Hathi achieved as much as could reasonably be expected of him. Both Mara and Patel have agreed to start talking again and both have accepted that a racially balanced legislature is necessary in the circumstances of Fiji. From Mara this agreement was readily forthcoming, from Patel only reluctantly. How far Patel is sincere must be in doubt, and how far Mara is going to be influenced by the thinking of his Fijian brains trust must also be in doubt. But unless something untoward happens meanwhile, the likelihood is that they will be having private exchange during the next meeting of Legislative Council.

5. So if we are going to be in a position to influence the way these talks go we ought to be clear in our own minds what outcome we would like. Stanley de Smith's visit and resultant paper<sup>4</sup> were valuable more, perhaps, in a negative way than a positive sense. For I remain of the opinion expressed in my letter (also in this series) of the 25th September, that neither the 'Radical Approach' nor the 'Realistic Approach' is the right answer. The 'Radical Approach' might now be less unacceptable to the Alliance than I had then supposed, but only if the constitution were so arranged as to guarantee a Fijian majority. But de Smith was remarkably prescient in the two paragraphs which he omitted from his report and sent separately. For as a result of the Federation Party's tactics of forcing a demonstration of Indian solidarity, and at the same time using the United Nations to bring pressure to bear on H.M.G., the preponderantly Fijian Alliance is rapidly coming round to the view that it had better take over quick.

<sup>3</sup> J L Hathi, Indian minister for labour and rehabilitation.

<sup>4</sup> See 119.

6. So what should be our line? Personally I see no better solution than the elimination of communal seats by extending the cross-voting one. For presentation to the Alliance this is the best way to put it but it is in fact a common roll with reserved seats as proposed by Kaul. Peter Lloyd has independently come to the same conclusion, and I attach the relevant portion of a thoughtful minute he has written.

7. I shall be leaving in a day or two and the next few weeks could be quite critical for Fiji's future. Peter, therefore, takes on a heavy responsibility and if you can send him quickly your initial reactions to the contents of this letter it would be helpful to him. With Mara's concurrence I have written to Patel urging them to get together. (Copy enclosed.)

8. One final comment. It may sound from this letter that politics in Fiji have become irretrievably polarised on a communal basis. This is not so. The Alliance retain a substantial Indian support, more than appeared in the by-elections because by their nature they invited a communal approach and did not risk any change of the party in power. To what extent the Federation party has attracted Fijian support is problematical. It has some and is certainly now trying to attract more, which is all to the good.

9. I am sending a copy of this letter to Robin Foster.

### Enclosures to 123

Note by G P Lloyd, 25 Oct 1968

The Federation Party is evidently of opinion that it may secure changes of the kind it desires by bringing pressure to bear on the United Kingdom, either through the United Nations or otherwise. It thus attempts to discredit the present Constitution, eschews local discussion about possible amendments to it and strikes uncompromising attitudes; and its behaviour is of the precise kind most likely to provoke a hostile Fijian reaction by creating anxiety lest the United Kingdom be forced to accede to its demands. If it had to adjust to a situation in which constitutional change had become a matter for local decision this might force it (after an initial squeal of protest) to adopt a quite different and less divisive approach.

In the second place, one clear lesson of the recent by-elections is that we should as soon as possible ensure that all candidates have to appeal to voters of every race, probably by replacing all communal with cross-voting seats. Only thus can racial friction be minimised and the risk of violence be reduced.

In the third place, another clear lesson is that (as stated above) a period of consolidation has been of no benefit to the Alliance despite the Party's own impartial behaviour and our covert attempts to assist it. Nor has such a period provided a breathing space for the races to learn that they must live together. Admittedly there seemed at first a chance it might do this. But once the Federation Party mounted a determined attack on the present Constitution the chance quickly dwindled, and we have now reached a point where emotions again run high, talk is wild and the atmosphere tense. There isn't much point in arguing whether this is the Federation Party's fault for being unwisely impatient to get an admittedly undemocratic and unsatisfactory electoral system revised or for introducing a racial note into the by-election campaign, of the Alliance for its reluctance to think in terms of early

constitutional change or of the Fijian Association for over-reacting to the by-election result. What matters is that the process is likely to be repeated if we think in terms of another breathing space. Hence there is no valid reason for supposing that further delays will be to the advantage either of the Alliance or of Fiji. Moreover I am increasingly inclined to share the view which Ratu Mara expressed that the Federation Party is unlikely ever to accept Associated State status as a compromise ultimate goal for Fiji: in which case there is little to be gained from playing for time in the hope it may eventually do so.

And finally, there are signs that some Fijians, particularly the intelligentsia, are coming to favour the introduction of early internal self-government; and Ratu Penaia is on record as believing that arrangements should be devised which will place responsibility for future constitutional change in local hands. This may present us with an opportunity to strike a bargain whereunder the United Kingdom will surrender its powers provided that the electoral system can be cloaked with respectability. What would be respectable (and defensible internationally) is for consideration: a suitable reduction of the number of General seats and a change to universal cross-voting might be.

It would of course be arguable, and the Federation Party would without doubt start by arguing, that the United Kingdom should not seek to shuffle off its present responsibilities until Fiji has 'one man one vote' democracy. The counter-arguments, not all of which could be used publicly, are that:—

- (a) only thus shall we oblige the people of Fiji to come to terms with one another and live in peace together;
- (b) experience has shown that the Alliance (anyway when not taunted and threatened by the Federation Party) can be trusted to govern fairly;
- (c) we owe it to the Fijians to place them in control of their own country;
- (d) there is nothing undemocratic about cross-voting (which is really a common roll with reserved seats) provided that it does not give grossly undue representation to a particular community;
- (e) Associated State status has by now been accepted, anyway by the Commonwealth, as perfectly proper in appropriate cases;
- (f) any attempt to impose on the Fijians the sort of constitution which the Federation Party wants would result in bloodshed to nobody's advantage;
- (g) the Constitution being introduced will anyway be capable of further amendment locally, so that if in due course the Federation Party gains sufficient Fijian support to win an election it will have an opportunity to introduce amendments.

This may not add up to the sort of case which will convince all the members of the Committee of 24 that the United Kingdom has acted properly: but some are anyway not open to conviction. What will perhaps matter more is whether Commonwealth countries can be convinced. I should expect that with care they could be. For Ratu Mara has already won the respect of several Commonwealth leaders. Most of them would probably thus accept a case for the changes I have envisaged, if he argued this with them. And if he were enabled to meet other leaders I believe he might convince many of them too.

My conclusion is therefore that we should seek by all possible means to stimulate an Alliance request for the sort of changes I have described, and should be ready to concur in such a request if received.

Letter from Sir D Jakeway to Mr Patel, 7 Nov 1968

I write, first of all, to say how sorry I was to hear that illness had struck you once again, and again at a most inopportune time. I was nevertheless glad that you were able to meet and talk with Mr Hathi and Mr Manjit Singh.<sup>5</sup>

I expect they impressed you, as they did me, not only by their sincerity, courtesy and friendliness but by their evident desire to be of disinterested assistance in closing the divisions which have so unfortunately appeared in the body politic of Fiji over the past 12 months, and which can become progressively more damaging to the national interest if they continue.

Mr Hathi felt that his talks with you and the Chief Minister and with other leaders in the Alliance and Federation Party had made some headway in this direction. If so we all have reason to be immensely grateful to our visitors. At our last meeting Mr Hathi urged that I should carry on the good work where he had left off. Nothing would please me more, for if there is one thing of which I am certain it is that the ruination of this country could be party strife carried to the point at which it destroyed racial harmony. Recent events have proved that there remains a serious risk of its doing so, by showing how easily emotions can be aroused and angry reactions produced. But, as you know, I leave Fiji in a few days and you are not yet fully restored to health.

All I can do now is to urge on you the importance of resuming your dialogue with Ratu Mara (which began so promisingly early this year). Opportunities for this can easily be found—for instance whilst you are in Suva for the forthcoming meeting of Legislative Council. With goodwill on both sides it should not be impossible for agreement to be reached on changes to the constitution which remove the elements distasteful to your party and at the same time preserve safeguards which the Alliance regard as essential.

I know that my successor will be anxious to offer whatever help he can in this matter, and very much hope nothing will be done or said before his arrival to complicate the task facing him.

I have expressed similar sentiments to Ratu Mara and I know that he is prepared to resume discussions.

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<sup>5</sup> Director in Indian Ministry of External Affairs responsible for relations with Fiji.

**124** FCO 32/401, no 3 15 Nov 1968  
**[Council of Chiefs]: letter from G P Lloyd to J C Morgan on a confidential paper prepared for the Council of Chiefs about internal self-government. *Appendix*: Extract from the paper**

Since Sir Derek reported on political developments earlier this week,<sup>1</sup> some more material has become available. This enables me to amplify, and in one minor respect to correct, some of what he said.

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<sup>1</sup> See 123.

2. First, Special Branch have obtained a copy of a confidential paper prepared for members of the Council of Chiefs. It apparently takes the form of a report from the Fijian Affairs Board to the Council; but I suspect that Mara's bright young Fijian graduates had a hand in drafting parts of it, including that now copied as an appendix to this letter.

3. Second, the Public Relations Officer has sent me a report (carefully checked by Ratu Penaia and the Secretary to his Ministry) releasing to the press for publication some details of the Council's deliberations. This is apparently the first time that the Council has been reported in this way. An exception was made because the matters discussed had aroused so much public interest.

4. The relevant part of the report stated:—

'The Council then turned its attention to the Colony's Constitution.

The Chief Minister, Ratu Mara, in a brief explanation of the difference between internal self-government and complete independence said that independence meant complete severance of the existing links between Britain and Fiji. Internal self-government, however, allowed these links to remain and Britain would maintain the security and external affairs of the Colony.

Members unanimously agreed to ask the Governor to arrange for an early constitutional conference.'

5. Third, Special Branch have, in a separate report on the Council's proceedings, given a slightly different account of the matter. This said:—

'... the Council decided that the Chief Minister assisted by other (undefined) Fijian political leaders should press for a Constitutional Conference to take place in 1969 at which negotiations should take place on the granting of internal self-government as soon as possible. The change in the present Constitution should be made within the life of the present Legislature in order that the power to govern shall remain in Fijian hands. The Council felt that the interests of the Fijians can only be preserved by taking control of internal political development.'

6. From all of this two things emerge. On the one hand, the Fijians' only public commitment is to seek an early Constitutional Conference. Since the Federation Party has long been asking for just this, it should now be far easier to secure agreement over the timing of one.

7. On the other hand, there now seems unlikely to be much chance of persuading the two major parties to reach accommodation about future constitutional (and particularly electoral) arrangements either before or during any conference. Not only that: it is evident that the Fijians think 'complete internal self-government' will give them control. They therefore presumably suppose it will empower them to amend the Constitution as they may thereafter see fit, without U.K. concurrence though doubtless subject to any safeguards the Constitution itself embodies. If as I believe they are mistaken, we may need to disabuse them now—perhaps simultaneously explaining how their wishes can be met if our conclusion is that we should endeavour to meet these. As you will have seen from Sir Derek's letter, we shall, in my present view, probably be well advised to do this.

8. I am sending a copy of this letter to Sir Robert Foster.

## Appendix to 124

. . . 6. The views expressed in Provincial Councils on the above issues were merely a repetition and stressing of recommendations made before the Constitutional Conference in 1965. These recommendations were supported then by the Fijian Affairs Board and the Great Council of Chiefs. It is not, therefore, necessary to discuss their merits or demerits at this stage, unless any members feel that they should be called in question.

7. Some Provincial Councils did, however, add that the transition to complete internal self-government should take place as quickly as possible. The Board supports this for the following reasons:—

(a) There is a growing feeling that the decisions of the United Kingdom on Fiji's Constitution are not wholly free from pressure exerted by the United Nations. The Fourth Committee, which deals with the affairs of dependent territories, may well sympathise with demands for a common roll, proportional representation, and majority rule, which are unacceptable to Fijian opinion. When Fiji becomes completely self-governing, it may be removed from the sphere of influence of this Committee. Therefore, internal self-government should be sought at the earliest possible date.

(b) Fijian opinion generally seems to be that political control should be returned to Fijian hands, or, at the least, to a political structure in which Fijian influence is paramount. Since the numerical superiority of the Indian population is steadily growing, the difficulty of handing control back to Fijians is also increasing. For this reason, also, it is felt by many Fijians that internal self-government should be pressed for now as a matter of urgency.

(c) Once the complete control of internal affairs has been handed back to a body which is acceptable to Fijian opinion, Fijian interests can be protected without external interference. The present political organization is only a short step from complete internal self-government, and it is felt by the Board that the step should be taken now to protect Fijian interests and to allow the control of Fiji's internal political development to be taken over by Fijians.

The Board recommends that Council press for an early constitutional conference and that the government of Fiji should be handed back to a political organization in which Fijian interests are paramount. . . .

**125** FCO 32/401, no 8

26 Nov 1968

'1968 Indian by-elections': inward savingram no 484 from G P Lloyd (acting governor) to Mr Stewart. *Enclosure*: Report by Fiji Special Branch, 30 Sept 1968

I enclose a copy of a report on the recent Indian by-elections prepared by the Head of Special Branch.

2. This provides a useful record of the elections and of the campaign which preceded them. It highlights the efficient organisation of the Federation Party machine which was far superior to that of the Alliance.

3. In general I agree with the assessment of the Head of Special Branch, with the caveat that present Fijian attitudes may have the effect of permanently inhibiting the Federation Party demands in that it is unlikely that the Party leaders will ever again dare to be quite so vitriolic in their attacks on the Alliance.

## Enclosure to 125

### *Background*

On 1st September, 1967, the 9 Federation Party Members of Legislative Council walked out of the Council during a debate on the motion moved by A.D.PATEL which condemned the present constitution and called for an immediate constitutional conference. The 'walk out' took place soon after Vijay R. SINGH had moved a Government amendment to the motion which reversed its import. The F.P. subsequently issued a statement to the effect that they had decided 'to resort to non-co-operation' until such time as their motion is 'implemented'.

2. There followed an initial increase in public meetings by the F.P. to explain to the electorate their reasons for the 'walk out' and much talk of delegations to the Commonwealth Office and visits from U.N. officials, but this soon subsided.

3. The F.P. members did not attend the Legislative Council sessions in November 1967 and March 1968 and as a result automatically forfeited their seats.

4. During June 1968 the dates for the by-elections were announced and immediately after the Party's Annual Convention on 28/29th June, at which a policy statement was presented, the F.P. electioneering campaign commenced.

### *Planning/organisation*

5. The F.P. involvement, through the Fiji Canegrowers' Federation (FCF), in the campaigning of recent months to gather support for a new purchase of cane agreement, guaranteed that a vast majority of the electorate would be sympathetic to the F.P. by-election candidates. It was only necessary to sustain the fervour aroused; to preserve the image of the Party leaders as champions of the underprivileged Indian community; and to ensure that the voters reached the polling booths. From this point of view the Party's electioneering campaign showed much more direction and control than was apparent in the 1966 elections.

6. At a Working Committee meeting held at Lautoka on 11th July, 1968, A.D. PATEL gave the following instructions with regard to the conduct of the campaign:—

- (a) All matters relevant to the election campaign would be referred to Headquarters. Each constituency would appoint an officer who would be responsible for publicity and that all publicity material would be forwarded to Suva for approval by the General Secretary.
- (b) Each constituency would appoint a transport officer whose duty it would be to arrange transport for voters to their nearest polling station. A list to be prepared of those persons who volunteered to supply free transport.
- (c) All election expenses to be borne by the local branches of the Party for their respective candidates.
- (d) Before a candidate speaks at a public meeting in a constituency other than the one he is contesting, he must obtain permission from that constituency candidate

and his approval of the subject matter of his speech. (This presumably stems from R.D. PATEL's complaint against S.M.KOYA during the 1966 elections to the effect that KOYA was interfering in his constituency.)

(e) Use to be made of the F.P. Youth Groups which would be under the control of Ratu Julian TOGANIVALU.

7. In early August, confidential instructions were issued to F.P. agents in Labasa assigning tasks in connection with the by-election campaign. The cyclostyled directions were aimed at intensifying the Party effort by giving sole responsibility for electioneering to one Party member in each of 27 pre-determined sectors of Vanua Levu. They were specific and in a thoroughly professional manner covered all aspects of electioneering from fund raising, use of volunteers, transport, publicity and included details of equipment and staff required at polling stations. There was also a call for the organisation of local F.P. Youth Groups to take charge of all poster exhibitions and any processions and demonstrations necessary on the polling days. In a similar manner, the subdivision of constituencies and the emphasis on the use of the Youth Groups for canvassing and propaganda were reported from two other constituencies—West Viti Levu, which was divided into 8 sectors and, South/West Viti Levu, which was divided into 4 zones, but there is no evidence that as much thought went into campaigns in these areas as did into the Vanua Levu campaigns.

8. Early in the campaign the Party established offices at Sigatoka, Nadi and Ba—prior to this the only office in Western Division was at Lautoka and this has been open for three years. These offices were the centres for Party planning at district level and organised recruiting and fund raising. A fund raising tactic used by the Party during the course of the campaign was the holding of dinner parties at which national leaders were present and to which an admission charge of £1 was levied. Parties were held at Nadi and Sigatoka, the latter attended by approximately 1,000 persons.

### *The platform*

9. The Party statement presented to the Annual Convention contained the following main points upon which the F.P. candidates based their electioneering:—

#### *(a) Structure of the party*

Membership is open to all *bona fide* residents of Fiji who are over the age of 18 years. Membership of the newly formed Youth Groups is open to all over the age of 16 years.

#### *(b) Aims, objects and ideals*

The principal aim is to weld Fiji into one independence as a Republic within the Commonwealth, recognising the Queen as Head of the Commonwealth but with a Head of State who will be elected initially from the House of Cakobau and subsequently from descendants of the original signatories to the Deed of Cession.

Elections should be on the basis of a common roll without gerry-mandering of groups or boundaries to create artificial results. Fiji should be developed physically, morally, materially and spiritually, to create harmony and understanding between its peoples.

#### *(c) Citizenship rights*

All persons who were born or have lived continuously in Fiji for a period of 7 years and made it their home should be assured of full citizenship rights.



(d) *Economic policy*

Monopolies should be discouraged but otherwise foreign capital should be attracted. Any drain of capital from Fiji should be prevented.

(e) *Land ownership*

The party accepts the fact that the Fijians own the land but advocates that they should be given rights comparable to those of freeholders.

(f) *Commercial*

The Colonial Sugar Refining Company Limited's assets in Fiji are over-valued and the creation of its subsidiary, South Pacific Sugar Mills Limited, is a farce. The industry should be re-organised from top to bottom and co-operative mills should be set up; gold and other minerals belong to the State, and no foreign private enterprise should be allowed to take it away nor should Government subsidise such an operation. The Party stands for the immediate nationalisation of all gold mines; in particular the Emperor Mines at Vatukoula.

10. Whilst the above points were the basis of the Party's electioneering campaign and were brought out to some extent by the various speakers, speeches often consisted solely of donigration of the Alliance; European monopolies, and personal attacks on Alliance candidates and leaders, in particular M.T.KHAN, Vijay R.SINGH and Ratu MARA. The theme of all the speeches dwelt upon the basic problems of the common people with the obvious intent of creating a united front of Indians/Fijians against European dominance.

*Strategy*

11. The division of constituencies into sectors giving more responsibility to minor officials of the Party was a most effective move. It boosted the morale of the rank and file and gave many of them the opportunity to actively participate in the elections. Whilst the Vanua Levu constituencies gave detailed written instructions covering all aspects of election-cering, it would appear that other constituencies relied mainly on verbal instructions to the branches and officials.

12. Women played a more prominent part in the campaign than in the past. Apart from Suva, where in 1966 the appeal of Mrs. Jai NARAYAN as the first woman F.P. candidate, attracted considerable support from women, there had been little participation by them in political meetings. On this occasion, however, large numbers attended public meetings and on polling days groups of women were collected and taken to the polls as opposed to previous elections where women were very much the responsibility of their husbands. In Lautoka, Mrs. S.M.KOYA organised a procession of some 60–70 women from her house to the polling station—a distance of about half a mile; this had good propaganda value and served to increase the gloom of Alliance officials at the polling station.

13. The control of the Youth Movement appears in the main to have been badly planned and consequently only in Vanua Levu and Lautoka were they really effective and to a lesser extent in Suva, Ra and Tavua. In Vanua Levu, Youth members were allotted the task of preparing posters, placards, banners etc. and guiding and assisting voters in casting their votes correctly. In Lautoka, in addition to the above, the Youth Movement were responsible for the collection and return of voters to the polling stations. In Suva, Youth members were used to hand out pamphlets at public meetings and at Tavua and Ra they acted as a 'ginger group' heckling at Alliance

meetings and urging support for their own candidate. Generally speaking the younger element of the Party took a greater part in the elections than hitherto and, although not well organised in the majority of constituencies gave an indication of their potential should the Party keep the Youth Movement alive.

14. There was a considerable increase in visual propaganda in the form of the Party symbol and the Party election symbol on cards and posters which were freely distributed. The wearing of 'T' shirts bearing the Party symbol was not as effective as it could have been due to the small number available. Only in Ra and on one occasion in Suva were any appreciable number of 'T' shirts noted.

#### *Public meetings*

15. The Party held a total of 131 public meetings throughout the Colony in the course of their election campaign. The meetings were attended by approximately 23,000 Indians and 1,500 Fijians.

16. Generally speaking the reaction of Indian members of audiences was of polite interest and very few speeches aroused any particular enthusiasm. Fijians present were interested to hear Party views on the new purchase of cane agreement upon which their leaders had been rather slow to comment and any enthusiasm shown by them during the course of the speeches concerned this issue.

17. The most effective speakers during the campaigns were A.D.PATEL, S.M.KOYA, K.C.RAMRAKHA and Mrs. Jai NARAYAN, but Ratu Julian TOGANIVALU was undoubtedly an attraction at meetings and his criticisms of European monopolies and the subservience of the Fijian Chiefs to the European commercial interests aroused a great deal of interest. The strongest propaganda points raised by the speakers were:—

- (i) The F.P.'s fight to obtain a new purchase of cane agreement more favourable to farmers. This was by far the most effective point. It evinced enthusiasm from Indians and was the only point to make any significant effect on Fijians.
- (ii) The call for a common roll and independence.
- (iii) The attacks on European commercial interests and expatriate control generally.
- (iv) The use of the term 'Taukei', which was popular with Fijians.

The weakest propaganda point was criticism of Ratu MARA. The majority of Indians, in the Western Division particularly, are reluctant to participate in any attacks on Fijian leaders for fear of repercussions. The F.P. leaders, however, justified their comments about Ratu MARA by stating that having entered the hurly-burly of political life he must be prepared to accept its consequences.

#### *Fijian support*

18. The Party made considerable use of Ratu Julian TOGANIVALU and Ratu Mosese VARASIKETE in their efforts to capture Fijian support. There was a favourable reaction from Fijian cane farmers to the Party's expressed views on the new purchase of cane agreement mainly because of the absence of proposals from other sources. However, it is generally felt that most of the few Fijians who supported the Party during the by-election campaign did so for personal material gain. The proposed affiliation of the almost moribund National Democratic Party and the F.P. is unlikely to result in any great number of Fijians renewing interest in either Party.

*Public reaction*

19. The majority of Indians were obviously delighted with the result which they claimed demonstrated Indian unity and eagerly awaited the next move by the leaders. However, recent developments on the Fijian front are causing them some concern. Members of the Indian Alliance never really expected a victory but were disappointed and disillusioned when the F.P. candidates actually increased their majorities. They also are expressing concern with the recent attitude of Fijians towards Indians generally, irrespective of political conviction.

20. Fijians were concerned with the increased majorities of the F.P. candidates and cite this as an indication of the corporate duplicity of the Indian community, vast numbers of whom had promised support for the Alliance. There is a distinct hardening of feeling towards the Indian community, the attitude being 'Give the Indians nothing'. They feel that concessions granted to the Indians in the past should be withdrawn e.g. the Agricultural Landlord and Tenant Ordinance, and that Fijian leaders have been much too lenient in their past dealings with Indians. Many references have been made to the use of force in order to enhance and maintain what they believe to be their rightful paramount position in Fiji.

21. Europeans and Chinese have been more vocal this time in their reaction to F.P. taunts and slander, and there has been a considerable widening of relationship between the two communities and Indians generally.

*Election results*

	<u>1968</u>		<u>1966</u>	
	Votes <u>Received</u>	<u>Majority</u>	Votes <u>Received</u>	<u>Majority</u>
Mrs.I.NARAYAN	5808	4916	5676	2897
* K.C.RAMRAKHA	3718	3322	3220	2543
* UJAGAR SINGH	4878	4376	4380(M.T. KHAN)	2730
A.D.PATEL	7903	5131	7601	3576
* S.M.KOYA	6105	4371	6318	4097
R.D.PATEL	5561	2338	4704	293
C.A.SHAH	4441	2664	3799	1844
RAM JATI SINGH	2676	2221	2328	1090
J.MADHAVAN	<u>5870</u>	4795	<u>5049</u>	2555
	<u>46960</u>		<u>43075</u>	

\* In the 1966 elections the candidates for these constituencies were opposed by more than one person.

22. In all the constituencies the F.P. candidates increased their majorities over the 1966 figures. Only one candidate, S.M.KOYA, polled less votes than in 1966 (6105 v 6318) probably because on this occasion he was opposed by another Muslim and religious considerations did not affect the voters' choice.

23. The average poll over the 9 constituencies was 78.77% which is low compared with the 1966 elections which averaged 87.25%. 76% of the votes cast were in favour of the F.P. as against 65% in the 1966 elections.

*Immediate future*

24. The recent hardening of feelings against the Indian majority community, coupled with incidents of assault and the stoning of Indian homes and vehicles, has served at least to postpone any plans the Party may have had to exploit its victory by making more excessive demands. The average Indian does not seek or condone violence and with this in mind, representation has been made to prominent F.P. leaders advising them to tone down demands for immediate independence and a common roll and also to stop, at least temporarily the holding of political meetings.

25. The present aggressive Fijian attitude will, albeit temporarily, therefore inhibit F.P. demands, although the Party will continue to press them with the United Kingdom Government and the United Nations—both of which are of course, aware of the outcome of the by-elections and F.P. demands for early Constitutional change.

26. It has already been stated by F.P. leaders that to 'walk-out' again from the Legislative Council would profit nothing as they have now firmly established that the majority of Indians support their cause.

27. Continued Indian agitation, through the medium of public meetings and provocative press reports, is not anticipated as this could only result in the aggravation of the present tense, and potentially explosive, situation. Indications are that the Youth Wings already formed in several centres, will continue to recruit and to encourage a lively interest in political events generally whilst national leaders continue to ensure support for the Party by using their proposals for a new purchase of cane agreement.

*SB comment*

28. The F.P. increased its majorities in the by-elections, thus demonstrating the hold that it has over the majority of the Indian community by:—

- (a) Representing itself most plausibly as the only political body around which the Indians can unite.
- (b) Exploiting to the full its proposals for a new sugar cane agreement favouring the grower.
- (c) Nominating candidates generally infinitely more attractive than those of the Alliance.
- (d) Organising and conducting its campaign with a professionalism surpassing any seen before in the Colony.
- (e) Appealing to racial emotions.

29. The resultant polarisation of the major races into two distinct political groupings has potentially serious security implications.

**126** FCO 32/401, no 29

10 Dec 1968

[Future of Fiji]: letter from G P Lloyd to Sir A Galsworthy on the post-by-election situation. *Enclosure*: extract from 'Report on Fijian views expressed in the regional meetings of the Fijian Association'

As James Morgan may not be back in the office until some time after Christmas, I am writing to let you know of the discussions we had about constitutional matters whilst he was here last week, and of some subsequent developments.

2. What took place when we saw Ratu Mara and A.D. Patel I have already reported in telegrams Personal 115 and 117 of the 3rd and the 4th December. Although I have seen each of them again since, there is little to add. They have not yet had a further meeting but they both remain cheerful about the atmosphere in Legislative Council; and Mara was quite relaxed when I told him about the gist of our conversation with Patel. He gave me the impression that he considers an Upper House could be a worthwhile device: his party might of course be able to put some useful Europeans, as well as Council of Chiefs' representatives, into it, and it might have powers of veto in certain matters—like legislation dealing with Fijian land.

3. There seems in consequence a better chance than I had earlier supposed that they may reach a measure of agreement about the next constitutional step forward—probably something on the lines which Kaul proposed. The problem is however now likely to be that whilst Mara will regard this as a sort of final solution insofar as electoral arrangements are concerned, for Patel it will be no more than an interim compromise; and that it will not be possible to reconcile these conflicting viewpoints.

4. As I explained to James, I believe we need to decide what posture we shall adopt if this happens. We might of course be able to fluff the issue at the next Conference. But even if we were, we should be left to face it later; and I doubt whether advantage would come of a postponement, for the reasons set out in the enclosure to Derek Jakeway's letter of the 12th November.<sup>1</sup> So in my present view we should for the same reasons be wise to make up our minds to consider whether our objects could best be achieved by:—

(a) having the next constitution provide for what is ordinarily termed 'full internal self-government', with cross-voting seats replacing communal ones, with General representation cut down to size, and possibly with an Upper House;

(b) embodying in it arrangements such that the next step, which could be taken at any time but which it would be a local responsibility to initiate, or which could follow automatically at a prearranged date, should be a move to something like 'Associated State' status;

(c) laying down that only thereafter could further changes, including changes to the electoral system, be made—unilaterally by Fiji, subject to the provisions of the constitution itself;

(d) prescribing how full independence could follow, if desired—perhaps as in the case of the West Indian 'Associated States'.

5. Both James and I recognised that this would involve United Kingdom Ministers in taking two decisions. The first would be whether, in view of West Indian experience, some form of 'Associated State' status would be acceptable for Fiji. And, if so, the second would be whether there might be difficulty in defending internationally the unusual procedure of placing the initiative firmly in local hands at such an early stage.

6. It is obviously for you to judge what complications the status might lead to, and whether it would be compatible with understandings reached with other metropolitan powers which have interests in this area. But if, as I believe, present

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<sup>1</sup> See 123.

policy is to discourage the Pacific territories from opting for independence, and presuming that integration with the United Kingdom is a non-starter, then it is difficult to see what satisfactory alternative there can be to some variation on the 'Associated States' theme.

7. What might be defensible is equally a matter for your judgment. The principal considerations which have so far occurred to me were rehearsed in the enclosure mentioned above. I would, however, now elaborate one. For I have just seen a long confidential paper which Mara's bright young Fijian graduates prepared for the Council of Chiefs. It is still being analysed here. Meanwhile I enclose a copy of the paragraphs most relevant in the present context. They set out more explicitly than the extract from another paper sent with my letter of the 15th November to James the arguments which have led the Fijian intelligentsia and leaders to conclude that they must assume control in order to achieve their aim, which is expressly stated to be 'nationhood with the Fijian voice predominant in the affairs of the country'. I doubt whether their conclusions (unsound though we may think some) will be shaken by anything we can say. And I am certain that any attempt to impose some solution which we believe proper against their will would have the gravest consequences. For in that event we should be quite unable to depend upon either the FMF or the majority of the Police Force. This may sound blunt; but I am convinced it is the harsh reality of the situation.

8. On the other hand, and more hopefully, I still consider that the Alliance would govern fairly if we were to surrender control in the manner suggested. I also consider that the replacement of communal by cross-voting seats would oblige both parties to try and win support from all races, tempering their policies accordingly. This is not to say there would never be attempts so to amend the constitution that Alliance control was more firmly entrenched. But I know of no durable safeguard against these—or against coups of one kind and another: an act of faith is at some point unavoidable.

9. James will no doubt fill in any gaps in this account on his return. He will also of course be able to let you know Sir Robert Foster's initial reaction to our ideas. Meanwhile it may be of some help to you, and can perhaps serve as a record too.

10. A copy of this letter goes to Sir Robert Foster.

## Enclosure to 126

### . . . A. *Political issues*

#### (a) *Common roll*

6. In a multi-racial society the majority race invariably demands for obvious reasons, a common electoral roll with one person, one vote, one value. In such a society the claim for common roll is often made in the name of 'democracy'. It is also argued that common roll, by bringing all races within a single electoral system will foster national consciousness and hence greater unity. In the British colonies common roll and one man one vote may also be justified on grounds of being British practice and the British system is claimed to be most democratic.

7. We find that in Fiji the Indians certainly stand to gain in a system of one man one vote on a common roll. With them comprising over 50% of the population and

rising at the highest annual rate of increase their majority in a future common roll is well assured. The increasing Indian superiority can be illustrated as follows. In 1966 the potential voting population of Indians was about 85% of that of Fijians and other races. By 1971 the proportion would have risen to over 90% and by 1976 it would exceed that of all other races taken together and because of their high rate of annual increase the gap will continue to widen thereafter. The strength of Indians in a common roll is therefore indisputable.

8. Implicit in the foregoing statement on Indian superiority in a common roll is the belief that in such an electoral system, voting goes largely along racial lines. The recent by-election was ample testimony to this belief.

9. We fear that in the event of Indian advent to power on a common roll, such power will be used for communal legislation adverse to Fijian interests particularly in land ownership. From demands emanating from the Federation Party and from the experience of some Asian countries, we feel that our fear is not misplaced.

10. We do not believe that the case for common roll is strengthened when made in the name of democracy. In the political turmoil of today 'democracy' has been a standard guise for many sinister motives. We are here reminded of the apt analogy made by the eminent British constitutional scholar Sir Ivor Jennings<sup>2</sup> when he wrote, 'Fifty years ago when a child was not feeling well he was given a spoonful of jam. It looked like jam, it tasted like jam, and it was jam, but it also contained a pill or powder which, taken by itself tasted quite horrid. The jam was a disguise for the pill or powder. So "democracy" often hides the reality of power exercised by some person or group of persons trying to maintain himself or themselves in power'.

11. While we appreciated the importance of fostering national consciousness and unity, we do not believe that constitutional reform can revolutionise popular ideas and traditions. A process of adaptation to suit the particular situation in the country is essential.

12. There is no gain saying that the British system of a common roll and one man one vote one value would be commendable in the right situation. It is certainly a convenient way of giving representation to the British people, but they are a homogeneous people organised in an individualist society. We are convinced of the wisdom of the counsel of Sir Ivor Jennings when he wrote that, 'A straightforward copying of the British system is usually the least satisfactory method of dealing with the problem because the conditions in Britain are so utterly different'.

13. We are of the opinion therefore that an electoral system of common roll is inadvisable for our multiracial society. We would recommend communal representation as a more effective form of representing different community interests and insuring against domination of minority groups by the majority.

*Independence not wanted now and the return of the control of Fiji to the Fijians*

(b) and (c)

14. These two issues appear to us to be closely and complexly inter-twined. The Fijians do not oppose independence as a principle. Complete independence is the

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<sup>2</sup> A professor of political science at the University of British Columbia, 1938–1939, Jennings later became vice chancellor of the University of Ceylon, 1942–1955, served on the Commission on the constitution of Ceylon, 1948, was adviser and chief draftsman, Pakistan, 1954–1955, and a member of the Malayan Constitutional Commission, 1956–1957.

cherished goal of all developing territories. But under circumstances peculiar to Fiji, the granting of independence now will place the Fijians in a handicap from which they may not be able to remove themselves completely. Comparatively few Fijians are now fully trained to shoulder the responsibilities of administration which independence implies.

15. In our presently weak numerical, educational and economical position, we should have a close look at our present political status and position in the administrative structure in relation probably not very far away, in time and in terms of powers now in the hands of Fiji is our elected representatives, from self-government. We are of the opinion that further advances towards full internal self-government should be co-ordinated with a programme to train Fijians for specific responsible posts and the retention of certain contract expatriate officers so that when Fiji is fully self governing, the Fijians have a major say in the affairs of the land. The above is particularly significant since the change from internal self-government to complete within the British Commonwealth is largely a legal and formal affair.

16. From the Fijian viewpoint, advances towards internal self-government and ultimate independence have a significant bearing not only on our representation in the policy making organs of Government, particularly in the Ministries, where policies are formulated, but also on our control of specific ministerial portfolios. We recommend that Fijian representation in the Council of Ministers should be increased but this measure should not necessarily entail an increase in the membership of that Council. More specifically we are of the opinion that in order to facilitate Fijian economic advancement and especially the rapid rise of the Fijians average income per capita to a level comparable with those of other races, an essential pre-requisite of social and political stability now and in the future, the office of the Minister for Natural Resources should be occupied by a Fijian.

(d) *Committee of 24 should not visit Fiji*

17. We recommend this resolution. It is our view that this committee, should it visit Fiji, is never likely to offer any assistance in our progress towards internal self-government and ultimate independence.

18. Should it come to Fiji, it is almost certain that it will be in the Colony for only a very short time—perhaps two to three weeks at the very most. This period is obviously inadequate to give members of the Committee a sound grasp of the local situation and problems peculiar to Fiji. Such a brief sojourn does not warrant the formulation of recommendations on the path that Fiji might follow in its progress towards internal self-government.

19. The Committee of 24 consists largely of U.N. delegates of newly independent nations whose social and political problems are quite unlike our own. Hence, they are never likely to offer constructive ideas which might assist us in attaining our goal; nationhood with the Fijian voice predominant in the affairs of the country.

20. The Committee of 24 has a tendency to recommend independence at any cost. Without adequate understanding of the situation, particularly the special position of the Fijians, this practice is certain to lead vexing problems, which will be for us, and not the Committee of 24, to solve. . . .



**127** FCO 32/401, no 48

4 Feb 1969

**[Electoral system]: letter from G P Lloyd to T C D Jerrom reporting conflicting interpretations of the 'Kaul formula'**

As you may recall, Messrs. Kaul and Jaipal visited here about a year ago.<sup>1</sup> The former then suggested that there might be advantage in considering whether the next round of constitutional change could provide for an extension of the present crossvoting system. He had in mind—as a possibility—15 Indian, 15 Fijian, 5 General and 5 other seats. This would in effect be, as he very rightly said, a common roll with reserved seats.

2. There was some subsequent difference of view about just what he intended regarding the 5 'other' seats. With this I need not at present trouble you. I am now concerned with another, and perhaps more important, problem of interpretation.

3. We had supposed that he thought in terms of multi-member constituencies, with the electorate registered on a single roll in each, but that he left it for local consideration whether we should have five constituencies, each returning 3 Indians, 3 Fijians, 1 General (and perhaps 1 other) member; or fifteen constituencies, each returning 1 Indian and 1 Fijian, and being combined in suitable ways to make five larger constituencies each of which returned 1 General member; or some other arrangement different in detail but similar in principle. The principle was, of course, that, as in the present cross-voting constituencies, each voter should have several votes including one for a candidate of his own race.

4. We heard some months ago that Mr. A.D. Patel had told an academic visitor that his understanding (or re-interpretation) of Mr. Kaul's scheme was that there should be forty single member constituencies. He has recently elaborated this in a discussion with Sir Robert Foster from whose record of what was said I now quote:—

'For his ideas on a new Legislative Council, Mr. Patel expressed the following views which seemed to be fairly firmly embedded in his mind and were his understanding of what the Kaul proposals were intended to be.

There should be forty seats in Legislative Council all of which would be for elected members. Officials would entirely disappear. There is no magic in the number 'forty' but that is the number at present in Legislative Council and he regarded it as convenient and about right. In order to fill these seats the territory would be divided up into forty constituencies, so that as near as may be each constituency would have the same number of voters in it. There would be one roll on which all voters would appear. Having done this, fifteen of these constituencies which appeared to be the most predominated by Indians would be reserved for having an Indian member; fifteen other constituencies which appeared to be predominated in the main by Fijian voters would have a reserved Fijian member. This accounted for thirty of the forty seats. Five other constituencies which were predominated by General electors would then be selected for a reserved General member. The final five would be for a candidate of any race and it was in these last five where a multi-racial concept would be specifically introduced. Although Mr. Patel denied that the multi-racial seats would necessarily be the last five out of the forty, in fact he could produce no

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<sup>1</sup> See 114.

other way of deciding which they were, and he said the other thirty-five had to be selected first. The difficulty that most of the General electorate lived in areas predominated by Indians (and that that electorate would not predominate in any area) did not seem to worry him. As regards voting, all people on what was a common roll of all races would vote for the candidate of their choice who would be reserved in race to the extent of thirty-five of the forty seats.'

5. Mr. Patel's idea of having single-member constituencies seems to us impracticable, quite apart from the fact that it is likely to be unacceptable to the Alliance. He may however be firmly wedded to it. Hence there is a risk that we may bring the parties here to accept in principle what Mr. Kaul proposed only to find there is a breakdown because they cannot agree on what his proposals really were. The road to an accommodation might then prove very stony. It would obviously help us to avoid an awkward journey if we could say privately to Mr. Patel at this stage (before the matter became an issue between him and Ratu Mara, let alone between their parties) that ours, rather than his, is the authorised version of the Kaul proposals. Equally obviously, we should not wish to say this unless satisfied it is so.

6. We recognize that it may in these circumstances cause embarrassment if we try to establish the position from Mr. Kaul (or Mr. Jaipal)—and that any question that is asked may draw an equivocal answer. We must therefore let you judge whether to invite the High Commissioner in New Delhi to ask at all, whilst at the same time pointing out how material a difference a helpful reply could make.

7. I am sending a copy of this letter to Cole in New Delhi.

**128** FCO 32/402, no 58

2 Apr 1969

**'Constitutional development in Fiji': minute by T C D Jerrom to G T P Marshall on the problem of reconciling the Westminster pattern of government and opposition with electoral safeguards for the Fijians**

I am sorry that I have not time in the Office now to do justice to the papers which you kindly provided with your minute attached. In fact all that I can do in the time available is to put down some personal thoughts which on further examination may or may not prove relevant to our study of the problem.

2. As you know, I have become increasingly doubtful whether the problems of Fiji can be solved by a combination of the Westminster pattern (by which I mean Government and Opposition) and electoral devices designed to provide a balance between Fijian and Indian representation, with built-in advantage of some sort to the Fijians.

3. These doubts led me to speculate about the possibility of the Governor retaining powers of nomination under the next Constitution and the possibility that this, if it proved acceptable, might conceivably open the way to an ultimate solution, under which Fiji became independent under a Head of State (who would be a Fijian) possessing constitutional powers in the field of race relations.

4. To illustrate this I take the 'Kaul' figures, not because of any intrinsic merit in them, but because their parentage may conceivably be of some help. I assume that the basic system of election would be cross-voting, possibly on the general lines set

out in paragraph 35(i) of Professor de Smith's report.<sup>1</sup> There would be 15 Fijian members, 15 Indian members, five European/Chinese and up to five others. I have been wondering whether it would be possible to secure agreement to the Governor having power to nominate some at least of these 'others'. There are a number of possibilities ranging e.g. from the election of two by the Council of Chiefs and the nomination of three by the Governor, to limitation to two or three nominated members in all. There is also a wide range of possibilities of definition on the basis of which the Governor might nominate members, with whom he should consult, and what purpose he should have in mind in nomination. I do not know whether it would be possible to include in such an arrangement a discretion for the Governor to nominate the members at his discretion in the interests of relations between the races in Fiji.

5. I have also wondered whether it is possible to do anything to get away from the perils of a Government and Opposition, both with a strong racial basis, competing for power. I have been told that it is not likely to be possible to enforce or induce a coalition government including members of both parties. If this is so, I have wondered whether it would be possible, during the next stage of constitutional development to devise some mechanism by which the party leaders are brought together and forced/persuaded to co-operate in the specific area of race relations. I have never heard of the introduction of a Council of State or similar organisation including both the Government Leader and the Opposition Leader in its membership, although I suppose devices of this sort must have arisen in times of war or extreme emergency in some countries. I do not know whether anything of this sort would be possible in Fiji. The basic political theory would be to give the Leader of the Opposition (who could with advantage be given a different title, avoiding the word 'Opposition') a position of importance and influence (perhaps paid as such) which would involve co-operation between him and the Government Leader, perhaps under the chairmanship of the Governor. Under such an arrangement, if it is practicable, the Governor would retain powers over defence and security and also a special position in a special Council with responsibility in the field of race relations.

6. All this may be wildly impracticable in political terms, or constitutionally, or both, and I have not discussed the idea with anyone.

7. I suppose that there may be other possible methods of trying to prevent the struggle between the parties from developing into a struggle between the races. (The current use of a Special Committee in an attempt to reach agreement on controversial legislation about public order may be an encouraging sign.) It may be that there would be more hope for Fiji in indirect action of this sort than in any attempt to produce special mechanisms in an effort to remove race from the electoral arena. I only put forward the above ideas because of my doubts about the possibility of finding a solution solely through electoral devices and the two party system, and my apprehension that if an attempt to find a solution in that way is pressed too far, then we shall be presented with some extraordinary piece of gerrymandering which the Secretary of State could not defend in the House.

8. In all this I do not myself see how a Second Chamber would help significantly. Nor do I see much point in increasing the number of members in the Legislature.

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<sup>1</sup> See 119.

What we want is to concentrate responsibility as far as possible and somehow find a means of laying the overall responsibility for the peace of Fiji on all the members of the Legislature. It seems to me that to increase the numbers may be harmful rather than helpful in this context.

**129** FCO 32/402, no 6

9 Apr 1969

**[Future of Fiji]: letter from Sir R Foster to J C Morgan on talks with Mr Patel and Ratu Mara about Fiji's status and constitution**

I have left over answering your letter of 3rd March about constitutional developments because there has really been nothing very much to report. However, it might be as well, I think, to bring you up to date with such information as there is and to end up by giving you my thoughts on how I think things might go.

2. I did have a short discussion with A.D. Patel at Lautoka on 27th February, and this really got us no further. He maintained again that his ideas for forty single-member constituencies, the majority of which would be reserved as to race, and a common roll, was the only way to go about it. I merely took the opportunity to tell him that having thought about this matter a great deal since we last discussed things, I had come to the conclusion myself that this proposition was impracticable and that it would not be possible to divide the country up into such constituencies even remotely to everyone's satisfaction. I also told him that since I had not met Kaul I had been making some enquiries as to what he had said to other people, and the version given to me by A.D. Patel was not the one that was understood by others in Suva. I told him what it was and got a lecture on the evils of cross-voting. Patel ended by telling me that he was then off to Suva for a meeting and was going to seek out the Chief Minister for another discussion.

3. I next saw Ratu Mara on the 5th March, who told me that Patel had made no approach whatever to him for a discussion. He said he himself had been giving further thought to things, but had still not come out clearly in his own mind as to what would suit best. His thoughts were veering back to communally elected members and he mentioned the possibility of ten seats each for communally elected Fijians and Indians and ten each on a cross-voting basis with in addition perhaps eight general members, five of whom might be by cross-voting and three on the general roll. In other words he has gone back to communal seats and, partly in order to maintain European numbers, has considerably increased the size of the Legislative Council. With two members for the Council of Chiefs it was now adding up to fifty, as he did not envisage any official members. He had not any figures with him and was not ready to discuss it so I did not push him on this one. I feel sure that this line of thinking has emerged from discussions held during and after the Council of Chiefs meeting and with his panel of bright young men. It is just possible that he is heading towards an extreme position in order to get a good bargaining position from which to move off. He ended up by saying he was not particularly anxious to come to grips with Patel at the moment as he had not got his ideas fully sorted out nor was he clear in his own mind what his maximum and minimum bracket was. He thought he could sort this out by May and that would be the time to get down to serious talks.

4. So much for that front. There is also your Personal and Confidential telegram No. 9 about a possible visit by Ratu Mara to London in May or early June. I think it would be very difficult for him to go to London without some cover story and it was the possibility of the Sugar Council meeting which had attracted us. I saw Dowling the other day and he too led me to believe that there might still be a meeting of the Sugar Council in May or June. If this is so we could perhaps use this as we had originally intended. There is, in addition, of course a remote possibility that Ratu Mara might like A.D. Patel to go with him so that they would get away for quiet talks on their own. I have made no suggestion of this sort to him nor has he volunteered one to me, but it was an idea once before that did not come off because of the 'walk-out' and I wondered what your reactions to it would be. I realise we really need to know first whether the Sugar Council is to meet or not, because outside such a meeting I do not see how Ratu Mara can get to London without a whole lot of awkward questions being asked. But I imagine this may not be settled until much nearer the time, and it would be helpful if meanwhile you could tell me whether you would have any objection to my suggesting to Ratu Mara that Patel might accompany him, should this seem to be a good idea.

5. I turn next to my thoughts on what might come out of a Conference later this year. Having read the White Paper on the Bahamas' proposed new Constitution,<sup>1</sup> Ratu Mara is I think very attracted by much that is being done there, particularly by the device used to delegate a measure of responsibility for external affairs. So he will probably go for the Bahamas model (apart from the electoral system) as his general aim; and I should have thought Patel too might find it not unattractive as an intermediate step short of independence. Provided therefore that they can come to terms about the electoral system, which is the heart of the matter, we seem likely to emerge with arrangements giving a full measure of internal self government. And the arrangements are themselves likely to bring back an Alliance Government. I suggest we should consider two remaining matters in the light of this: the matters are:—

- (a) how to take the final step or steps on the constitutional road, determining what Fiji's future relationship is to be with the United Kingdom; and
- (b) how to change provisions in the Constitution (including those which deal with the electoral system) short of taking the final step.

To take the second one first, I imagine it should be possible to write into any new Constitution provision for changes to it not affecting the United Kingdom to be made entirely locally. We might have to consider the wisdom of trying to define what would thus not be for unilateral Fiji decision. But even if no definition were attempted, we should at least make plain that the electoral system could—and would only—be amended by local action; for there would be considerable merit in this, as has been spelt out in our earlier correspondence. Some special procedure for making constitutional changes would of course have to be prescribed, though this should

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<sup>1</sup> Under a constitution introduced in May 1969 the governor of the Bahamas retained special responsibility for certain matters of external affairs and defence, but was required to consult Bahamas ministers through a Security Council on matters involving the country's political, economic or financial interests. The governor also retained ultimate responsibility for the police and internal security, but immediate responsibility was designated to a minister on the advice of the prime minister.

present no serious difficulty as safeguards of the kind necessary are commonplace. I touch on this again below.

6. The other matter (the final step or steps) would in my present view have to be for negotiation with the United Kingdom at the request and on the initiative of Fiji. Similar arrangements have I believe been made before.

7. I come finally to the enquiries we have been making about an Upper House. You will remember that in the Kaul proposals there were five unallocated and unidentified seats which were supposed to take care of things like the Great Council of Chiefs. I myself feel that this is an area where there will be considerable difficulty in reaching agreement, and my principal interest in an Upper House was therefore to absorb it. After reading the papers which were enclosed with your letter it seems to me that we might well have one made up of appointed members—for instance, eight appointed by the Prime Minister, six by the Leader of the Opposition and four by the Great Council of Chiefs. Any two of these groups ganging up together could then produce a simple majority, so that if the Leader of the Opposition got the four Great Council of Chiefs' members on his side he would be able to prevail over the Prime Ministers' nominees. I have mentioned the possibility to Ratu Mara. He seemed interested and has taken it away to think about. If it seems profitable to do so is there any objection to showing him the enclosure to your letter of 3rd March?

8. To revert to safeguards for changing the Constitution, it might be laid down that one would for this purpose need a two-thirds majority vote in Legislative Council and in addition a simple majority in the Upper House. In this way (given the sort of composition which I have suggested for an Upper House) it does seem to me that one could get a fairly solid Fijian safeguard without having really to mention race very much. Moreover one could extend the safeguard to cover sensitive matters like land by providing that specified Ordinances could be amended only in the same way as the Constitution. In respect of anything else the Upper House might have a power of delay, but not of veto.

9. As I have been drafting this letter yours of the 21st March has come in. Patel may for his own purposes be adopting in public an attitude of 'there is only the date to fix' but he must privately know that he and Ratu Mara are still poles apart and that a considerable amount of agreement is needed before matters can be taken very much further. So I do not think there is any material risk of a sudden agreed request for an early Conference, say in June or July. On the other hand, I should be concerned if I were asked to tell Ratu Mara that late October is the earliest practicable date for one.

10. In the first place, although everybody here recognized that full account would have to be taken of United Kingdom convenience and of the availability of Ministers, nobody anticipated that a time might come when we had to be told no Conference could be held during the next six months. Our understanding was rather that we could not expect you to accommodate us at a few weeks' notice and that we should anyway accept that you might be unable to manage the precise dates most suitable for our point of view even if we gave you reasonable warning of our likely wishes.

11. In the second place, Ratu Mara has long had in mind August/September, particularly the latter month, as about the right time for a Conference. Although he is not formally on record to this effect (and has certainly made nothing in the nature of an official request) you should be aware of his thinking as a result of our

exchanges about the course which the C.P.A. wanted to mount here. So he might be both surprised and upset if he had to be told now that neither month was possible.

12. And finally, he might very well and very reasonably object to being asked to rush straight from the S.P.C. Conference to another in London, particularly as I daresay he anticipates having to spend unusually long in Noumea this year if (as he hopes) progress is to be made with reviewing the S.P.C.

13. All that said, however, I certainly take your point that there will be advantage in addressing our minds now to the need for settling as soon as is possible upon a timetable. This I was anyway trying to do, although admittedly I had approached the matter from another angle. To explain my approach I must give you a little background.

14. The contract between the sugar millers and the growers expires next March. Negotiating a new one is proving difficult, principally because the Opposition are increasingly seeking to exploit the issue. There is thus a danger of a politically inspired strike at some stage. Whatever its motivation, a strike would seriously damage the economy; and it could cause internal security problems. So we must try and avoid one. Having considered how best to do this, my security advisers have recommended that a dispute (in terms of Section 14 of the Sugar Ordinance) should if possible be declared soon and decided by someone appointed by the Chief Justice before a Constitutional Conference is held. I have not yet had an opportunity to consult others about this recommendation, and cannot therefore say whether it would be politically acceptable deliberately to delay a Conference as might very well be necessary to ensure that a decision about the sugar dispute preceded one. This I shall be exploring; and I will write again once the position is clearer. I hope I shall then be able to give a firmer indication of when we shall be asking for a Conference and, if necessary, to set out in greater detail our reasons for proposing whatever timetable we do.

## **130** FCO 32/402, no 82

2 May 1969

**[Future of Fiji]: letter (reply) from J C Morgan to Sir R Foster on the electoral system, an upper house and the next constitutional steps**

In my letter of 18 April I wrote about one or two urgent points of timing raised in yours (S 166/37-2) of 9 April.<sup>1</sup> I am writing now about the other important constitutional issues discussed in your letter.

### *The electoral system*

2. I agree with your reaction to Patel's ideas as set out in your paragraph 2. Not only would the idea of 40 single member constituencies be impracticable for the reasons you advanced, but even if his suggestions that the majority of these should be reserved as to race, and a common roll were remotely acceptable to the Fijians surely the end result would not change the present vertical political/racial division of the country? But more to the point, can Patel seriously believe that in the present

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<sup>1</sup> See 129.

climate of opinion in Fiji his stand on a common roll is ever likely to get other than short shrift from Mara? This bodes ill for any meeting of minds. I can only venture the hope, which I expressed earlier, that he has taken up an extreme position in order to give himself maximum manoeuvrability in his dealings with the Chief Minister.

3. However, as you suggest, two can play at this game. I was most interested in the latest thoughts of Mara. They may be respectable enough in principle but they appear to need considerable amplification. How many constituencies would a 50 member, all elected, Legislative Council throw up? Our sums here suggest that the answer might lie anywhere between a minimum of 11 constituencies and a maximum of 38, the actual number depending on the degree of overlapping that is acceptable. Most of your constituencies for the 1966 elections did not coincide with one another geographically and there were considerable variations in the sizes of electorates because some areas were thinly populated. These problems of delimitation are likely to be increased by Mara's latest line of thinking, and the prospect of 'selling' any new demarcation arrangements that might be necessary appears correspondingly blank.

4. The proposition that the 50 member legislative council would provide seats for eight General members also seems to call for comment. One of Stanley de Smith's criticisms of the present constitution is that 4 per cent of the registered electorate is guaranteed 10 out of 36 of the elected seats.<sup>2</sup> As things turned out nine of these General seats (or 25 per cent of all elected seats) were won by European candidates. Europeans constituting about 1.5 per cent of the total population. Clearly the disproportionate guaranteed European representation needs to be reduced and to this extent Mara is moving in the right direction. But is he moving far enough? His latest ideas still seem to indicate that 16 per cent of the seats in the Legislative Council will be reserved for what is after all about a mere 2 per cent of the population. One question is, to what extent is it still today necessary to reassure European business interests that they will still have spokesmen in the Legislature, or to give any special weight to that body and its Councils not being denied a leavening of competent and experienced European members. I suspect that Patel would be likely to take the view that reserving eight seats for General members is somewhat more than adequate as regards the interests of that section of the community.

#### *An upper house*

5. As you will recall, in my letter 58 of 3 March, I expressed some doubt about how the creation of an Upper House to solve the vexed question of the built in edge for the Fijians that now exists in the presence of the two Chiefly members in the Legislative Council would work. All it seemed to me to do would be to remove the political problem to another arena. And one has in mind the discouraging thought that Upper Houses are rather out of fashion and those existing (usually invented to protect 'state' rights in federations) are not always effective. British Guiana before independence did have an Upper and Lower House but the Upper House was subsequently abolished. However, I certainly take your point that if we go back to the Kaul proposals and are faced with a considerable measure of disagreement about the five unallocated seats, it might be wise to consider whether the device of an Upper

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<sup>2</sup> See 119.



House could in any way absorb that disagreement. If Patel could be brought to accept your idea of a House with eight members appointed by the Prime Minister, six by himself and four by the Great Council of Chiefs, then we would have something useful to work on. But is this proposition saleable to him? I would imagine that in any issue of importance he would assume that the ganging up would be on the part of the Prime Minister and the Chief's nominees, and if he himself were in power the Opposition and the Chiefs' nominees. This may be over-simplifying the issue but it is the sort of reaction I would expect from Patel. Nevertheless, as I said in my earlier letter, given that the parties agree they want an Upper Chamber this can certainly be provided for in the next round. In this connection I enclose the latest note<sup>3</sup> on Bioameral Legislatures which our Commonwealth Co-ordination Department have now produced. There is of course no objection to your passing a copy on to Mara.

*The next constitutional steps*

6. I was not at all surprised to hear that Mara was attracted by the Bahamas model and, the electoral system apart, might go for this type or constitution as a general aim. While this could take him to about the fullest possible measure of internal self-government, it would retain that tenuous link with Britain which in his heart of hearts I suspect he is most unwilling to let go. It is interesting that Patel on the other hand might also find that model attractive though for a different reason. In this context, with regard to the two matters which you specifically raise in your paragraph 5, I agree that it should be possible to write into any new constitution provisions for changes to it not affecting the U.K. to be made entirely locally. There is, of course, the danger you point out. I doubt whether we would get away with not defining what would not be left for unilateral Fiji decision. It would probably be unwise to attempt any definition at this juncture and I would prefer to see how matters develop before taking this any further. I would say the same about the question of whether the electoral system could,—and would only—be amended by local action. Much will depend on what sort of agreed system, if any, emerges. But I do agree with you that if other matters go the way we would like to see them go, it ought not to be too difficult to devise satisfactory safeguards for constitutional change. Finally, as to the final step or steps on the constitution road to take Fiji to ultimate status, you and I have always been clear that this would have to be for negotiation with the United Kingdom at the request and initiative of Fiji.

7. I think the other matters mentioned in your letter have been dealt with in my interim reply and related telegrams. Looking over what I have written above, I do not think we can claim to have taken matters much further forward. But we are necessarily still working to a large extent in the dark with the unresolved question of electoral arrangements very much the unknown factor in this difficult equation. It may be that following our talks with Mara later this month we shall find ourselves further along the stony road to an accommodation. I very much hope so but this remains to be seen.

8. We need some help from you for this forthcoming discussion with Mara. May I ask you to telegraph shortly before Mara gets here—say on 15 May—information to cover:—

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<sup>3</sup> Not printed.

- (a) a round up of the latest situation in Fiji;
- (b) what you think Mara will want to get out of his discussions here about constitutional matters;
- (c) your ideas of what we might say to him;
- (d) any matters other than constitutional you think he may wish to discuss e.g. South Pacific Commission or development.

### **131** FCO 32/402, no 83

9 May 1969

**[Future of Fiji]: letter (reply) from Sir R Foster to J C Morgan on discussions with Ratu Mara before the chief minister's visit to London. *Enclosure:* Notes by Foster on a meeting with Ratu Mara at Government House on 4 May**

Thank you for your letter of 2nd May<sup>1</sup> (HPF 1/6) about Ratu Mara's visit to London and the general constitutional issues. I have had a round up with him on Sunday 4th May, which was of course before I got your letter. Our respective plans rather dictated this early meeting since LegCo is dragging on and Ratu Mara is straining at the leash to get off to Lau to see about materials for the restoration of the buildings on the island of Bau. I am off on tour of Vanua Levu and Taveuni on 12th May returning on 21st May. Finally, Ratu Mara is off to London over the weekend of the 17th May. Last weekend therefore presented the last opportunity of a calm chat before he left for London.

2. I made a note of my discussion and I enclose a couple of copies of it. This note should be read together with this letter but you will see that except for 16, paragraph 12 onwards of it are not relevant. Could an appointment with Czarnikow and Co be fitted in for him and perhaps someone would take him along to it. Having regard to your letter I would add to the notes as follows.

3. *Electoral system.* You will obviously be discussing this in London. Ratu Mara knows that I do not favour communal seats and he himself can see no particular purpose in them. Ten Fijian communal seats out of a total of fifty really provides no protection of any sort whatever, particularly when it is matched with ten Indian seats. He says his people insist on this because they seem to see some safeguard in it. I imagine that you are not particularly attracted by this idea either, and you may like to deploy a line which I have not tried on him yet largely because I did not think of it. It is that if he wishes to have control over future constitutional changes of the kind mentioned in paragraph 5(b) of my letter of the 9th April, which include changes in the electoral system, then he must be prepared to agree to an electoral system which looks as presentable as possible: for the United Kingdom will not otherwise be able to defend giving up control, as communal seats even if matched are not regarded as normal and would tend to make the constitution look much more interim than he obviously has in mind. This may, I think, be a telling argument as he is particularly anxious to ensure that this shall be the last constitutional conference for reasons I will mention later. As regards paragraph 4 of your letter, he himself seems anxious not to erode the position of Europeans too much, hence this arrangement which

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<sup>1</sup> See 130.

increases total members to fifty with at the same time a slight reduction in general voter members. I agree this is a point that Patel might well object to. The only thing I can suggest which you might like to try is that the three communal elected general voter members mentioned in paragraph 6 of my notes might be pushed into the Upper House if there is to be one. Five Europeans out of fifty on a reserved general voter basis would perhaps look a bit better. Ultimately this must be a matter I think between Patel and Ratu Mara.

4. *Upper House.* I don't think I have any more to add to the Upper House. However it comes out its real purpose would be to provide a built-in Fijian protection regarding a few important matters. There would be no real need for it to consider anything except these, though presentationally it might have to be allowed to despite the fact that giving Upper Houses too much to do and too much power is probably why, in the long term, they come unstuck. If however the Upper House is to examine all Bills, etc., there may be some merit in it doing so in advance of their introduction to parliament, so that a Bill arrives there having been examined and with any comments that have been made. An arrangement of this sort might be better than giving an Upper House power to delay things. On the other hand, whenever Fijian affairs such as land are for consideration its power (of veto) should be quite clear.

5. I think that what I have so far said generally covers point (a) in paragraph 8 of your letter and there now remain the other three points. First of all, as regards (d), my understanding is that Ratu Mara wishes to confine himself on this occasion to Fijian affairs with particular reference to the constitution and it seems very unlikely that he will wish to discuss matters such as the SPC or development. He may however decide to explore again the possible effect on Fiji's sugar industry of the United Kingdom's possible entry into the Common Market. If at some later stage we hear he will—or hear of other matters—then I or Peter Lloyd will certainly let you know. For subjects which Ratu Mara might raise or which you might like to raise with him other than those already mentioned in my notes I would add the following:—

(a) You may like to raise with him the question of the Public Service Commission going executive, and whether he is satisfied with that type of arrangement or would like some different system involving appeals such as that used in Australia. I have touched on this but he should be in no doubt in his mind of the requirements of the U.K. which stem from a P.S.C. going executive. He did not mention it to me but I gather he would like to have a voice in the selection of permanent secretaries and Heads of Departments. This would seem to me to be reasonable.

(b) You are bound, I imagine, to get down to discussion on the Bahamas arrangements. All I know this end of course is the contents of the White Paper. You might like to check that he will be content with the degree of responsibility for which it provides, and to confirm that you will yourselves be ready to concede this. You might also like to get his ideas on internal security and the degree to which he would hope to be totally responsible for this as opposed to leaving some authority—perhaps more than the Bahamas—to the Governor. And you may wish to sound him out on a Deputy Governor arrangement as proposed for the Bahamas if that is what you would in fact require here too. It seems difficult to avoid it if one is to have a Governor with residual responsibility at all times at post and at the same time to have removed all officials from LegCo, which I think is his intention.

(c) There are the two points in paragraph 6 of your letter about arrangements for changing the constitution where it does not affect the U.K. and secondly negotiations for a final step. Both of these you may like to raise. He will in effect almost certainly raise them himself when making plain his determination, which I have mentioned already, that this should be the last constitutional conference. He has told me that conferences in London cause a lot of anxiety out here, which is why he doesn't want any more. I am sure this is true as far as it goes. But it doesn't go the whole way. For part at least of the truth is that he personally and the Fijian people in general feel they are put on the defensive at these conferences, coming under pressure to make concessions they would prefer to avoid. They thus believe, quite understandably and rightly, that the sooner they can take control the securer their position will be. Moreover, they may have thought—although I have no evidence of this and we have certainly not briefed them—of some of the arguments deployed in our earlier correspondence with you, for instance the enclosure to Sir Derek Jakeway's letter of the 12th November 1968.

(d) There is the question of citizenship which I feel you are much more able to deal with than I am here. I have no views on this myself because I think it is essentially a matter for the U.K. There seems to be no joy in trying to use any form of 'status' for the purpose that Ratu Mara obviously has in mind.

(e) There is the question of the Ombudsman again, over which I have no particular views. He will obviously wish to discuss this and whether we end up with one here or not is not material to me, but it might perhaps form part of some package deal with Patel.

(f) There is the question of delimitation which is mentioned in the notes at paragraph 6. From my own point of view I would be happy to go along with either a commission (provided we can agree on the terms of reference—and thereby will lie the difficulty) or some direct arrangement such as Ratu Mara would prefer provided it is acceptable to Patel. In other words, local agreement on the method to be adopted is really what I would be interested in. If there are any different views at your end you might care to mention them. A delimitation commission is always, I understand, regarded as the most respectable thing to have but possibly not necessarily in our circumstances the best.

(g) I come next to what is probably the most difficult point of all and that is the timing of a conference. From the notes you will see that the teams are not yet in the field. But there is a good prospect that something will happen in June. How long they will need to argue I have no idea, though I should have thought they would either come to terms reasonably quickly or we could drag on almost indefinitely. From the point of view of Fiji, seeing this subject has been much bandied about already, I am sure the right course is to have a conference this year and not to hang on until next. Delay would obviously cause concern among the Federation party and could only result in a good deal of heat being generated. I would very much hope therefore that sufficient local agreement can be reached for a conference to take place. This I am sure is right. On the other hand Ratu Mara can if necessary afford to sit back and not be in any hurry and this is one of the cards which he has. On this front therefore I would be glad if you could adopt a line that a conference this year is really in the best interest of all concerned so that this matter can be settled and the heat removed. To be able to spend our time implementing what the conference decides is a much more positive and

constructive agenda. I do not know whether you could go so far as to arrange a tentative date with him on the understanding that sufficient agreement can be reached. This may first of all help him to focus his eyes on a target and it may also help you your end to keep that period free, at least for a time. Could one perhaps say that the Secretary of State is extremely busy, his programme is filling up but he could keep this week or these days in reserve until, say, the end of June or mid-July in the hope that local agreement could be reached. The danger here of course is that Ratu Mara may turn round and say that if the Secretary of State cannot fit him in now, well then early next year will suit him quite well.

(h) Finally in this category Ratu Mara might raise with you the question of presiding at Council of Ministers. In the next constitution I would expect there to be a Cabinet type of government with a Prime Minister presiding. This would not however come about until late 1970 or early 1971 and it is for consideration whether the Chief Minister should preside before that date. The issue was raised before by Sir Derek Jakeway and you then said it was not the intention that this should happen. However 18 months to 2 years from now is a long time and you may consider that somewhere along the road we ought to relax this one. My own view would be to hold the present position until we know what comes out of the conference and then to decide the issue.

6. I have two other points. The first is that I would be very grateful for any papers you can let me have on the working of Malaysia which obviously is a pattern which recommends itself to Ratu Mara and one which he does and will raise from time to time: I suspect he really wants to find respectable means of discriminating in favour of Fijians as Malaysia does in favour of Malays. The second point is that you may not have seen No. 1 issue of Nation magazine and I enclose a copy of it.<sup>2</sup> This is an Alliance paper and you may find the first article of interest as representing at least some of their published views. I have reason to believe that the views some of Ratu Mara's bright young men express to him in private are far more reactionary.

### Enclosure to 131

1. I had a meeting with the Chief Minister at 9.0 a.m. on Sunday 4th May at Government House. This was intended to be a ranging discussion taking place before his visit to London. What with LegCo and my touring and his movements, this seemed to be the last occasion we could meet before he went off.

2. We started off on the general state of play on the constitution and he told me that he had met A.D. Patel and had told him straight out that the common roll was not on. He said he was, however, prepared to go for a very full form of self government which he, Ratu Mara, called full internal self-government and which A.D. Patel preferred to call independence, but in that case good solid Fijian safeguards were required. What Ratu Mara had in mind in saying all this to A.D. Patel was, once more, the Bahamas type arrangements. He said that he and Patel had agreed to have a meeting or meetings on his return from London of two groups of people from LegCo, the Chief Minister and some of his people, and A.D. Patel and

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<sup>2</sup> Not printed.

some of his. All must come from LegCo and Europeans, by which I think he meant Mr Falvey, would be excluded. From this would spring, he hoped, a measure of agreement which would lead to a conference. He also thought that Patel's prime objective for the conference was full internal self government. He thought that agreement on that would lead to agreement in other directions. It was at this point that Ratu Mara threw in the idea of the safeguards as operating in Malaya. (I am afraid that I am not very well versed in affairs there but we are likely to hear more of Malaya and should be knowledgeable about it.)<sup>3</sup> He did not spell them out, but the implication was that Fijians would continue to provide government in return for which some concessions might be given to the Indians. He thought there might be some advantage in an Ombudsman and he asked if he could discuss the pros and cons of such an arrangement while he was in London. He said that the Indians consistently complained against the activities of the government and such an appointment would provide them with a place where they could legitimately complain and have their complaints examined. He was not sold on the idea, but was interested.

3. On the question of safeguards, he raised the matter of an Upper House and he said he was still very interested in this possibility. I told him that I hoped there were some papers on the way out which would give some examples of Upper Houses in various places and that as soon as I received them I would let him have them. (I have since received and passed them on.)

4. I said it would be helpful if we could identify some of the things that he wished to discuss in London so that I could send off a warning order. Continuing on constitutional arrangements I enquired what his views were about the Public Service Commission—whether he thought it was reasonably satisfactory in its present form or whether in the next stage it should become executive. He said he was fairly content with its present form but that he thought it ought to become executive. I briefly spelt out for him the consequences of such an arrangement i.e. full compensation scheme, which would allow remaining permanent and pensionable expatriates to depart, and so on. He said he thought that the heat would come off localisation after a bit and we could settle down but that in any case we should be able to wear all this by then. (This is not a final view I think.) Continuing on this subject he said that he had hoped to be presented with a fairly full picture of each ministry, showing all expatriates and their posts and indicating which of these posts would be required to be filled by expatriates for some time having regard to efficiency. He said he had not as yet seen any chart of this kind and he felt there ought to be a similar picture as regards Commerce and Industry but of course in that case on much broader lines. (This I imagine is a matter lying somewhere between the Ministries, the Director of Localisation and Training and the Manpower Committee. We may need a prod of some sort here, particularly with the Manpower Committee from whom I have seen nothing as regards commerce on these lines.)

5. I then asked him to run over his ideas on constituencies again and he said that they were as follows.

6. There would be ten constituencies, so arranged that as far as possible Fijian and Indian voters would be about equal, and where this was utterly impossible such

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<sup>3</sup> cf 57 & 58.

as in Lau and the Ba area, there would be compensating constituencies, that is to say one predominantly Indian as against one predominantly Fijian. One of his bright young men has apparently already drawn up such an arrangement. In each constituency there would be four members, an Indian member and a Fijian communal member and an Indian and Fijian crossvoting member; these constituencies would then be lumped together to form five separate constituencies to elect five crossvoting general voting members. In addition, the whole territory would be cut up into three to provide three communally elected general voter members. Added to this would be the two members nominated by the Council of Chiefs. But he said he was in fact now rather attracted to the Upper House idea and if this came off then those two members would disappear from LegCo. I think one of the things he would like to discuss in London was delimitation and whether it is acceptable these days to draw constituencies without a commission. He had in mind the Governor doing it rather on the lines it was done, I understand, the last time. His fear is that we could come out of a conference with a finely balanced result which might be missed up by a delimitation commission. I said I thought any arrangement that was acceptable to all concerned was usually all right.

7. Another point I think he would like to talk over in England is the extent to which the Bahamas with their new constitution will extract themselves from the attention of the Committee of 24. He is extremely sensitive about this committee and he hopes sincerely that the outcome of the conference will be such as to remove Fiji from their ken.<sup>4</sup>

8. Ratu Mara said he would also like to have an opportunity for discussion with the office constitutional lawyers and I told him I thought he would find them in the room anyway but he may like a special discussion depending, I imagine, on how things go. He did not spell out any special points he wished to raise in this way.

9. Having re-read the papers on citizenship I had decided to let this sleeping dog lie. However, Ratu Mara woke it up and raised the matter himself. It seemed, by a little probing, that what he had in mind was citizenship for Fiji particularly in relation to voting qualifications, etc. He obviously had it in mind to smoke out the Indian community in their loyalties. I told him that I thought citizenship in the full sense was not on for Fiji until it became independent but that there was another thing, which Bermuda had used, called 'status' and this could be explored if he was interested. He said this was another matter that he would like to raise in London. I said that if he had ideas of tying voting to some sort of Fijian status he might well smoke out a few Indians but that he must bear in mind that he might also smoke out some Europeans. In addition the introduction of some kind of status arrangements and getting everyone sorted out would take, I should imagine, quite a considerable time because people could not be forced to make decisions of this sort all that quickly. Once more he referred to Malaya as a possible example he had in mind.

10. I then referred to the timing of a conference if and when we could get that far and he said that he still had late September in mind. I pointed out that the Secretary of State's diary was beginning to fill up and that we were not in a position to be accorded exactly the time that suited us. He said that he did not want it later than that because of the SPC and secondly the cold climate in England meant that

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<sup>4</sup> Marginal note by Morgan: 'They can't. They are still a dependency.'

everyone had to buy an enormous amount of extra clothes. If it had to be later than September he thought perhaps the earlier part of next year might be better but it would be for the UK to fix the date. (From what he told me of his plans (para 2) at this meeting it would seem that we have no hope of achieving a sufficient measure of agreement to get to the conference until towards the end of June at the earliest and, if we achieve that, it may be possible to meet in the vacant period in August if this is not too rushed.)

11. We next got on to the subject of who would go to the conference. He said that Patel wished to take his Fijian element which Ratu Mara refers to as his 'fellow travellers'. This is presumably for the look of things. Ratu Mara is equally determined to prevent it. He says that all people who go to the conference must be members of LegCo. The upper bracket would therefore appear to be the whole of LegCo. Ratu Mara himself thought that this was an unnecessary number of people even if this was to be the last conference that took place in London and he thought a few from each side should in fact suffice. Possibly he thought even the two groups which were going to discuss together in June might do. This is clearly a matter for negotiation with Patel but he may raise this too in London for reactions.

12. We then got on to some unconnected and extraneous matters which were as follows.

13. I said that the Minister of Finance had been talking to Sir James Plimsoll in Canberra and it is said that he is the person who has done so much to get aid for Fiji.<sup>5</sup> Ritchie felt Sir James would like to visit Fiji. I said I thought that this was a good idea and I had met Sir James but if such a visit took place the Chief Minister should be present. He agreed that it would be a useful visit and that we should proceed informally through the Minister of Finance to arrange something to suit Sir James and the Chief Minister as regards to timing. (I have passed on this information to Mr Ritchie, who will act on it.)

14. I raised then the question of the motion by Patel to repeal the sugar ordinance and said that I was worried that if this was to go to a Select Committee we should on the one hand be declaring disputes and appointing arbitrators under the ordinance, when at the same time there might be the Select Committee considering whether the ordinance should continue to exist. I said that I had approached MNR about this who had in turn spoken to the Independent Chairman, who was apparently not himself worried about this. Ratu Mara told me that there was no question whatever of this ordinance being repealed, but that there were one or two points in it which could be improved upon and that the Select Committee would be for this purpose. The main reason for going to Select Committee was to get it out of LegCo now so that everyone could go about their business and not have another long debate. This in the event seems satisfactory (I subsequently put the Chief Justice in the picture).

15. He then mentioned Professor Morris who had been visiting here from Zambia (I think in fact it was Professor Rogers) and he said that there was some indication from President Kaunda<sup>6</sup> about inviting Ratu Mara to visit Central Africa. Ratu Mara was attracted by this idea, not only to Central Africa but also to Uganda

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<sup>5</sup> See 120.

<sup>6</sup> President of Zambia.



and Kenya because he thought he might be able to win some support from these independent African territories for keeping Fiji out of the Committee of 24.<sup>7</sup> No time was mentioned for this visit and in fact no firm invitation has I understand been made. We must expect I think that this will rear its head again later on. Given the time for such a trip I think it would be useful. In passing Ratu Mara told me that there was talk in Africa of President Kaunda as the successor to U Thant.<sup>8</sup>

16. Finally he said he would like to look into the question of the marketing of copra and he would like to have discussions while in London with someone at Czarnikow and Co. He is very much worried I think about the common market, import duties, and so on. This is another thing that will have to be arranged while he is in London.

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<sup>7</sup> Marginal note by Morgan: 'Ha ha!'

<sup>8</sup> UN secretary-general.

## 132 FCO 32/426

19 May 1969

[Chief minister]: FCO record of a meeting between Ratu Sir K Mara and Mr Thomson<sup>1</sup> on the chief minister's knighthood and the political situation in Fiji

*Mr. Thompson* welcomed Ratu Sir Kamisese to London and said he thought that congratulations were in order. He had heard that the Chief Minister would be attending the Holyrood<sup>2</sup> Investiture to receive his knighthood.

*Ratu Sir Kamisese* thanked *Mr. Thompson* and said that he had only just realised the particular honour in being invited to attend the Investiture in Scotland at a ceremony traditionally reserved for Scots. *Mr. Thompson* said that this was a momentous week in Scotland. Her Majesty would be in Edinburgh for the General Assembly of the Church of Scotland. He understood that the Chief Minister would also be getting an opportunity to play golf at St. Andrews. This was very close to his constituency from which he had just returned.

*Mr. Thompson* enquired about the Chief Minister's trip. *Ratu Sir Kamisese* said he had come to the United Kingdom via the Polar route for the first time. This route was a great time saver, but he confessed that he himself had lost all sense of time.

*Mr. Thompson* said he had also heard that things in Fiji had not been easy for the Chief Minister in 1968, and the latter was to be congratulated for the skill with which he had handled a difficult political situation. *Ratu Sir Kamisese* replied that recent events in Malaysia emphasised how difficult things could be when a country had a racial problem.<sup>3</sup> But getting away from the political background, Fiji's economy was

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<sup>1</sup> Thomson was minister without portfolio and chancellor of the Duchy of Lancaster, 1969–1970.

<sup>2</sup> Holyrood castle in Edinburgh, Scotland.

<sup>3</sup> In the first all-Malaysia elections for the Federal Parliament in May 1969 the governing Alliance coalition based on the United Malays National Organisation (UMNO) and the Malayan Chinese Association (MCA) suffered significant losses. Having lost 14 of its previous 27 seats the MCA withdrew from the Alliance Cabinet. Communally-based opposition parties were the main beneficiaries of the drop in Alliance electoral support. The elections were followed by inter-communal violence in Kuala Lumpur which led to a state of emergency and left nearly 200 dead by the end of June. Most of the victims were Chinese.

doing very well. Receipts from tourism were most gratifying and an important contribution to the economic stability of Fiji. *Mr. Thompson* asked where the tourists came from. *Ratu Sir Kamisese* said that in order of numbers, mainly from Australia, then the United States and New Zealand and also a few from the United Kingdom. There were over 60,000 last year and projections suggested a 30% increase on this figure in 1969.

Reverting to constitutional matters, *Ratu Sir Kamisese* said that when he returned to Fiji in early June he would be having conversations with the Opposition party. Both sides thought that there ought to be a constitutional conference later this year. *Mr. Thompson* said that in a matter such as this it was very important to lay the groundwork conscientiously. *Ratu Sir Kamisese* agreed. *Mr. Thompson* recalled that the Opposition party had been boycotting the Legislative Council. *Ratu Sir Kamisese* said that following the by-elections last September, they had returned to the Chamber and were now participating in the deliberations of the Legislative Council. *Mr. Thompson* enquired how the Indians generally were behaving in Fiji. *Ratu Sir Kamisese* said that the Indian Opposition were constantly trying to involve the United Nations in Fiji's affairs, but he had recently had considerable co-operation from New Delhi. He was personally on good terms with Indian ministers. The Indian Minister of Labour had visited Fiji as a guest of the Government at the end of last year.

*Mr. Thompson* enquired when the next elections were due to take place in Fiji. *Ratu Sir Kamisese* said that they were due in 1971, but conceivably, if a new constitution was evolved, they could take place sooner. He was very interested in the Bahamas constitution which might prove a model for a future Fiji constitution. *Mr. Thompson* thought that the Bahamas model did not have to provide for the type of communal problem found in Fiji. *Ratu Sir Kamisese* expressed deep anxiety about the riots in Malaysia and the effect they might have on the multi-racial character of the Constitution. *Mr. Thompson* agreed that the Malaysian developments were bound to cause concern in a multi-racial community like Fiji. He enquired whether Fiji had a Chinese community. *Ratu Sir Kamisese* said that they had a fair sized Chinese element in Fiji but their behaviour was exemplary and they were non political.

*Mr. Thompson* enquired whether the Indians had an overall majority on the electoral rolls. *Ratu Sir Kamisese* said that at the moment the Indians had the edge but projections for the future showed that Indian strength was on the increase. *Mr. Thompson* asked what degree of success the cross voting system, introduced in Fiji in 1966, had enjoyed. *Ratu Sir Kamisese* said that the ice had been broken with this arrangement but it was a pity that the last constitutional conference had not provided for more cross voting seats in the electoral arrangements. *Mr. Thompson* commented that a major problem in electoral arrangements was the delimitation of constituencies. It was also very necessary to try to build up non communal voting habits.

In conclusion *Mr. Thompson* thanked the Chief Minister for the opportunity of renewing their acquaintance and wished him success in the future.

**133** FCO 32/426, no 93

19 May 1969

[Chief minister]: minute by E J Emery to Sir A Galsworthy on Ratu Sir K Mara's doubts about democracy and multi-racialism in Fiji.

*Enclosure: 'Electoral arrangements for the Legislative Council of Fiji'*

For case of reference in our further talks. I attach notes of the electoral arrangements under the present Fiji Constitution, the Kaul formula and Ratu Mara's current proposals.

2. It emerged this morning that Ratu Mara has been much shaken by recent events in Malaysia<sup>1</sup> and he is more than ever convinced that 'democracy' and 'multi-racialism' are not for Fiji. In his own words 'Racialism is an evil, but also a reality'. (Ratu Mara also stressed the need for a continuing link with the Crown, in which he seemed to see protection for the Fijian minority and safeguards for their land rights which stem from the 1874 Deed of Cession. He seemed, despite your efforts to clarify the matter, pretty vague about the distinction between the link with the Crown and the link with Britain.)

3. We agreed after the talk with Ratu Mara that, when we met him again tomorrow, we should try to urge the following on him.

4. He should try to extend his cross-voting proposals and out down the communal seats. We should point out that the higher the proportion of communal seats the more vulnerable the constitution would be at the United Nations and the harder it would be to present to the House of Commons. The proportion of communal seats is a matter which Ratu Mara must agree with Patel (but presumably the smaller it is the easier his negotiation will be).

5. We should try to leave details of the means of increasing cross-voting as against communal seats and numbers to Ratu Mara. (The Governor suggested as a possibility that the three communally elected general voter members might be pushed into the Upper House, if there is to be one. This might also be a possibility for the two members elected by the Great Council of Chiefs.)

6. We shall presumably explore further tomorrow the idea of an Upper House, which was only briefly touched on this morning. Ratu Mara let fall that his idea would be to have an entirely nominated House, one-third nominated by the Prime Minister, one-third by the Leader of the Opposition and one-third by the Council of Chiefs. We shall presumably also wish to explore what are Ratu Mara's ideas about the powers of an Upper House.

### Enclosure to 133

#### *Present constitution*

There are three separate voters rolls, one of Fijians, one of Indians and one of persons who are neither Fijians nor Indians.

The Council consists of not more than four official members and 36 elected members of whom:—

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<sup>1</sup> See 132, note 3.

- 14 are Fijians (two elected by the Great Council of Chiefs, nine by the Fijian roll and three by the three separate rolls);
- 12 are Indians (nine elected by the Indian roll and three by the three separate rolls);
- 10 are neither Fijians or Indians (seven elected by the roll of persons who are neither Fijians or Indians and three by the three separate rolls).

*In short* there are 27 communally elected members and nine elected on a cross-voting system.

#### *The Kaul formula*

Mr. Kaul of the Indian Department of External Affairs visited Fiji in January, 1968. He suggested an extension of cross-voting. He is reported to have had in mind 15 Indian, 15 Fijian, five 'general' (i.e. persons who are neither Fijian nor Indian) and five other seats—in effect, voting on a common roll with reserved seats.

There has, however, been subsequent confusion about what Mr. Kaul meant.

Mr. Patel, the leader of the Opposition, says he meant 40 single member constituencies and 40 (elected) members of the Council. There would be a common roll, 15 constituencies would be reserved for Indian members, 15 for Fijian members, five for 'general' members and five genuinely multi-racial constituencies.

Our High Commission in Delhi, asked to confirm Mr. Kaul's view, said he had confined himself simply to principles:—

- (i) the extension of cross voting;
- (ii) a reduction in European seats; and
- (iii) parity of representation for Fijians and Indians.

#### *Ratu Mara's proposals*

Ratu Mara's Alliance Party seem now to be thinking on the following lines:—

A Council of 50 elected members. (Ratu Mara says he would need a Council of approximately this size anyway to give him Ministers and a reasonable number of backbenchers.) There would be elected:—

##### *By Communal Rolls*

- 10 Fijians
- 10 Indians
- 3 General
- 2 by the Great Council of Chiefs

##### *By Cross-Voting*

- (i.e. reserved seats for which members would be elected by voters on all three separate rolls)
- 10 Fijians
- 10 Indians
- 5 General

(The present constitution has in effect 27 members elected communally and nine by cross-voting. By his new proposals Ratu Mara would be extending cross-voting to 25 out of a total of 50 members.)

**134** FCO 32/404

20 May 1969

**[Communal voting]: FCO record of a meeting between Sir A Galsworthy and Ratu Sir K Mara**

1. *Sir Arthur Galsworthy* said that he had been giving thought to the problems discussed on the previous day and he would give the Chief Minister his personal preliminary reactions. A considered opinion would, of course, require the approval of the Secretary of State.

2. We fully understood Fiji's difficulties but provision for perpetuating communal voting as suggested in the Chief Minister's proposals would be difficult. Fiji's critics in the United Nations or, indeed, Members of our own Parliament who were sincere advocates of the one man, one vote democratic concept would regard a pattern of communal voting as a retrograde step. It was to some extent a matter of presentation. It would be possible to present the Chief Minister's ideas in such a way that they did not necessarily appear to be a step backward. Compared with the 1966 Constitution a slight decrease in communal voting and an increase in the cross voting could be demonstrated. But it would be easier still to present if the formula of 10 Fijian, 10 Indian and 3 General seats on a communal roll were reduced further.

3. *Ratu Sir Kamisese Mara* asked if the proposal to have 10 Indian, 10 Fijian and 3 General seats on the communal roll were a step backward what would be a step forward? *Sir Arthur Galsworthy* suggested an appeal to the electorate on politics and not on race would be the answer to this. This is what critics in Parliament would say. Those who said this would not necessarily be critics of Fiji but of the principle of communal voting and to press communal voting arrangements might alienate the widespread sympathy there was in this country for Fiji's difficult problem. *The Chief Minister* said that he had not had a chance to discuss the 10.10.3 formula with Mr. Patel. There had been suggestions that he and the leader of the Opposition should try to get together outside Fiji for private discussions but this was quite impossible for him politically.

*Sir Arthur Galsworthy* said we fully understood the difficulties. What he would like to suggest was that the Chief Minister should ponder this question of the proportion of communally voted seats yet again. Our view was that the further he could go towards a reduction in communal seats and an extension of cross voting the greater the chances were that the solution would be acceptable all round and in particular to Parliament.

4. *Sir Arthur Galsworthy* suggested that the meeting should pass on to one or two other aspects of constitutional development, which he understood from the Governor the Chief Minister might like to discuss. The question of delimitation of constituency boundaries was one. Under Article 54 of the present constitution constituency boundaries were a direct responsibility of the Governor. *Mr. Rushford*<sup>1</sup> said that the usual pattern was for the Governor to be advised by a special body or a Commission, or the delimitation of constituencies was decided by an independent Commission. Some Constitutions permitted the Governor to delimit constituencies in this way but the important thing was to ensure impartiality. *Sir Arthur Galsworthy* said that the Bahamas constitution provided for a Constituencies

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<sup>1</sup> A R Rushford, assistant legal adviser, FCO.

Commission. *The Chief Minister* asked whether it would be possible for a Commission to take account of the unique racial factors in Fiji. Another difficulty there was the great expense for some Members of the Legislative Council in keeping in touch with widely scattered electorates. This was a factor in defining Constituency boundaries. A Commission could hardly be expected to be as closely in touch as the Governor. His fear was that the terms of reference of a Commission would be finely balanced and they would not give due weight in the right areas. *Mr. Rushford* said that where the racial balance factor was as important as apparental it was in Fiji it would be extremely difficult to reconcile conflicting priorities. He wondered what the result would be in attempting to get a racial balance in each constituency. *Ratu Sir Kamisese* said that in endeavouring to get a compromise it was always possible that a Commission would lean too heavily on one side or the other. *Mr. Rushford* said that it would be necessary to indicate the priorities to a Commission in its terms of reference. *The Chief Minister* then asked why at this stage it was desired to remove from the Governor responsibility for delimitation. *Mr. Rushford* agreed that it would be possible to maintain the present system up to independence, but, thereafter, not possible. *The Chief Minister* then said that if the question of a delimitation Commission was raised the Opposition would certainly opt for such a Commission in the hope that it would pay scant attention to the racial balance factor. He agreed that a solution would be a Commission with terms of reference which would take this factor into account.

5. *Sir Leslie Monson* suggested that there were other matters that he understood the Minister might like to raise while he was in London. These included an Executive Public Service Commission, a Fiji 'status', and an 'Ombudsman' for Fiji and possibly further discussions on the question of an Upper House. *The Chief Minister* indicated his assent.

## 135 FCO 32/402, no 85

6 June 1969

### [Chief minister]: letter from J C Morgan to Sir R Foster on Ratu Sir K Mara's talks in London

By the time you get this, you will have had copies of the records of all the talks with Ratu Mara about constitutional matters during his recent visit to London.<sup>1</sup>

2. On the whole, I gather, the talks went well. I fear I missed all but the last as I had to go off to British Honduras at short notice just before the Chief Minister arrived. Arthur Galsworthy was in the chair throughout, but he is on leave this week, so it falls to me to write to you about them. The first two days of the meetings coincided with some on Anguilla with Bradshaw,<sup>2</sup> and, as Arthur was engaged in both, it was a little hectic for him. I hope that Ratu Mara did not feel he was given short shrift. He showed no sign of it and in fact most of his time, when he was not

<sup>1</sup> See 132–134.

<sup>2</sup> E A Bradshaw was the premier of the associated state of St Kitts–Nevis–Anguilla at the time of Anguilla secession in 1967 (see 103, note 2). He was in London for unsuccessful talks to resolve the crisis. Anguilla did not formally separate from its two island neighbours until 1980 and remained a UK dependent territory. St Kitts (or St Christopher) and Nevis became independent in 1983.

talking with FCO officials was occupied with his calls on the Parliamentary Under-Secretary, the Minister without Portfolio, the Secretary of State and others. The Scottish visit went well. Rain, alas, stopped any play at all at Edgbaston.

3. The only really rough passage with Ratu Mara occurred not intrinsically over constitutional affairs at all, but over the possibility of Britain's entry into the E.E.C. We had, as you know, arranged for a final wind-up meeting on constitutional matters on the afternoon of Wednesday, 28 May and, as Ratu Mara had asked to be told what would be the effect on Fiji if we went into the Common Market now, we arranged for John Killick,<sup>3</sup> the Under-Secretary concerned, to be present at the meeting on the 28th to speak about this. John Killick explained that the undertakings given to dependent territories in 1967 as regards our entry into the E.E.C. stood unchanged today, but, despite his efforts and those of the rest of us to reassure him, Ratu Mara was quite unaccountably convinced that we were in some way going back on the 1967 assurances. We quoted to him Lord Beswick's assurance 'that we shall, during our negotiations, seek assurances in whatever form seems appropriate which are consistent with our undertaking to safeguard your essential interests'. He refused to be comforted, and got pretty emotional, talking about Fiji having thrown in her lot with Britain unquestioningly in 1874 and 'if you declare War tomorrow Fiji is automatically at war'—and more on these lines. He said that, in the light of the E.E.C. position, Fiji might as well go for full independence now, and he had been wasting his time during the previous week's talks with us; his views were now changed. In the end he seemed reassured by an interjection by Leslie Monson. We promised to give him an exact statement of the position in writing and I shall be writing to you again about this. Ratu Mara then agreed to turn again to the constitutional issues where we had left them the previous week. But his black mood continued for the rest of the day, and he was a wet blanket at the Galsworthy's dinner party that evening to which Cicely and I went.

4. As Arthur Galsworthy told you in his telegram No. Personal 23, Ratu Mara turned up for the first of the official talks on constitutional matters much affected by what he had been reading in the newspapers since leaving Fiji about current events in Malaysia. He said that it seemed even more important to him now than it had when he talked with his party before leaving home, to get 'safeguards'. This was more important for Fiji than 'democracy'; it was essential to retain the link with the Crown (he seemed really to mean the link with Britain).

5. It may be useful to sum up here the outcome on the various points, but I shall leave you to pick up detail from the minutes:—

(a) *Electoral Arrangements*. We urged the Chief Minister to try to increase cross-voting and to cut down on his proposals for 10 Fijians, 10 Indians and 3 'general' members elected communally. We pointed out that this would help presentationally at the U.N. and among potential critics, including M.Ps. in this country.

(b) *Constituency Boundaries*. Ratu Mara is of course anxious to find some means of ensuring that race is taken into account of in constituency alignments in Fiji whether boundaries are settled by commission or otherwise. We have promised

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<sup>3</sup> J E Killick, European Integration Dept, FCO.

him a note on constituency boundary arrangements in other Commonwealth countries and this is being prepared.

(c) *Upper House*. This was discussed pretty thoroughly though inconclusively, but Ratu Mara is clearly going to give it further consideration. The attraction is, of course, the use that could be made of an Upper House in safeguarding Fijian interests. There was discussion of various ways in which the Upper House could be constituted, how it might be used as a communally based institution with the Lower House elected by cross-voting, the extent of its powers, e.g. in land matters (they might extend to a veto) and, generally, how entrenchment of constitutional matters could be achieved if there were two Houses.

(d) *'Ombudsman'*. Ratu Mara came back from his talk with Edwin Sykes, Secretary to our Parliamentary Commissioner, saying that he had 'bought' this one. He is clearly quite keen on the idea. It will be of interest to you incidentally to know that the 'Ombudsman' recently appointed in Guyana is a Guyanese 'belonger' of Chinese race.

(e) *Fiji 'Status'*. Discussion on this was, perhaps inevitably, a little confused as between status and citizenship. We have promised Ratu Mara a note to try to clarify what was said and to set out clearly the relationship between citizenship and status and voting rights.

(f) *Executive Public Service Commission*. There was only brief discussion of this. Ratu Mara explained that in Fiji circumstances he felt he was sometimes better placed than expatriates in judging the suitability of candidates for appointments. He willingly assented when we suggested that a degree of consultation with him in these matters already existed, but he implied (with a grin) that he had had a tussle in achieving this.

(g) *Internal Security*. Ratu Mara did not himself raise this but Arthur Galsworthy, on the last day, mentioned to him that the new internal security arrangements in the Bahamas might well suit circumstances in Fiji.

(h) *Timing*. Ratu Mara agreed with our proposals that:—

(i) We should propose to Ministers that a British Minister, with a senior official, and a constitutional lawyer, should visit Fiji in October to see what area of agreement Ratu Mara had by then been able to achieve with Patel on such important matters as electoral arrangements. (We made it clear that the holding of a constitutional conference would depend on prior achievement of a satisfactory degree of agreement between the two parties in Fiji; we could not risk a conference breaking down.)

(ii) if the visiting Minister found a sufficient degree of agreement in Fiji in October then there might be a constitutional conference in London about the end of November or early December. We should not allow too long a period to elapse between the Ministerial visit to Fiji and the conference. To do so would be to risk agreement evaporating;

(iii) assuming a successful constitutional conference, independence, which was the ultimate goal, could probably be achieved without a full scale formal conference, but this would depend on agreement on the main issues among the people and parties in Fiji.

6. In connection with the idea of a conference in November/December Ratu Mara himself mentioned a possible clash with the budget meeting of the Legislative



Council (your telegram No. 26 Personal) but, as you will see from the minutes of the meeting on the morning of 23 May, he and Sanders took the provisional view that things could be adjusted to avoid a clash.

7. We intend to put the proposal for a Ministerial visit to Fiji in the autumn to Ministers as soon as Lord Shepherd returns to London later this month. In the meantime (and probably for some time thereafter) it should be kept strictly confidential. If Patel gets wind of it that would, I suppose, spoil Ratu Mara's chances of reaching some compromise with him in the talks they are to have on the Chief Minister's return.

8. Ratu Mara did not raise the question of his presiding at the Council of Ministers before a new constitution comes into force (para. 5(h) of your letter of 9 May)<sup>4</sup> and that was not discussed.

9. I do hope you will find that our work with Ratu Mara on the constitutional point was constructive and helpful to you. We have a few days grace before making the submission to Ministers referred to in para. 7 above. If you have any further thoughts that might affect it after talking with Ratu Mara (e.g. if you still think there are serious difficulties of timing of the conference because of your budget session) it would be very helpful if you would telegram to reach us by 16 June.

10. Sanders<sup>5</sup> will be telling you about the sugar talks but I gather they were satisfactory and that the Chief Minister's speech went over well.

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<sup>4</sup> See 131.

<sup>5</sup> R T Sanders, secretary to chief minister and Council of Ministers, Fiji, 1967; secretary to Cabinet, 1970; secretary for foreign affairs, 1970–1974; secretary for home affairs, 1972–1974. Sanders had served in Fiji since 1950, with the exception of a period (1956–1958) as secretary to the government of Tonga.

## **136** FCO 32/421, no 6

11 June 1969

### **'Internal security—task and role of Fiji military forces': letter from E J Emery to Sir R Foster**

In your saving despatch No. 35 of 30 January you raised a number of questions about the role of the F. M. F. in an internal security situation in the territory.

2. The current United Kingdom doctrine about the role of military forces in aid of the Civil Power and in particular for using troops in a police role armed with batons and shields is referred to in paragraph 136 *et seq* of 'Keeping the Peace, Part I'. However, a revised document about this is at present being drafted and a copy of an extract from the draft is attached.<sup>1</sup> This simply reiterates in Section 12 that troops should only be used on police duties as a last resort, and then only when ordered by the Governor and after the necessary legislation has been enacted. The section on crowd dispersal (Section 11) which considers the use of troops in a military, as opposed to a police, role includes methods of non-violent crowd dispersal which should be tried before resorting to force. This includes the use of all means of communicating with the crowd, e.g. banners, loud-speakers, etc., the photographing of ringleaders and the use of riot control agents (tear smoke).

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<sup>1</sup> Not printed.

3. In short, the answer to the first question in paragraph 3 of your saving despatch No. 35 is that there is no change in our policy and that when called in to assist the Civil Authorities, troops should be armed and used as a military force, but the principle of the use of minimum force should be born in mind; non-violent methods of crowd control including the use of riot control agents, should be used before resort is made to opening fire.

4. All troops liable to be employed on I.S. duties are trained in the drills involved in crowd dispersal. If there is any likelihood of specific units being required to act in a police role, the units are trained in these drills also. As far as equipment is concerned, units engaged in aid of the Civil Power use their normal equipment and in addition have the use of an I.S. pack which consists of items considered necessary for their role. The pack includes such items as batons, shields, pistols 1½, together with C.S.<sup>2</sup> cartridges, cameras and additional mine detectors, loud speakers, etc. Additionally if circumstances dictate that a theatre requires additional equipment and these items are necessary, then they can be agreed.

5. You ask whether the F.M.F. should follow United Kingdom practice or whether this should be modified in any way to suit the particular circumstances of Fiji. In deciding this we must of course take account of the importance of preserving New Zealand support for the F.M.F. We suggest, therefore, that as a first step, you discuss the United Kingdom doctrine with the F.M.F. Commander, to see whether he would concur in modification of the training of the F.M.F. to bring it into line with United Kingdom practice. You will appreciate that if our reinforcement plan 'INTENSITY'<sup>3</sup> were ever implemented, it could be awkward (e.g. for Ministers here in answering in Parliament) if the equipment and training of the F.M.F. did not enable it to pursue the doctrine being followed by the British troops. We leave it to you whether or not to use this point in discussion with the F.M.F. Commander. Obviously one could not push it too hard with him. Would you let me know, please, the outcome of your talk with the Commander?

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<sup>2</sup> CS—powerful form of tear gas used to control riots.

<sup>3</sup> Providing for the reinforcement of Fiji with a force up to a brigade in strength (see 152, para 18).

## **137** FCO 32/426, no 113

11 June 1969

### **[EEC]: letter from J E Killick to Ratu Sir K Mara on the defence of Fijian interests**

I understand that, after I left the meeting at the Foreign and Commonwealth Office on 28 May, when we discussed Britain's possible entry into the European Economic Community, and how Fiji might stand in this event, Sir Arthur Galsworthy said he would ask me to write to you setting out the position. This, of course, I am happy to do.

As I explained, the possibility of the United Kingdom's entry into the Community, although now more of a reality with the change of Government in France,<sup>1</sup> is still

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<sup>1</sup> Charles de Gaulle resigned as French president in Apr 1969 and was succeeded by Georges Pompidou.

subject to a number of unknown and unpredictable factors. Our application however remains on the table in the form in which it was originally made in 1967—for full membership under Article 237 of the Treaty of Rome.

Negotiations were never opened in 1967 and have not yet been instituted in the new circumstances. Our basic position is therefore exactly as it was in 1967. This, you will recall, carries certain undertakings and assurances in respect of dependent territories including Fiji, and much of what was said in the Memorandum on Fiji and the E.E.C., prepared by the Commonwealth Office in 1967 and passed to you by the Governor at that time, still applies. Speaking in the Western European Union Council in 1967, Mr. George Brown explained to the Six, in general terms, our opening position in any negotiations and, with particular reference to the Commonwealth Sugar Agreement, explained our contractual commitment until the end of 1974 and made it clear that we would wish to discuss with the Community how the interests of developing countries and territories whose economies are overwhelmingly dependent on their exports of sugar could be safeguarded in the longer term. Lord Beswick, in his private talks with Commonwealth representatives that year, also gave an assurance that in any negotiations with the Six we would seek, and would use our best endeavours to obtain, in respect of developing countries whose industries are parties to the C.S.A., (that is all except Australia), an assurance consistent with the British Government's undertaking to protect the essential interests of those developing countries. These statements by Mr. Brown and Lord Beswick still stand.

What this comes down to therefore is that, in our negotiations with the E.E.C., we shall be basing ourselves on these statements, but cannot, since there will be two parties to the negotiations, given any indication at this stage of what the outcome may be. If Fiji, as a dependent territory, wishes to become an Associate of the Common Market under Part IV of the Treaty of Rome, we recognise it as our duty to do our best to secure this for her and in the negotiations for her Association we shall seek assurances in whatever form seems appropriate which are consistent with our undertakings to safeguard her essential interests. Our responsibility to secure the best possible terms for Fiji has in no way been diminished by the passage of time. If Fiji were to remain dependent but did not wish for Association we of course would recognise that we still had responsibility for her interests but it would then be very much more difficult to protect and further them within the Community than if she were a Part IV Associate because the E.E.C. as a whole would have assumed no obligation towards her. If Fiji were to become independent, while we would retain our own close links with her, *vis-à-vis* the Community her independence would deprive us of our legal responsibility, although it might still be open to us to use what influence we could to support an application from Fiji, as an independent country—along with other independent countries in Africa and the Caribbean—to be associated with an enlarged Community in line with whatever arrangements succeed the Yaoundé Convention<sup>2</sup> and other similar agreements. But in our judgment the difficulties of negotiating Fiji's Associate membership of the Community as an independent country on acceptable terms will be greater than if she were still

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<sup>2</sup> France signed an aid and trade agreement with its African colonies at Yaoundé in Cameroon in 1957. This was extended to cover the six countries of the European Community in the Yaoundé Convention of 1963. A second convention was agreed at Yaoundé in 1969.

dependent, since Fiji would be negotiating in her own right and only with such support as we might be able to give.

In brief I confirm that whatever problems we find ourselves up against once negotiations commence, we shall stand by the assurances we have given. Naturally we recognise the importance of continuing close consultations with independent Commonwealth Governments and Governments of Dependent Territories in regard to developments of interest to them concerning the British application for entry into the E.E.C. The United Kingdom Government will, of course, be prepared to discuss the interests of independent Commonwealth countries and Dependent Territories although much of this work was done in 1967 and will still be relevant. However it is rather premature at this stage to think in terms of Commonwealth consultations, but if in the meantime there are further points you would like to raise please let us know. Incidentally the Decision of the E.E.C. Council of 25 February, 1964, in which were laid down the arrangements for the Association of the dependent territories of the Six expired on 31 May, 1969. We are finding out what arrangements the Community are making to renew the Decision on Part IV Association and if there are any material changes in the new arrangements we shall let you know about these.

### **138** FCO 32/403, no 130

7 Aug 1969

**[National Federation Party]: outward savingram no 5 from J C Morgan to Sir R Foster on an interview with Mr Ramrakha on the Indian view of the political situation**

Ramrakha accompanied by Downs, [sic]<sup>1</sup> called on Lord Shepherd yesterday afternoon (5 August). I was present.

2. In course of conversation Ramrakha put forward following views:—

(a) His party finds difficulty in negotiating with Alliance which, he suggests, does not have a common official view on what is required. He personally thinks that people who before were afraid of change would now welcome it and that Alliance may be moving towards acceptance of 'one man one vote'.

(b) He is anxious that parties should not develop on purely racial lines. Both are to some extent multi-racial but not sufficiently so yet. Alliance has little Indian support, Federation has no European support. Fijians in Federation are valuable help in interpreting Fijian wants. Federation could not rule as governing party without Fijian support.

(c) Decision whether and when there should be a conference should not rest with Chief Minister alone. Federation wants Conference soon and feels Her Majesty's Government should take the initiative. This would not be resented in Fiji where the people are not hostile to Britain.

(d) The gap between the sides is not yet really narrow. There is general feeling that Europeans are over represented but no agreement how representation should be reduced. He doubted there would be agreement on a common role although before he left Fiji, Fijian Association voted in favour of common roll. He said

<sup>1</sup> David Down, partner in the law firm of T L Wilson and Co, who were the inheritors of the law firm of Henry Polak, an associate of Mahatma Gandhi and a campaigner for the rights of Indians overseas.

Alliance might agree to extension of cross voting.

(e) Federation recognised special position of Fijians. They earlier suggested there should be a Fijian President with powers of veto to safeguard Fijians. Later they suggested that there should be reserved powers over certain legislation giving the United Kingdom some control.

(f) There is still difference of view over land. Indians would like Landlord and Tenants Ordinance extended, Fijians would like it abolished. Federation does not challenge special rights of Fijians but these must be defined. Indians are emigrating to Canada etc. because they have no land. Even Fijians are feeling frustrated because of restrictions.

3. Lord Shepherd said he would like to visit Fiji but did not want to go if everyone expected too much from his visit. It might only make situation worse. Any question of imposing solutions must be avoided. The people of Fiji have to live with any solution and an imposed one may be unacceptable to both sides and only last a few years. We are not trying to cast Fiji off or to hasten a final solution. People of all races should take their time and reach agreement on what is best for Fiji as a whole. If they can find an acceptable formula we will be glad to be a party to it.

4. Initiative for a Conference should come from Fiji. If the governing party asks for one then Her Majesty's Government must take notice. A party in opposition is inevitably in different position in this respect from one in power. Lord Shepherd said he would be glad to go to Fiji before the Conference to consult people on a broad basis but the initiative for a Conference must come from Fiji.

5. Lord Shepherd stressed the danger of party divisions on racial lines. In Fiji the Indians are mainly the traders, the Fijians man the police and armed forces. Government by purely Indian party relying on Fijian police and army would produce an impossible situation.

6. On the question of reserved powers to protect Fijians, Lord Shepherd said that these would probably be satisfactory if in the hands of a Governor General with proper powers to preserve entrenched clauses. He would not want responsibilities to be left with the United Kingdom without the powers to discharge them.

7. Downs suggested that there was in Fiji a considerable measure of goodwill and that the parties should go as far as possible along the road to agreement on what is required. A point will probably be reached however, when further progress is impossible. They should then be able to call for help from Her Majesty's Government. It might be a question of 'face-saving'. Lord Shepherd said that if this would mean Her Majesty's Government being asked to arbitrate, he hoped this stage would never be reached. He wanted to see progress towards an agreed solution but the pace should not be forced. It was wrong to impose solutions. It was better to achieve agreement even if it takes time.

8. Ramrakha said he was worried about the time factor. The present situation is not satisfactory and should not be perpetuated. The Chief Minister appears to be delaying decision on a Conference: it would have been better if the Governor had made the announcement about having a Conference when the time is right. This would show that the United Kingdom is still concerned with Fijian problems. Lord Shepherd repeated that it is best to hasten slowly and to achieve agreement even if it takes time. One must avoid imposed solutions. If we were to agree to this the Indians would be the chief sufferers. Decisions made now affect not only this but future generations.

**139** FCO 32/403, no 115

2 Sept 1969

**'Fiji: the constitution': FCO notes on the attitude of the Alliance Party, the Federation Party, and the British government**I. *The Alliance Party**Want:—*

- (a) the next constitution to give them a very full form of self-government—perhaps a Bahamas type constitution.
- (b) safeguards to ensure retention of political power in the hands of the Fijian people.
- (c) a constitution that will get Fiji out of the U.N. orbit (we have explained that this is not likely to be achieved before independence).
- (d) the next constitutional conference to be the last.

*They seem also to favour or to be ready to accept:—*

- (e) independence coming at a foreseeable time after the next constitution but subject to (b) above (there is some pretty muddled thinking in this connection about 'the link with the Crown' or the 'link with Britain').
- (f) some cutting down of communal voting and 'general' seats and some extension of cross-voting. Their current ideas on this were described by the Chief Minister in May as follows:—

A Legislative Council of 50 composed as follows:—

- (i) Ten constituencies so arranged that Fijian and Indian voters would be about equal, but, because this is not entirely possible everywhere, there would be some compensating constituencies where one or the other community predominated. For each of these constituencies there would be 4 members (1 Indian and 1 Fijian elected on communal rolls and 1 Indian and 1 Fijian elected by cross voting)—total 40.
- (ii) These ten constituencies to be lumped together to form 5 constituencies to elect 5 'general' members by cross-voting.
- (iii) In addition the country would be divided into 3 constituencies to provide 3 communally elected 'general' members.
- (iv) 2 members appointed by the Council of Chiefs (unless there were an Upper House when these members might disappear from Legco).
- (g) an Upper House (as a safeguard for Fijian rights (political and, for example, land).
- (h) an Ombudsman (to give some reassurance to the Indians).
- (i) An Executive Public Service Commission (The Chief Minister seemed, in May, to accept that it might be better to defer this until nearer independence but, his views require clarification).

II. *Federation party**Want:—*

- (a) independence.
- (b) one man, one vote, one value, geographical constituencies.

- (c) the rights of the minority to be safeguarded by a bill of rights entrenched in the constitution.
- (d) a constitutional conference soon.

*They seem prepared to accept:—*

- (e) full internal self-government as a next stage. Mr. Patel is said to favour a Bahamas type constitution.
- (f) on the electoral problem—something short of (b) at the next stage. But Mr. Patel seems not to like cross-voting much more than communal voting. His interpretation of the Kaul formula (15, 15, 5, 5) in 40 single member constituencies, a common roll, but most constituencies reserved as to race. At the first of the current series of Ratu Mara-Patel talks Mr. Patel said that Numbers in the legislature should be between 40 and 60. At first certain seats would be reserved, racially, and some thrown upon to candidates of any race. As confidence grows seat reservation could disappear. He argues that under a one man, one vote, geographical constituency system Fijians would benefit because the Indian population is concentrated in certain areas only.

### III. *Area of agreement between the two parties*

It seems, therefore, that the only serious obstacles in the way of agreement on the lines of a new constitution is the wide difference in view between the parties on electoral arrangements, and the allied problem of safeguards for Fijians.

We must try, therefore, perhaps with the help of the Government of India, to bring the two sides closer together on electoral arrangements.<sup>1</sup> It would help in this if we could also satisfy the Fijians on 'safeguards'. These would, of course also have to be accepted by the Indians. So far we know them to have acquiesced only in an entrenched bill of rights.

But we should also have to persuade the Chief Minister that constitutional safeguards cannot be a complete guarantee of successful multi-racialism; they can even be a dangerous irritant (e.g. Malaysia).

### IV. *Action required*

- (a) If Ratu Mara and Mr. Patel are still in the present positions on electoral arrangements at the end of October it would be useful for Sir Leslie Monson to have with him some suggestions for discussion. Find out from the Governor how the Ratu Mara—Patel talks are going, ask him for any suggestions he may have on devices for bringing the two sides closer together on electoral arrangements, e.g. can Patel's reserved seats idea be combined with Ratu Mara's ideas? Can Patel be persuaded to accept some communal and cross voting seats? Can we find some compromise from Professor De Smith's ideas? Consider these matters also here with the legal advisers.
- (b) Examine further possible 'safeguards' (e.g. those listed at V below and any others we can think of) in consultation with the legal advisers with a view to drafting notes for the guidance of Sir L. Monson's exploratory mission.

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<sup>1</sup> This was the view of the FCO Pacific and Indian Ocean Dept. The South Asia Dept took a different view, as did the High Commission in New Delhi (see 143, note).

(c) Consider further (also with a view to drawing up guidance for Sir L. Monson's mission) such matters as the following on which we have not yet formulated views:—

(i) Would we be likely to agree to removing all all officials from the Legislative Council? (?Yes.)

(ii) Would we want the post of Chief Secretary to continue in the next constitution?

(iii) If a satisfactory agreement were reached between the parties in Fiji on the electoral problem we would presumably agree to a Bahamas type constitution at the next round.

Would we agree to delegate external affairs on Bahamas lines? ?Yes.

Would we agree to delegate internal security on Bahamas lines? (? put provision for it at the Governor's discretion into the constitution but not for mandatory immediate delegation.)

V. *Safeguards for the Fijians* that might be considered include:

(a) *An Upper House*—as a home for communally elected general members and the representatives of the Council of Chiefs and as a device for entrenching Fijian rights (e.g. political and land). It would presumably have special powers in relation to entrenched clauses in the constitution but perhaps only delaying powers in other matters. Or there might be arrangements for both Houses to sit together on matters affecting the entrenched clauses.

Two suggestions put forward so far envisage a nominated Upper House. The Governor has suggested 8 members nominated by the Chief Minister, 6 by the Leader of the Opposition and 4 by the Great Council of Chiefs. Ratu Mara has suggested 1/3 each nominated by the Chief Minister, the Leader of the Opposition and the Great Council of Chiefs. The Federation Party have said they would prefer a unicameral legislature.

(b) *Constituency delimitation*

The Chief Minister earlier favoured this continuing to be done by the Governor. This could not continue after independence. A Commission to advise the Governor or an independent Commission to do the job is more normal. The important thing is to ensure impartiality. Perhaps arrangements like those in Dominion might help (a commission consisting of the Speaker, as Chairman, two members nominated by the Premier, two nominated by the Leader of the Opposition. Its recommendations have to be approved by the House of Assembly.) However, the latest news from the Governor is that Ratu Mara thought a one-man commission of someone from Fiji would do.

The Chief Minister was anxious in May to know whether a Commission's terms of reference could include taking account of race. We have found no precedent for this but in an electoral system so widely based on race as the next Fiji one is likely to be, it would not seem an unreasonable provision.

(c) *A Fiji status*

The Chief Minister says he sees this as a unifying device but he also seemed to link it with voting. We discouraged the idea and told him Fiji citizenship could only come with independence. He seems to have dropped it.

(d) *Communal Chambers* (on Cyprus lines) to look after the special interests of each community. But this would not seem to help with the basic Fiji problem



which is essentially to reassure and preserve some political 'edge' for the large (native) minority over the small majority. It would also look too much like perpetuating communalism whereas the aim in Fiji is (hopefully) multiracialism.

(e) *A Race Relations Council*

This might have special powers over matters affecting either of the two communities. Legislation in this category might, for example, have to be agreed by such a Council as well as by the Legislature.

The Council might be composed of two persons, one of Fijian and one of Indians race, nominated by the Chief Minister and two, also one of each race, nominated by the Leader of the Opposition. Until Independence the Chairman might be the Governor. After Independence the chairman might be a distinguished 'neutral' (as for the Supreme Constitutional Court of Cyprus) presumably not a Fijian of any race and not a citizen of India.

## 140 FCO 32/429, no 6

16 Sept 1969

### [Future of Fiji]: letter from E J Emery to Sir R Foster on the presentational aspects of Sir L Monson's forthcoming visit

Leslie Monson left yesterday for Seychelles with Lord Shepherd and he has asked me to write to you on his behalf to send you the attached copy<sup>1</sup> of the programme for his visit to the Western Pacific, which we have just worked out, and to say how much he looks forward to seeing you again in Fiji.

2. Leslie has not been in Fiji before and would naturally like to see as much of it as possible. He leaves it to you to suggest how he can best do this. We have found it difficult to guess how much time will be needed for the constitutional talks, but as you will see, we have provisionally set aside three days. (We realise this may be tight.) Leslie hopes, when he leaves Fiji, to visit the New Hebrides and the Solomons. You will see that the programme provides also for a possible stop in Delhi on the way home. More about that below.

3. It seems to us that the presentational aspects of Leslie Monson's visit may be quite important. Is there a risk that if it is generally known that he is coming for constitutional talks, that might have just the effect of raising false hopes and the political temperature which we are trying to avoid by postponing a visit by a Minister? Would it be preferable, therefore, for you simply to say that he, having just taken over his new responsibilities in the office<sup>2</sup> and not having visited Fiji before, is coming on a familiarisation visit to Fiji, the New Hebrides and the Solomons?

4. A related question is whether a constitutional lawyer should be on the team. When, in May, we first contemplated constitutional talks in October (then to be Ministerial talks) we rather took it for granted that there would be a constitutional lawyer on the team. From many points of view it would be very useful to have one, especially if, in order to make progress, we are going to have to work out constitutional ideas on the spot, but if there is a constitutional lawyer on the team it

<sup>1</sup> Not printed.

<sup>2</sup> As superintending under-secretary of the Pacific and Indian Ocean Dept.

would be less easy to present the visit as a familiarisation one. What do you think please?

5. We should be grateful for your views also about the approach that Leslie Monson should take in his talks with the politicians you will be arranging for him to meet. As we see it at present, his mission will be an entirely exploratory one to assess with you, and the others concerned, the area of agreement which the two political parties will by then have reached about the constitution and particularly about the electoral issue and, insofar as they have not agreed, how much 'give' there may be in their respective positions and in what directions each of the two parties might be prepared to move if given a suitable prod. In the light of these findings, you and Leslie would then recommend whether and when there should be a Ministerial visit to follow up and to carry the exploration process further and to decide whether a constitutional conference would be practicable soon afterwards.

6. At worst, if in October we find virtually no agreement, and no flexibility on the crucial issues, Leslie could simply say to the leaders in Fiji that he would report the situation to our Ministers but that he did not see how progress could be made without more agreement between those concerned in Fiji. Perhaps this would serve to move them to some degree of compromise?

7. One aspect of this sort of approach on which we shall need your continuing advice is, of course, what effect continuing delay may have on the security position in Fiji. If there is too much dragging of feet by the Alliance and if we rest too long on the position that it is up to the parties in Fiji to find agreement themselves without our bringing pressure to bear on one side or the other, or both, is the Federation Party likely to become so restive that the situation could become inflammatory, and security endangered?

8. We should be grateful also to know what you feel you should say to Patel about Leslie Monson's visit and when you should tell him of it. Presumably whatever the public aspect we give to the visit (see paragraph 3 above) you will want to tell Patel that Leslie Monson will want, while he is in Fiji, to have talks with him about constitutional matters and you will have to give him reasonable notice so that he will be available. You will also want to give him the news at the time you think most advantage can be gained from it in the talks with Ratu Mara. We were wondering whether it would be a good idea to tell Patel before Karan Singh's<sup>3</sup> visit to Fiji, but your telegram No. 44 Personal (received yesterday) tells us that Karan Singh will be with you next week. That seems, subject to your views, a little early to tell Patel that a senior official from London will be coming to have talks with him about the constitution.

9. That brings me to the provisional stop-over in Delhi at the end of Leslie Monson's programme. Depending on the outcome of his talks (and Karan Singh's) it seemed to us that there might be advantage in his giving the Indians in Delhi a first-hand account of progress. We shall be consulting Delhi about this, of course, later on, but the consultations will be, of necessity, a rather last minute business from Fiji.

10. To help us launch our preparatory work here for Leslie Monson's visit, we have drawn up the attached rough working paper.<sup>4</sup> It consists simply of notes of the

<sup>3</sup> Joint secretary, Ministry of External Affairs, Government of India.

<sup>4</sup> See 139.

position of the two parties in Fiji as we know them at present. (Incidentally, we found the record of the meeting between the Federation and the Alliance on 12 August, enclosed with your letter of 28 August, very interesting and illuminating.) The enclosed paper has not been seen by the constitutional lawyers, nor indeed by anyone more senior than myself. It is, therefore, very much the production of an amateur. If you see any inaccuracies in its description of current attitudes in Fiji or if you have any other comments or ideas to contribute, we should be grateful to have them. I have flown one or two kites (mainly about 'safeguards'). I have not really had time to think them out properly and if you think they should be hauled down at once please do so.

11. The key issue, the electoral one, is the one on which one feels one ought to be producing some constructive ideas, but I confess, given the present attitudes of the parties, I find this very difficult. Perhaps the second meeting, which may by now have taken place, will give us some inspiration and we should be most grateful for your own ideas. (We find it, incidentally, rather difficult to understand quite what Mr. Patel is getting at in the passage at the bottom of page 5 of the record of the meeting on 12 August.) Can some marriage be made between cross-voting and reserved seats?

12. There is one further point on which we should be grateful for your advice. Neither Leslie Monson nor I have been to Tonga, and we should much have liked that at least one of us should have had a day or two there during our forthcoming visits to the Pacific. But we have decided that time simply will not stretch to it. A second best would be to ask Archie Reid<sup>5</sup> to come to see us in Fiji. If he were to make such a visit, it ought, presumably, to be at the end of October when Leslie Monson, as well as I, will be there. But our time in Fiji then will be very crowded and we felt, therefore, that we ought to put the idea to you before uniting about it to Archie Reid. Would you please let me know what you think about this too?

13. It would help us to get on quickly with preparations here if we could have your answers to the above by telegram.

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<sup>5</sup> A C Reid, British commissioner and consul in Tonga, formerly (1959–1965) secretary for Fijian affairs.

**141** FCO 32/404, no 149

3 Oct 1969

[Future of Fiji]: inward telegram (reply) no 52 from Sir R Foster to J C Morgan on talks with Ratu Sir K Mara ahead of Sir L Monson's visit

My telegram No. Personal 48: Monson's Visit.<sup>1</sup>

Miss Emery and I had a long discussion with the Chief Minister yesterday about arrangements for visit. He has managed in spite of my warning, to get himself committed to being out of Viti Levu from 25–29 October. It seems that internal touring should be done first and discussions afterwards.

2. We seemed to catch him in a rather suspicious mood but I have discovered he may well have been very tired. He said the present constitution was now outlived and we should proceed as soon as possible to full independence. The existence of the

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<sup>1</sup> This was Foster's reply to 140. Emery was now in Fiji pending Monson's arrival.

position of Chief Secretary particularly was upsetting Ministers and frustrating them. It detracts from the appearance of large degree of self Government which actually exists and should be clearly seen. There was general agreement with Federation Party over the need for a conference and it was only a matter of timing. On the constitution there was a large measure of agreement and only one area of difficulty remained which was electoral arrangements. He would be back from Noumea on 20 or 21 October and there may be a discussion then with the Federation Chief Justice before he went away on 25th but there was anyway 3 weeks in November before Legislative Council which was fixed for 21 November. That was ample time he thought for what would probably only amount to a couple of meetings for reasonable agreement to be reached. He was not therefore quite sure what real purpose Monson visit was. He was reminded that the origin of the visit was arranged in May. He said that conditions were now different from then as both sides had agreed to the conference. There was a bit about the United Kingdom having brought the Indians in and many Fijians said that the United Kingdom had better see that arrangements reached left Fijians in control or there would be real trouble in the country.

3. All this too gives you atmosphere but we finally got back to the problem of Monson's programme. We concluded that there was no need for a constitutional lawyer this time as it was premature and probably did tie visit too firm to constitutional issues. Mara considered we should say the visit was familiarisation but also to see what progress was being made over constitutional affairs. If this sparked off [gp undec]<sup>2</sup> from minority groups then he could see no harm. He visualised meeting between Monson and a Group Alliance ineffective although all agree with talks and expect there to be similar meetings with Federation Party but did not show any enthusiasm at all for joint meetings. The business of coming to terms locally I think he regards as an advantage to two parties and not one, having regard to outside intervention. The pattern of the visit therefore seems to be familiarisation, ascertaining progress so far made, remaining areas of disagreement and ideas on future plans and timetable. We told him of the possible visit of the Queen in early March on which I shall telegraph separately. He agreed with it and said in that case the conference might be held in the Spring just after the visit.

4. I can only record what he said at a fairly unsatisfactory meeting but we have heard before of plans for dealing with the Constitutional issue which for one reason or another did not come to fruition on this. This may happen again but he did seem anxious that now at any rate we must get on. I have promised draft text for announcement of visit of Monson and will send it by telegram when he has seen it. We should make some announcement at about the end of next week and I would write to Federation Party a day or so before publication in similar terms letting them know that Monson would like to meet them at a time and date to be arranged. We will work on the draft programme and let you have it.

5. We did enquire what effect Patel's death<sup>3</sup> might have. Mara would be happier dealing with Koya who is a good starter as successor to party leadership but he thoroughly dislikes Ramrakha another starter. We noted need for [gp undec] speech but also that we could within reasonable limits control the contraction of timing. Such an event could raise passions a bit.

<sup>2</sup> Word or words undeciphered in transmission.

<sup>3</sup> Patel died on 2 Oct 1969.

**142** FCO 32/404, no 154

10 Oct 1969

**'Fiji constitution': minute by Sir L Monson to Lord Shepherd on independence and Fijian paramountcy**

There are some points on which I would welcome your instructions before I leave for Hong Kong and the Pacific.

*Background*

The latest report is in the Governor's telegram Personal No. 52 attached.<sup>1</sup> This appears to imply that the two Parties have agreed broadly on the form of a new constitution but are not agreed on electoral arrangements. These are the crux of the matter and may cover division of seats and/or delimitation of constituencies. The points on which I should have instructions (even of a provisional nature)—

## (i) The object of the exercise

Do we accept the view that independence should leave the Fijians in control, although they are a minority of the population? My own view is that we should for two reasons—one 'realistic' and one moral. The 'realistic' reason is that the Fijians, through service in the police and armed forces, are in a position to present us with an intolerable security situation before independence or to carry out a Zanzibar-type coup d'état after independence.<sup>2</sup> The moral reason rests on the Deed of Cession by which the Fijians originally voluntarily put themselves under British sovereignty. (The counter-argument is that by depriving the Indian majority of political control, however much we provide for the protection of their property etc. through Bills of Right and Ombudsmen, we shall be storing up trouble for the future cf. Malaysia and Northern Ireland where such trouble has come through the deprivation of due political influence by numerically strong minorities.)

From the point of view of our own interests this seems to me the lesser risk of the two.)

## (ii) 'Proceeding as soon as possible to full independence'

From our last talk with the Chief Secretary, I believe this is your aim too. More precisely should we agree to a programme on the following lines:—

- (a) Constitutional conference in April 1970 to result in Bahamas-type constitution.
- (b) Elections in autumn 1970.
- (c) Discussions after elections to complete arrangements for independence.
- (d) Independence some time in 1971 (subject to outcome of (c)).

(iii) In discussions with Chief Minister last May<sup>3</sup> Sir Arthur Galsworthy urged him to reduce the number of communal seats in the Legislature as much as possible and to extend cross-voting on the grounds that this would make the solution more

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<sup>1</sup> See 141.

<sup>2</sup> Zanzibar became independent in Dec 1963 but the sultan was overthrown in a violent revolution in Jan 1964. Zanzibar and Tanganyika were united under President Nyerere in April 1964, taking the name Tanzania in Oct 1964.

<sup>3</sup> See 134.

acceptable all round and particularly to Parliament (see minutes at (B)). The Chief Minister was not too receptive to this and I suspect may have reached agreement with the Indians on this. If so, would we for Parliamentary reasons wish to oppose? Would it not be sufficient for Parliament that both communities in Fiji accept the arrangement?

(iv) The Chief Minister does not want a conference in London unless both sides reach a greement. We would share this hope. But there is likely to be a situation in which one point is disagreed between the sides e.g. the terms of reference of a constituency delimitation commission on which the prospects of continued Fijian control may depend. If that sort of a situation arose would we insist on local agreement before a conference were held or would be ready to hold a conference with a view to resolving the difference and (in the last resort) give a decision?

**143** FCO 32/430, no 154 16 Oct 1969  
**'Fiji independence': draft memorandum by Mr Stewart for Cabinet Defence and Oversea Policy Committee advocating measured and patient means to achieve the goal of independence under Fijian control**

[This draft was not in fact submitted to the Defence and Oversea Policy Committee, the Pacific and Indian Ocean Dept at the FCO deciding it would be better to wait until Monson had visited Fiji and reported back. Commenting on para 13 (ii) of the draft, South Asia Dept observed that India would not be pleased if the UK promoted independence upon the basis of Fijian paramountcy. Hitherto the UK had encouraged Indian interest in Fiji, as means both to placate Fiji's Indian population and to avoid Indian government criticism of the UK at the UN. The independence strategy now contemplated would meet with strong objections from India. The Indian government would see it as a strategy to consign Fiji's Indians to second-class citizenship, and New Delhi would claim it had been deliberately deceived by the degree to which India had been taken into the UK's confidence. However, South Asia Dept also believed any pressure from India could be contained. India had no right to interfere, and Indian prime ministers from Jawaharlal Nehru to Mrs Gandhi had always argued that Indian overseas had to think and act as if they were citizens of the countries to which they belonged. It was significant that when, as result of Kenyan legislation in 1967 tightening immigrant work permits, hundreds of Asians had to leave Kenya and were denied entry to the UK by the 1968 Commonwealth Immigrants Act, Indian attempts to influence Kenyan policy met with no success.<sup>1</sup> South Asia Dept therefore believed the aim henceforth should be for the UK to disengage from Indian involvement in Fiji; Indian 'back-seat driving' would not be helpful. It was just as well Fiji was not being placed before the Defence and Oversea Policy Committee before Monson's visit. Monson would be visiting India on his return from the Pacific and he would not therefore have any ministerial decisions to reveal (FCO 32/404, no 166, minutes by T D O'Leary and K M Wilford, 21 Oct 1969). The UK High Commission in New Delhi concurred. The 'frequency and intimacy' of High Commission exchanges with Indian officials would be reduced. The High Commission also suggested that no further invitations to visit Fiji should be issued to Indian politicians and officials, although if India pressed persistently for visits it would be 'hard and provocative to resist them' (FCO 32/430, no 74, inward tel 2136 from Sir M James, high commissioner, to FCO, 6 Nov 1969, repeated to Sir R Foster).]

<sup>1</sup> On the Kenyan Asian crisis, see S R Ashton & Wm R Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP, 2004), part III, 444–447.

*Introduction*

In recent weeks the Governor of Fiji has reported widespread and increasing pressures from all sections of the community that Fiji should be granted full independence as soon as possible. This is my reason for referring this problem to the Committee now.

2. Fiji, our largest remaining dependent territory in the South Pacific (or anywhere, excluding Hong Kong), has a population of about 512,000, of whom 51 per cent are Indians, 41 per cent Fijians, and the rest Pacific Islanders, Chinese, Europeans and part-Europeans. The total land area of the Islands is 7,000 square miles. They are not at present over-populated but with a high preponderance of young people among both Indians and Fijians, they could become so. A land problem arises from the fact that most of the land is owned by the Fijians, while a high proportion of the Indians are agriculturalists.

3. Race relations in Fiji have until recently been generally good, though race dominates the political scene. The Fijians are intensely loyal to the Crown. Their ancestors ceded the Islands to Britain in 1874 by a Deed of Cession. They regard this historical fact as their guarantee against domination by the more prolific and economically sophisticated Indians. The latter, on the other hand, maintain that the Salisbury Declaration of 1875 (which promised that Indian labourers brought to Fiji would be properly treated and given equality of opportunity) entitles them to a one man, one vote democracy. The Fijians predominate in the Armed Forces and Security Forces; they fought well in the War and later in Malaya; but the Indians are the mainstay of the economy. The Europeans and part-Europeans (mostly with Fijian blood) generally side with the Fijians.

4. Her Majesty's Government's general policy as stated in the final communiqué of the Commonwealth Prime Ministers' Meeting in London in 1966 is to the effect that the British Government stands ready to give independence to territories that want it and can sustain it. In October last year the Secretary of State for Commonwealth Affairs (Mr. Thomson) at the opening of the Bahamas Constitutional Conference further defined our attitude towards the future of the remaining British dependent territories. He said 'We have not—and never have had, any detailed blueprint. A few of these territories may wish to proceed to independence. Others may not. It is always difficult to forecast. But whatever the future holds we in Britain will adhere closely to the cardinal principle to which we have adhered in the past that the wishes of the people concerned must be the main guide to action. It is not, and never has been our desire or intention either to delay independence for those dependencies who want it or to force it upon those who do not'.

5. I consider that Fiji can sustain independence economically. But the great problem is the racial composition. The indigenous Fijian is now outnumbered 5 to 4 by the second and third generation descendants of the indentured Indian labourers who were brought to Fiji at the end of the nineteenth century to work in the sugar cane production areas. On present figures the Indian section of the community has a higher birth rate and, as indicated in Annex A,<sup>2</sup> their communities are concentrated

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<sup>2</sup> Annexes not printed.

in certain areas. The Indians have made a very considerable contribution economically, both through sugar production and through commerce and industry generally.

6. Ultimately, the two main races must come to terms. The Constitutional Conference held in 1965, however, highlighted the difficulties.<sup>3</sup> The Fijians agreed to attend only if discussion of independence was ruled out, and made it clear that any attempt to force undiluted democracy upon them would strain their loyalty to the breaking point. The Indians, although agreeing that the Conference was not directed towards independence, showed that this was, in fact, their ultimate goal and that their immediate objective was the straightforward one man, one vote democracy which, by reason of their numerical preponderance, would ultimately give them control of Fiji's destiny.

7. Following this Conference, a new constitution came into force in September, 1966. It provides for a Legislative Council of 36 members elected by universal suffrage, with four official members; and for an Executive Council over which the Governor presides and in which there are not more than four officials and such number of elected members as the Governor may appoint (in practice at present six). Details of this existing constitution are set out in Annex B.

8. The first elections under the Constitution in October 1966 resulted in a victory for the Alliance Party (a multi-racial party, mainly Fijian) over the Federation Party (an Indian association) by 22 seats to 9, with 3 Independent candidates who support the Alliance Party.

9. For a period of time after the elections the Alliance Party conducted government business in an exemplary fashion and the Opposition appeared to conduct themselves in a constitutional manner on the 'Westminster model'. The new Constitution provided for the adoption of a Ministerial system under which Ministers would be assigned responsibilities for the business of government, although with the Governor still retaining the Chair of the Council of Ministers and responsibility for certain subjects and having general reserve powers. When the transition to this system took place in September 1967, and the extent of the *de facto* authority of the Alliance Party Ministers became apparent, the mood of the Federation Party changed. They tabled a motion denouncing the Constitution, and walked out of the Legislative Council. They continued their boycott of Legislative Council proceedings through two successive meetings, thereby (under the Constitution) automatically forfeiting their seats and forcing by-elections. These were held in the autumn of 1968, and the 9 Federation Party candidates were returned with increased majorities on a smaller poll.

10. During the campaign for these by-elections sections of the Indian community had indicated that they might support Indian candidates of the Alliance Party. But when the poll was published it showed an almost solid Indian vote for the Federation Party. The Fijians regarded this as evidence of Indian duplicity and bad faith. Violent anti-Indian demonstrations took place and it was only prompt intervention by the Chief Minister which prevented the Fijians from attacking the Indian community. This event led to a more rapid movement on the Fijian side to get early constitutional changes with built-in Fijian control. At the same time the

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<sup>3</sup> See 87-91.



Indians were alarmed by the strong Fijian reaction to the by-election events. The Federation Party ceased to boycott the Legislative Council and an informal dialogue between the leaders of the two parties began to try to reach agreement on the next constitutional stage.

11. These attempts at a meeting of minds were recently broadened to formal meetings between representatives of each party, and although the Governor has not been able to get full details, I understand that:—

- (i) both sides are agreed on a new Constitution which will include safeguards as regards land, provision for the office of an 'Ombudsman' and the inclusion of a Bill of Rights;
- (ii) they differ, however, on the question of electoral arrangements, the composition of a future legislature and the question of constituency boundary arrangements.

12. The crux of the issue is Fijian determination that they should go to independence while they are in a position to ensure that they will remain politically dominant in the future, with that dominance entrenched in the Constitution. If they do not obtain this paramountcy by Constitutional means, the risk is that they will take by force and by unconstitutional means what they consider to be theirs. This could produce an extremely serious internal security situation, in which we should have difficulty in protecting the Indian community.

13. In considering the nature and pace of constitutional advancement in Fiji there are also aspects of international relations which affect the problem:—

- (i) The United Nations is taking a close interest in developments. In December 1967 the General Assembly endorsed, by a substantial majority, a recommendation by the Committee of 24 that Fiji should be given early independence on a one man, one vote, one value basis. The Fijians dislike intensely the U.N. preoccupation with Fiji, while the Indians in Fiji, in particular the Opposition party, use the U.N. interest as a political stick with which to belabour the Government party.
- (ii) India also takes a close interest in developments. Recently they have been co-operative and there have been a number of Indian ministerial goodwill visits to the territory which have been most useful in bringing down the political temperature. Following the visit of a senior official from the Indian Department of External Affairs (Mr. Kaul) in early 1968 certain proposals regarding the future electoral arrangements were put forward which seemed to offer the chance of a compromise between the two parties. These proposals are set out at Annex C.<sup>4</sup>
- (iii) During a visit to Australia in 1966 the then Colonial Secretary, Mr. Fred Lee, gave a general undertaking to the Australians, and through them to other metropolitan powers with interests in the area that we should seek to co-operate with them in constitutional and other planning and thus to 'harmonise' policies in our territories in the Pacific. We are in particular bound to consult fully with the Australians. They have an interest in the pace of advance in Fiji as affecting the position in Papua and New Guinea.

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<sup>4</sup> See 133, enclosure.

### *Problem*

14. In all these circumstances I have reached the decision that I should now, in good time, consult my colleagues as to the objects and methods of our policy towards Fiji; and to that end have set down the following questions:—

- (a) Should we work for a new Constitution which will carry Fiji into independence leaving the Fijians in control?
- (b) If the answer to (a) is yes: How quickly should Fiji move forward to independence?
- (c) Should we continue our present policy of allowing time for both sides to try to reach an accommodation before a Constitutional Conference is held?
- (d) Or, on the contrary, should we now force the pace by
  - (i) Allowing for the utmost effort to be made to get the two sides to an acceptable compromise, *or*
  - (ii) collaborating covertly with the Fijian Alliance Party, and advising them to ask for an early dissolution of the Legislative Council. Elections would then be held under the *present* Constitution and the Alliance Party would make their platform a new Constitution ensuring continued Fijian control and early independence under that Constitution itself. The Fijians are virtually certain to get a majority under the present arrangements. Having then won the election they would then demand a Constitutional Conference on the basis of the Constitution for which they had campaigned. We would hold the Conference, and grant the independence Constitution as reflecting the wishes of the majority of the people of Fiji. Independence on that basis would arrive 6 months later.

### *Considerations*

15. As regards (a) above, our dilemma is that the Fijians did cede their country in all good faith, and they have a strong moral case for the contention that independence should leave them in control of 'their' country. There is also the practical point that in any event through service in the Police and Armed Forces, they are in a position to present us with an intolerable security situation before independence, or else to carry out a Zanzibar-type *coup d'etat* after independence.<sup>5</sup> On the other side, the Indians have contributed greatly to Fiji's present economic prosperity and will have a large part to play in Fiji's future; they certainly enjoy political rights as the largest community in the Islands; and they have powerful and vocal friends in the world and the U.N. On balance, I take the view that we will not in the end be able to justify, either in conscience, or in political terms, in our own country, a solution that does not ensure that independence will leave the Fijians in control. The corollary of this, of course, is that the Indians must have exceptionally strong protection under a new Constitution, by way of a Bill of Rights, provision for an 'Ombudsman' and other safeguards.

16. On the question of timing, my view is that we would wish to arrive at a Constitution consistent with the wishes of the people of Fiji as soon as possible. Both possible programmes considered below aim at early independence with Fijian control. Her Majesty The Queen will be visiting Fiji in early March next year. Bearing

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<sup>5</sup> See 142, note 2.

in mind that we should not wish to undertake constitutional initiatives until Her Majesty's visit is over, if we decide to continue our present policy of letting matters take their course, as outlined in paragraph 14(c) above, we should agree to a programme on the following lines:—

- (i) A Constitutional Conference in or about April, 1970, to result preferably in an agreed Constitution, otherwise in one imposed on the Indian Opposition.
- (ii) Elections under the new Constitution in the autumn of 1970.
- (iii) Discussions after elections to complete arrangements for independence.
- (iv) Independence some time early in 1971 (subject to the outcome of (iii)).

17. The advantages of proceeding at this pace and in this manner are:—

- (a) There is the maximum chance of agreement or limiting disagreement between the two parties.
- (b) There is time for adjustment to new circumstances as they arise.
- (c) A relaxed pace need not prejudice the object of post-independence Fijian control and would be the best course for reaching an amicable solution.

The clear disadvantage is the risk of a critical breakdown at the Constitutional Conference, leading to us being obliged to give an open award against the Indian opposition, with foreseeable adverse consequences both in Fiji and in the U.N. This is, however, balanced by the equivalent risk in the programme outlined in paragraph 14 (d)(ii) above, of adverse reaction by the Indians and their friends against our acceptance of a 'claim by the Alliance Party to have obtained a 'mandate' under the *existing* Constitution. There is thus on balance a strong argument for encouraging the current negotiations between the two parties which may lead to an agreed position on the basis of a Constitution and the holding of a Constitutional Conference. The latest known views of the party leaders are at Annex D.

18. But on the other hand if we decide to force the pace, then, after the Royal visit, we should proceed as in paragraph 14(d)(ii) above. The advantages of this course of action are:—

- (i) It gives the appearance of a democratic process *before* we come to the point of awarding a Constitution favourable to the Fijians; (but the Indians and their friends would have grounds for arguing that it was not a truly democratic process); and
- (ii) by demanding a faster pace and less delay at all stages, it could reduce the length of time during which we must remain responsible for the internal security of Fiji, with all the risks involved.

19. There are however three disadvantages to this course:—

- (i) It will become obvious at some stage that we are backing the Fijians against the Indians. This could occur either at the time when the Governor agrees to the dissolution for a new election; or when the Constitutional Conference is demanded by the Alliance Party after winning the election; or, finally, at the time when we acceded to the demands of the Alliance Party at the Conference. At any of these times the opposition of the Indians and their friends will become manifest and violent.
- (ii) The reaction of the Indians in Fiji itself will lead immediately to a hostile reaction by the Indian Government, and in turn to developments in the United

Nations where, in due course, the majority might well refuse to recognise Fijian independence on terms which would be so patently at variance with General Assembly resolutions (see para. 13(i) above).

(iii) There is also a risk (which should not be overstated) that during this altercation the Indian side will accuse H.M.G. of a breach of faith. This would arise from the passage in the Report of the Fiji Constitutional Conference, 1965, in which, on the electoral issue, HMG stated 'the importance they attached to introducing a system whereby some members would be both elected by and responsible to voters drawn from all communities.' (i.e. a great part of the Indian demand for a one man, one vote, one value system). This could be interpreted as implying that we saw in 1965 a need for common roll elections before Fiji could become independent.

20. My conclusion is that the disadvantages of the second course outlined above outweigh the advantages, and could well run us into greater risks than if we continue to be patient and hope, on the lines of the first course outlined, that through the continuation of the dialogue in Fiji a point will eventually be reached when, in effect, the Indian side will concede that Fiji should go to independence under a constitution which would, at any rate for a time, give the Fijian side a constitutional advantage. This is the best for which we could hope, and I do not think we should give up an opportunity of achieving this because of our anxiety to relieve ourselves early of our defence and internal security responsibilities in the area.

21. I have arranged for Sir Leslie Monson, a Deputy Under-Secretary of State in my Department, to have constitutional discussions in Fiji with the Governor and the leaders of both the parties at the end of October. I am anxious to give him and the Governor some guidance as to the lines of our thinking. I hope therefore that my colleagues will agree to my telling them that we wish to work towards a new constitution which would carry Fiji to independence with the Fijians in control, but to proceed by the sure and more patient means which I have outlined in the first course above.

**144** FCO 32/404, no 175 29 Oct–1 Nov 1969  
**[Future of Fiji]: FCO records of Sir L Monson's meetings at Suva with the political parties, Sir R Foster and Ratu Sir K Mara**

*[National Federation Party, 29 Oct]*<sup>1</sup>

Sir Leslie Monson explained that he had taken the opportunity of his recent visit to Hong Kong to come to learn about Fiji. Mr Koya outlined recent events in Fiji (the meeting between the Federation and Alliance parties and Mr Patel's death), and asked about Britain's attitude to independence for Fiji. Sir Leslie Monson referred to the British Government's published statements about independence for remaining dependencies. He also mentioned the threat that political strife and internal divisions

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<sup>1</sup> Present: Foster, Monson, Emery. Representing National Federation Party: S M Koya, C A Shah, U Singh, R D Patel, R J Singh, J Madhvan, I Jai Narayan, Ratu Julian Toganivalu, Ratu Moses Varisekete.

presented to the Fijian economy (with particular reference to the expanding labour force and hopes for tourism).

2. Ratu Mosese Varisekete said that the indigenous population of Fiji had been locked away too long in their communities. They were ill prepared for the future economically and they now looked jealously at the Indian community. Fortunately, there was maturity in politics in Fiji; a blood bath could be avoided by judicious handling of the situation. The extreme traditionalists, however, were a danger. The National Federation Party was the largest party in Fiji; it included some progressive Fijians; policies that were in the interests of all; and the largest economic assets.

3. Mr R.D. Patel asked when a constitutional conference would be held. Sir Leslie Monson said that would depend on the outcome of talks locally between the parties. The aims in drawing up a constitution should be to achieve something that would get people to work together, to remove fears and to favour progress. Ratu Mosese Varisekete said that there were fears that the government were fixing up a constitution with the British.

4. Ratu Julian Toganivalu asked if Britain would arbitrate on points of difference between the parties. Sir Leslie Monson said that would depend on circumstances at the time. Before independence the British government had a part to play, after independence they were out. Therefore the more real agreement achieved before independence the better. Ratu Julian asked if aid from Britain would continue after independence. Sir Leslie Monson said it could, in some forms. Mr R.D. Patel asked if Britain did not have a moral responsibility to use her good offices. Sir Leslie Monson said that what we could do would depend on the degree of difference between the Fiji parties. For us to leave an arrangement under which one or both parties were disgruntled would be to dodge our responsibilities.

5. Ratu Julian asked if Britain regarded the Indians as belonging to Fiji. Sir Leslie Monson pointed out that Ratu Julian himself had earlier emphasised the special position the Fijians held in the country. The Indians, on the other hand, had contributed to prosperity. It was unusual in a constitution to have citizenship reserved by race. It was usually based on residence. Mr Koya pointed out that there was a definition of 'belongers' in the present constitution.

6. Ratu Julian said the Deed of Cession was important to Fijians. It would be important to the Fijians that it should be handed back in some suitable way.

7. Ratu Julian said that the Europeans also had fears but it was the duty of everyone to fit themselves in to the party system. They should seek their protection in that, not in a communal system. The Governor pointed out that, in independence, business and commerce usually prospered. Mention was also made of a Bill of Rights; Fiji already had one.

8. Ratu Mosese referred to the difficulty that those who had traditionally governed Fiji (the Chiefs) found in seeing themselves in another position. HMG should impress upon them the inevitability of change. The Governor pointed out that change was gradual.

9. Ratu Mosese asked what the position would be about defence after independence. Sir Leslie Monson said that it would be Fiji's affair. She could choose to make arrangements with a friendly power. Some countries had chosen non-alignment. The British Government was at present reluctant to accept further defence responsibilities. The Governor said this was something that should be looked into during the period leading up to independence.

10. Mr Koya said that at the 1965 constitutional conference Britain handed out a working paper. What was Fiji to aim at now? Sir Leslie Monson said that the next stage would be internal self-government. He again emphasised the need to narrow and define the areas of disagreement.

11. Mr Koya said that the Federation Party would like to present themselves at a constitutional conference as a party not as a communal delegation. They would like to bring members who were not members of the Legislature. Sir Leslie Monson said that constitutional conferences were usually composed of members of the Legislative Council but others might come as observers. This was something that might be taken up nearer the time through the Governor. Mr Koya commented that tax payers might have something to say about all the members of LegCo going.

12. There were questions about who would be responsible for internal security under a self-government constitution and reference was made to the Bahamas constitution.

13. Mr Koya said that the Federation party was a multi-racial party, the Alliance was not. How did one achieve multi-racial parties? The Governor said that this was something that might come with constitutional advance.

(In a private talk with Sir Leslie Monson Mr Koya gave him in confidence a message from Ratu Mara who was away from Suva. Ratu Mara had asked him to say that the Alliance and Federation parties had agreed to meet for further constitutional talks on the 3rd and 20th November and during the LegCo meetings which would begin on 21st November. They would thus be ready for a conference in January. Mr Koya said also that he had an easy time getting agreement in his party. Ratu Mara had difficulty?)

*[Sir R Foster and Ratu Sir K Mara, 30 Oct]<sup>2</sup>*

The main points that arose in discussion were:—

Sir Leslie Monson referred to his meeting on the previous day with Mr Koya and members of the National Federation Party. The Chief Minister said that the Federation had been, in the past, in a hurry for independence. Both parties were now in a hurry. The Federation Party, under Mr Koya, were now beginning to realise that with independence they would be left with the Fijians (not under the wing of India or the U.K.). This realisation was making them begin to focus on the problems that would arise, and it was clearing the air. The Chief Minister said that he still had problems in getting agreement on some constitutional issues within the Alliance Party.

2. There was discussion of the common roll. The Chief Minister pointed out that the unacceptable aspect of the Federation Party proposals was 'one value' in their slogan 'One man, One vote, One value'. He confirmed that his ideas on cross-voting were still those he held in May. Cross-voting taught the races to work together; the common roll would lead to confrontations between the worst kind of politicians. Sir Leslie Monson said that if communal voting seemed right for Fiji, the more the Chief Minister could get the Federation Party to agree to it the easier it would be to get it accepted in London.

3. Sir Leslie Monson said that both sides in Fiji should bear in mind the dangers that threats of internal divisions and international controversy about Fiji presented

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<sup>2</sup> Present: Foster, Monson, Emery, Ratu Sir K Mara.

to the Fijian economy. This provoked some remarks by the Chief Minister about Fijians being the 'have nots' now: they had their traditional way of life and would be happy to continue with it. They wanted their own values. The British had rivivised them but they could not be a European civilisation. He also spoke of the 'soul-destroying' effects of O.S.A.S.

4. The Chief Minister said he was concerned about the role Britain would play in the constitutional conference. He wanted it to be the last conference. If necessary Fiji would go to independence on the present constitution. Sir Leslie Monson said that for them to do that would give rise to a very difficult debate in Britain. The main concern was for the future of Fiji. Fiji would have to live with the independence constitution.

5. The Chief Minister raised the possibility that the constitutional conference might be in Fiji. Sir Leslie Monson said that there had been constitutional conferences in dependent territories but, he thought, only when a large measure of agreement had been reached locally. He thought that Lord Shepherd, who was the Minister likely to be handling the Fiji conference, would hope to visit Fiji to get a first hand look at the problems. He had not come in October because now he might simply have been a divisive influence. But if there were a wide measure of agreement between the parties in Fiji by, say, January, it might be possible for him to come then. We should also try to avoid the Queen's visit taking place at a time of a controversy. It was agreed that a possible time-table might be a visit by Lord Shepherd in January, the Queen's visit in March, and the constitutional conference thereafter.

6. The Governor and Chief Minister discussed, and reached a tentative agreement on, a proposal by the Governor that they should set up a secret working party to set out the 'area of agreement'. The working party might include the Governor (as necessary), the Chief Secretary, the Attorney-General, and persons nominated by the Chief Minister including possibly non-officials from the Alliance. The document setting out the area of agreement produced for this party might then be shown to Mr Koya.

7. There was some discussion about an Upper House. The Chief Minister had clearly not yet made up his mind about this. It was agreed that the Upper House might have powers especially in relation to the constitution, racial problems, and land. Its composition, powers, etc, would require working out to fit Fiji's needs.

8. The Chief Minister suggested that Sir Leslie Monson should meet members of the Alliance Party in the afternoon and that was arranged.

*[Alliance Party, 30 Oct]*<sup>3</sup>

Sir Leslie Monson told this gathering of leading members of the Alliance Party as he had told representatives of the National Federation Party on the previous day that he had taken the opportunity of his visit to Hong Kong to come to learn about Fiji. He spoke also of the need for the two parties to achieve as wide as possible an area of

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<sup>3</sup> Present: Foster, Monson, Emery. Representing Alliance Party: Ratu Sir K Mara, Mr Vijay Singh, Mr Stinson, Mr Reddy, Mr Falvey, Mrs Livingston, Mr Barrett, Mr Yee, Jonate Mavoia, Jone Naisara, Ratu Edward Cakobau, Ratu David Toganivalu, Ratu George Cakobau, Emosii Vuakatagane, Penaiame Nagasima, Alipate Sikivou.

agreement on constitutional issues. He also referred to the British Government's published statements about independence for the remaining dependencies.

2. Mr Barrett asked what Britain's views were on the common roll. Sir Leslie Monson said that any constitution must be tailored for the country concerned. It was therefore always our policy to get agreement locally and to give people what they wanted.

3. Mr Stinson said that the climate was now right for independence. This should be achieved before Fiji dealt with other problems that were coming up e.g. those arising from the increasing labour force. What would the UK do if the Alliance did not get agreement with the Opposition? Sir Leslie Monson said this would have to be a Cabinet decision in the light of the circumstances. Ratu Mara asked if the UK had contemplated that Fiji might seek independence e.g. at the United Nations. Sir Leslie Monson said that this was a hypothetical situation which he had not contemplated.

4. Mrs Livingston asked what a Conservative government in Britain would do. Would they be more sympathetic? Sir Leslie said that all parties were pragmatic in office.

5. The Chief Minister said that it was not the communal roll that pulled people apart, but a common roll, in the Fiji situation, would.

6. Mr Vijay Singh said that Fiji was ready for independence and independence was wanted by all. The issue would be the system of election. To allow the opposition to hold up independence would be tantamount to giving them control. The common roll was not necessarily the best solution for Fiji. It was no panacea e.g. Ireland. The people of Fiji wished to come together in other ways. A common roll would undermine what they were trying to do. Mr Singh said also that Mr Koya was only recently elected as leader of the N.F.P. and was in no position to compromise.

7. Mr Stinson said that the solution was cross-voting.

8. Questions were asked about responsibility for the conduct of Fiji's external affairs and defence under a constitution giving full internal self-government and in independence. The discussion centred mainly on defence (in which term at least some speakers seemed to include internal security). Sir Leslie Monson explained that if there were a constitution giving full internal self-government Britain would still be responsible for Fiji's external affairs and defence (and internal security) but with independence Fiji would be responsible for such matters. Once independence [sic], it would be for Fiji to negotiate whatever arrangements she wanted about defence. When asked if Britain would conclude a defence treaty with Fiji he said that the British Government were reluctant to take on further defence commitments. The discussion that followed revealed great confusion in the minds of many of the Alliance party present about future responsibilities for defence and also a failure to distinguish clearly between such terms as 'full internal self-government' and 'independence'. Commenting on Sir Leslie Monson's statement that Britain was reluctant to take on further defence commitments, Ratu Mara expressed surprise that we might not defend an independent Fiji. If this was so what status had Britain in a constitutional conference? In a conversation with the Governor on 2nd October some remarks by the Chief Minister showed clearly that he fully understood that Fiji would have to negotiate her own post-independence defence arrangements.



*[Ratu Sir K. Mara, 1 Nov]*

I paid a call on the Chief Minister at 9.30 a.m. today primarily to pay my respects before departure. He raised a number of points in discussion, of which the following seem worthy of note:—

- (a) The thought that the feeling that the Federation Party under Mr Koya were ready for compromise was spreading among his own party and this should make the latter more flexible in the coming talks.
- (b) Timing of a conference. He very much hoped that any conference would not be held before the Queen's visit. It was unfortunate that the idea of a conference in January had been implanted in his Party's minds before the Queen's visit was fixed. He would be holding discussions in the coming week in which he would hope to get acceptance of the end of March as a target date.
- (c) He would like to keep us in touch with the forthcoming talks as they developed. He agreed to do this through the Governor.
- (d) Defence and external affairs after independence. The anxieties about defence expressed at the meeting with the Alliance representatives were not related to defence against external aggression but to internal security. He was worried about the possibility of small incidents escalating in Fiji over a period into communal disorder as had happened in India. He would therefore like to be able to call upon British white troops (not Gurkhas) for assistance to maintain law and order. In reply to a question from me he said he did not anticipate any security threat from the Indian community, but if trouble arose, he could not rely on Fijian troops etc to restrain themselves as they should without the steadying influence of white troops operating alongside them. I thanks [sic] him for clarifying the position.

On external affairs he thought of Fiji having overseas missions after independence only in a limited number of places, e.g. the U.N., London, Australia, New Zealand and perhaps in South-East-Asia. Could the U.K. act as necessary for Fiji elsewhere? I explained the Commonwealth convention and also told him of the device of multiple accreditations and of the practice by which some new Commonwealth states used their missions at the U.N. or in London as a channel for diplomatic negotiations with other countries in whose capitals they were not represented but which had missions in New York or London.

**145** FCO 32/404, no 175

31 Oct 1969

[Civil service]: note by E J Emery on a meeting between Sir L Monson and representatives of Fiji staff associations about service concerns over the pace of constitutional planning

The points that emerged were as follows.

The Representatives seemed suspicious of the visit by Sir Leslie Monson and myself; they seemed to believe that constitutional planning was going forward with greater speed than it is in fact and that developments affecting their future were being concealed from the senior service.

2. Questions were asked about the renewal of OSAS and the revision of inducement allowances. These were answered in accordance with the briefs. The

Representatives asked for an assurance that the biennial review of allowances should be dealt with expeditiously. If it could not go through quickly each time perhaps an annual review would have better results?

3. The Representatives said that the limited compensation scheme was 'repugnant' to them. The need for a general scheme was already here. Suggestions were made that the Chief Minister interfered with recruiting and the Council of Ministers with staff housing. The Chief Secretary said that there was no such improper interference.

4. The Representatives said that they wished to be given an opportunity of planning their futures. They had never agreed to the limited compensation scheme. It had been imposed on them. Now there were increasing references to independence. They needed more information e.g. adequate notice of a general scheme. It was unusual, as Mr Morgan had said in discussing a limited compensation scheme with them, to have such a scheme without knowing how long it would be before it was succeeded by a general scheme.

5. There was discussion of how much notice of a general scheme the service was likely to get. The Chief Secretary and Sir Leslie Monson explained that there was no constitution timetable as yet and that one could not be forecast but it was fair to assume that the service would get about nine months notice of a general scheme i.e. it would take about six months and probably more between a conference and the implementation of full internal self-government (with a general compensation scheme and an executive P.S.C.).

6. The Representatives asked that there should be satisfactory negotiations with the staff on the general scheme. The last one had not been negotiated.

7. The Representatives also appealed for a replacement for Sir John Field<sup>1</sup> as liaison officer with HMOCS. Their request was noted.

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<sup>1</sup> Staff liaison officer, HM Overseas Civil Service, 1968–1969; subsequently (1972–1973) first governor of Gilbert and Ellice Islands.

## **146** FCO 32/430, no 69

3 Nov 1969

**'Fiji constitution': inward telegram no 73 from Sir L Monson to J C Morgan on his talks with the Fiji leaders**

[Extract]

... 2. In speaking to both Alliance and Federation gatherings<sup>1</sup> I emphasised the need for agreement to be achieved locally and threats to economy involved in local division and controversy.

3. Ratu Mara thinks that there are better prospects of talking constructively with Koya than there were with Patel and more hope of narrowing the difference with him. He appears to regard Koya as more moderate than Patel and does think the Federation are more ready to face up to the issues (and to make compromises) now that independence seems near. Koya for his part professes high regard for Mara and understanding of his difficulties with the Alliance back benchers. This is new and hopeful factor in the situation.

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<sup>1</sup> See 144.

4. Before I arrived the Chief Minister and Koya had agreed to hold further inter-party meetings about constitution on 3 and 20 November and during Legislative Council meetings beginning on 21 November. Mara thought they should be ready for a conference in January (but see Para. 8 below).

5. Mara now professes to be in as great a hurry for independence as the opposition. He has once or twice hinted at something like a unilateral declaration of independence apparently with the idea bringing us to abandoning any idea we might have of pushing them into a Common Roll. (This need not be taken seriously). His ideas are still for a 50-member Legislative Council. On the electoral structure he described in London in May he and his party argue strongly that communal system (in which they include cross voting) will teach people of Fiji to work together whereas a Common Roll would be divisive and dangerous in creating confrontations in elections.

6. The Federation Party revealed no readiness to move from a Common Roll but they did declare understanding of and readiness to recognise the 'special position' of Fijians in Fiji. I think it very likely there is some give in their position.

7. Both Koya and Mara have said to me that the Federation Party is united on constitutional issues but that Alliance is not. This was clearly demonstrated at my meetings. The Federation representatives were articulate and clearly worked to a prearranged plan. The Alliance representatives were ill-briefed and many of them seemed ignorant of Mara's policies and intentions. They seem also to be not entirely united in a desire for independence. There was evidence that some of the Europeans at any rate hankered for some associated statehood or something just short of independence. There was some great confusion in attacks of most of those present about implications of and distinctions between full self government and independence and what, for example, would be the position about external affairs and defence in either of these positions. In my last private talk with Mara, however, he made it clear he hoped for a continuing commitment for British support in internal security situations on the ground that this alone would keep Fijian forces in line. On external affairs they hoped that we would act for them where they were not represented.

8. When Ratu Mara spoke of a conference in January I referred to the Queen's projected visit in March pointing out that we would need to avoid risk of the Queen coming to Fiji at a time of controversy, such as might come after a difficult conference. He said (and repeated today) that his personal wish was for a conference at the end of March after the Royal visit. He would have to bring his party into line (I do not believe he will have difficulty). He wondered whether if the conference were postponed until March, it would be possible to have a 'British presence' in Fiji in January, who could, under cover of a routine visit help to close any gaps between parties so that the final conference would be routine affair. I said this would fit in with Lord Shepherd's usual predilection to visit a territory before presiding over a conference on its affairs but I thought that Lord Shepherd would not wish to come if his visit were to heighten tension. All depended therefore on success of interparty talks in November. Subject to that and Minister's own views, the programme he suggested seems sensible.

9. This timetable agrees in fact with plan outlined in enclosure to your letter of 21 October. It is impossible to be sanguine about outcome of interparty talks but at least there is a readiness to talk. I do not think at least until after the end of party

talks in November we should exercise pressure on either side. A post Christmas visit by a minister would provide an opportunity if we decide some pressure on one side or other or both is necessary.

10. On present prospects I doubt if we could bring Alliance party to agreement to a Common Roll even with constituencies drawn to take account of special position of Fijians. The best hope most likely to provide the satisfactory foundation for independence still seems to be in an extension of the cross vote though a change to a name of greater political sex appeal would be desirable.

11. Meantime Mara has tentatively agreed to proposal by the Governor that they set up (in parallel with talks) a working party to include Chief Secretary, Attorney-General, the Governor as necessary and some Alliance members nominated by Ratu Mara, to draw up confidential paper setting out in some detail areas of agreement. These might be used as a working paper for presentation to Koya and reduce discussion at any future conference.

12. Before your Tel no. PERSONAL 78 arrived on 31 October, I had had a talk at his request with Indian Commissioner. He referred to Indian Government's recognition that United Nations resolutions were all very well but that really constructive effort had to be made locally to solve the Fiji constitutional problem. They were anxious to help maintain harmony within limits of manoeuvre which their domestic policies imposed on them. He said he had been concerned lest Britain had responded to Indian initiative by losing interest in a settlement in Fiji.<sup>2</sup> He was however reassured of our continuing interest by my visit. Patel had seemed to step backwards (i.e. to be more than ever adamant about Common Roll) before his death but, with Koya, Venkateswaren saw some hope of the two sides here getting together. He also said that we should not assume that, if Indians are provoked again as after December, 1968 by elections they would not retaliate. I made it clear that my visit was purely exploratory. I also mentioned that I hoped to call in at Delhi on my way home and he has no doubt reported this. I think you will agree since the situation is still as fluid as described in this telegram there is no harm in my adhering to that plan.

13. All the above has the Governor's agreement. We have also shown him enclosure to your letter of 21 October and he is in general agreement with that.

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<sup>2</sup> See 143, note.

**147** FCO 32/405, no 195 12 Nov 1969  
 [Political situation]: letter from Sir R Foster to J C Morgan on  
 National Federation Party proposals for a constitutional conference  
 and Ratu Sir K Mara's style of leadership. *Enclosure*: Draft NFP  
 proposals for a constitutional conference

Leslie Monson's telegram Personal No. 73 of the 3rd November<sup>1</sup> will already have given you full details of the state of play here and of our latest thinking. So this letter is sent principally to let you have for the record copies of:—

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<sup>1</sup> See 146.

- (a) an N.F.P. document headed 'Draft Proposals for Constitutional Conference' which was obtained covertly. Both Leslie and Eleanor Emery saw it, and asked that we copy it to you. Ratu Mara is not, as far as I know, aware of its existence. We understand that the N.F.P. hierarchy have approved it;
- (b) a cutting from the 'Fiji Times' reporting on the inter-party talks held on the 3rd November; and
- (c) draft confidential notes of the same talks. This was sent to me by Ratu Mara.<sup>2</sup>

2. From all this you will see that the atmosphere remains amiable, though none of our politicians appears to be versed in constitutional terminology. This could lead to misunderstandings, and will have to be watched. I hope that the working party mentioned in paragraph 11 of Leslie's telegram will get off the ground soon, giving us an opportunity to help people clarify their ideas.

3. Something else that we shall have to watch (though we probably shan't in this case be able to help much) is increasing Alliance impatience with Ratu Mara's style of leadership. Many of the party, including Ministers and Assistant Ministers, are irked because he does not consult them, yet hesitate to tell him this because he is very short-tempered when criticized. The disarray which Leslie remarked on in paragraph 7 of his telegram is the result; and it is instructive that Ratu Mara had (I am told) never intended or wished Alliance representatives to meet Leslie at all.

4. I have one separate matter to mention. Delhi telegram No. 2136 of the 6th November suggests that the Government of India is taking what could become an uncomfortably close interest in Fiji's affairs, which we should gently discourage.<sup>3</sup> I appreciate that embarrassment could result if in due course we appeared to have been disingenuous. But in my present view there are decisive arguments for at least continuing to foster contacts between the Indians and Fiji Ministers. For one thing, these would be almost impossible to prevent: Ratu Mara is not in the habit of asking anybody whom he may invite here. For another, they have led to far greater Indian understanding of Fiji's problems. This has been of advantage to everyone; and it is no exaggeration to say that the advice and help we have received in place of tiresome lectures has played a major part in getting people here to talk constructively to one another.

## Enclosure to 147

The purpose of this paper is to outline NFP proposals for changes in the forthcoming Constitutional Conference.

2. At the outset it must be made clear that the principles and policy of NFP has not altered and stands by its decision of making Fiji into a Nation of One Country and One People. This in short means Independence and a Legislature elected on a Common Roll. We feel that this is necessary for the progress and future well being of Fiji and its people. There can be no Economic Salvation without Political Independence.

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<sup>2</sup> Cutting from *The Fiji Times* and confidential notes not printed.

<sup>3</sup> cf 143, note.

3. In going out to achieve this the NFP are very much aware of the factors and components of races that live in the country and also the economic foundations that have sustained the country over the last 90 years. In particular the NFP also is concerned with the special position that the indigenous population of this country hold and the fact that they own the largest portion of natural resources in land and yet are so economically backward compared to the other races living side by side with him. The NFP is also mindful of the sentiments he attaches to his Social Structure, tradition and customs and his attachment to the British Crown and the emphasis he places on the Deed of Cession signed in 1874.

4. On the other hand one has to look at things realistically and realise that Britain herself is gradually shaking off her colonial hold on her dependent territories and allowing or encouraging them to emerge as Independent states within the British Commonwealth. Therefore whatever we may feel and uphold, the change will come also to Fiji. Now that the wheels of change have already begun our objective should be to accommodate the change and the aspirations of the people and allow the wheel to continue and complete its revolution discarding in its movement the things that brings about strife and ill will and keeping with it in its momentum the good things that will emerge this country into a peaceful and respectful Nation containing within it the good things that allow people to live together in peaceful coexistence.

5. We also understand that there is no ready made solution tucked away in Westminster to accommodate the changes to be adhered to by every emerging Nation and we therefore feel that our problem if one likes to call it that, is best solved by the people who now make up the inhabitants of Fiji.

6. We are also mindful of our strength and weaknesses if and when we have to stand face to face with the outside world as an Independent Nation but these are problems that have to be faced squarely and dealt with as they arise. No Nation is devoid of this. *We also realise that in place of Britain the vacuum will be taken up by other large powers closest to us, but no country is<sup>4</sup> free of this inevitable contact and it is to our people alone that a solution beneficial to all can be found.*

7. The question is how do we go about getting this Independence and how soon. *The following are put forward as talking points to accommodate not only NFP wishes and desires, but also we hope those of the Alliance.*

8. We propose that the country undertakes to get full independence in two stages.

#### Stage I

(a) The Country be given full Dominion status and the change effective as from the next General Election in 1971.

(b) *A Governor General be appointed by the Queen. He would continue to have power of veto and be still responsible for Defence and Internal Security.* He will be representing the Queen and is *the Traditional Head of the Country.*

(c) *There is to be a fully elective Legislative Council of fifty members elected on a Common Roll.* Whichever Party returns the most seats at the General Election becomes the Government of the Day. The head of that Government becomes the Prime Minister. He will run the country with his cabinet of Ministers. The other parties become Her Majesty's Loyal Opposition.

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<sup>4</sup> Emphasis throughout in original.

(d) The system of election and representation is on both population density and geographical boundaries, based on the standard tikina boundaries within Provinces. Attached are Appendices showing boundaries, distribution of population, its racial composition and numbers. To be more precise about how we arrived at the figure of 50 seats we did the following:—

(i) Divide the whole country into its existing 79 Districts plus Suva City and Rotuma making a total of 81 Constituencies.

(ii) Having done this we then placed the population figures in each constituency and this ranged from 290 in the District of Cikobia to 62,660 in the City of Suva. For the population and areas to be fairly and equally represented we did the following, we combined smaller districts until we arrived at 50 constituencies. Each constituency to have at least the required population per representative; giving extra seats proportionately to those constituencies that had over the basic population requirement.

(iii) We arrived at the basic population figure by dividing 50 into the total population projected for 1971 which will be 553,200 giving us roughly about 11,000 people per member.

(iv) By this method some constituencies will return one and some more depending on the size of the population.

(v) Whilst we have shown the total population we have also shown its racial composition but we have left the racial representation to the House entirely in the hands of each Party. Some constituencies will be found to have predominantly Taukei<sup>5</sup> population, others Indians and in some the people on the General Roll will hold the balance of majority. The question then of a balanced representation of race is a domestic one for each Party and the criterion of election will then be the Party Policy.

9. This is the first change without further details and the next change we envisage should be full Independence with a Taukei Head of State to be brought about in 1974.

## Stage II

We have already pointed out, our concern for the sentiments of the Taukeis with regards his social structure and the sentiments he attaches to Britain and the Deed of Cession. To accomodate these we put forward the following proposals bearing in mind that a Nation must have its own traditions and customs. As a mark of respect to the Taukei we feel that it is their traditions and customs that should be adopted as the recognised National Tradition and Custom.

(i) An Upper House be established in 1974. This House is to have thirteen hereditary seats to be occupied by the direct descendants of those that signed the Deed of Cession. Fifteen other seats to be occupied as follows, at least five to be Taukeis and the remaining seats for others occupied for life. Nomination to this Upper House to be by invitation of the 13 Hereditary Chiefs on the advise of the Head of State.

(ii) The Country to elect by common plebiscite a Taukei Head of State from the Upper House. This appointment to replace the Governor General.

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<sup>5</sup> The indigenous people of Fiji.

(iii) At this stage Fiji should be given her full Independence and it would be appropriate that the giving of Independence be by Her Majesty herself gracefully giving Fiji back to the Chiefs that had Ceded Fiji originally.

(iv) The Head of State will then have the power of Veto advised by the Upper House, which would have as one of its functions the censoring of all legislation and revision of Bills before being passed by the Legislature.

(v) It also should be the full authority on Traditions and Customs and any legislation or change affecting land and any change in Constitution, to have the approval of the Upper House *before it can be dealt with by the Lower House.*

10. By implementing Stage II we feel that we are invoking a machinery that will preserve Fiji's identity with the past, making the Taukei first amongst equals, accommodating the sentiments of the Taukeis about the Deed of Cession and her relationship with the Crown, at the same time bringing Fiji into line with other Independent Nations of the world and a member of the British Commonwealth of Nations, deciding her own affairs and destiny.

11. For some years now there has been in existence the traditional Council of Chiefs membership of which has continually changed, until today it has reached the stage where perhaps there are more commoners than there are chiefs making up this Council. Its functions has become all and nothing but one thing it has been able to maintain a link and identity of the Fijian Social and Traditional structure. *With the establishment of the Upper House, this Great Council of Chiefs is truly accommodated and replaced.*

12. There will also be a need for the setting up of a Judicial Boundaries' Commission to determine from time to time the new boundaries of constituencies considering the shifting and growth of population.

13. As it has been pointed out from the start *the proposals are put forward as talking points* and any detail would have to be dealt with in discussions.

14. The aspect of achieving Independence in two stages is more to overcome the fear that has imbedded itself into our system over the last 90 years and if one knows in advance that Independence will come definitely within so many years, then the whole country and the people will have the time to prepare themselves adequately to meet the change and fit themselves into the new environment, new economic changes and above all, emancipation then does not become an evil but a reality and a reward.

**148** FCO 32/43, no 84

17 Nov 1969

**'Fiji': report by Sir L Monson following his visit, on the character of Ratu Sir K Mara and the decisions to be made by the British government**

One could be very critical of the administration of Fiji. I believe that it always was 'sloppy' and it may well be more so than ever. This is partly the result of 'localisation' but even more so, I suspect, because of the lengthy campaign waged against U.K. expatriate officers by the present Chief Minister and by the resident white population (which is larger, more locally-based and influential than I had appreciated).



2. The Governor is, I think, basically unhappy that his talents cannot be better utilized but accepts that at the present stage of constitutional development he has to work through his local Ministers. Even so the Chief Minister's habit of evading discussions which run contrary to his pre-conceived and ill-tutored ideas hampers still further the Governor in his task of guiding Fiji to a secure and respectable 'ultimate status'.

3. The character of the Chief Minister is a disturbing factor in the present situation. He has not sorted his ideas out. He wants to cut a leading figure in Pacific politics and therefore wants independence especially after the achievement of that status by Nauru and (in the near future) by Tonga.<sup>1</sup> He is genuinely frightened of an escalation of racial conflict and therefore wants independence accompanied by a defence agreement with Britain to maintain internal security: if told, as the Governor has and I did, that Britain was unlikely to accept a position of responsibility without authority, he turns petulant and says that in these circumstances we have no moral right to demand a voice, let alone the final decision, in determining Fiji's independence constitution. He carries in any case a lasting grudge against H.M.G. because he was refused admission to O.S.A.S. when in the Civil Service and argues that we are the real racialists. It is difficult to determine his real internal political strength. He undoubtedly seems to have wide popular support but remains unsure of himself. His leading political opponent speaks sympathetically of the Chief Minister's difficulty with his back-benchers but the latter apparently thinks nothing of brow-beating his Ministerial colleagues by stalking out of Ministerial discussions which take a course of which he does not approve. (The Governor believes that if his Party was sure after an election of five years' security of tenure they would see 'ditch' him for a less complex and more self-confident Fijian.)

4. Against this there are compensating factors:—

(a) The economy seems to be self-sustaining without a 'strong' system of administration: there is a boom at the moment which reduces the political temperature.

(b) There is little sign of racial tension despite undoubted racial differences. The best assessment is that since the Fijian's 'flexed their muscles' after the 1968 by-elections, the Indians have kept their heads down and the Fijians their tails up.

(c) There is undoubtedly a far greater degree of mutual regard between the two leaders of the political parties than has existed in the past.

5. It is right for us to stand aside while they seek a mutually acceptable solution. But about the turn of the year we shall have to consider:—

(a) whether we should move in to 'arbitrate' on such gaps as still remain between them, or

(b) to avert their putting us in a position which we should want to avoid e.g. responsibility in respect of internal security after independence.

6. We should not however close our minds to any 'unorthodox' solution the parties work out if it offers a chance of the country moving forward in conditions of stability and racial harmony.

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<sup>1</sup> Jan 1968 for Nauru (see 108, note 1) and June 1970 for Tonga (a UK protectorate).

Footnotes on Fiji.

(a) Australia: the officials I met in Canberra seemed to accept that Fiji was on the path to independence but were worried about Australia's image in the emergent country. This suffers from (a) Australian firms' predominance in the economy of Fiji, (b) the more restrictive attitude, adopted by the Australian immigration authorities as compared with those in New Zealand, to Fiji Islanders applying for work permits, and (c) the behaviour of R.A.N. personnel on the last visit of an Australian warship to Fiji which has led the D.E.A. to advise against any repetition of such naval visits.

(b) India: it is obvious that the desk officers in the Ministry of External Affairs have studied Fiji in great detail. I did not get the impression that their superiors had any positive policy as regards Fiji. They struck me rather as conscientious Civil Servants getting themselves into a position to allow their Ministers to defend themselves against domestic criticism if anything went wrong in Fiji. Our Deputy High Commissioner thought I had made an impression on them by stating that our direct long-term interests in Fiji were minimal.

## **149** FCO 32/405, no 216

15 Dec 1969

### **'Fiji constitutional advance': minute by Sir L Monson on the 'good' and 'less satisfactory' points in the Fiji situation**

The attached submission<sup>1</sup> from the Department refers to the latest report received from the Governor (as of 27 November) on the discussions between the two Parties in Fiji.

2. The following summary may be of use to Lord Shepherd.

#### *Good points*

(a) The talks between the Parties are becoming more businesslike and meaningful.

(b) The Chief Minister has apparently dropped the idea of a defence agreement with the UK (covering internal security after independence).

(c) The Governor is making progress in persuading the Chief Minister that there are practical objections in moving straight to independence without going through the customary short period (say six months) of internal self-government.

#### 3. Less satisfactory points

(1) The talks at the time of writing had not touched on the major difference between the Parties, viz. the method of electing members of the Legislature, i.e. whether by common roll or by communal rolls with of course voting for seats elected by all on the communal rolls but reserved as to the members returned by race.

(2) The Chief Minister continues to keep his Party in the dark as to what he is thinking and working for (this may cause difficulties later on on (b) but if the

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<sup>1</sup> Not printed.

Governor is successful on (c) these difficulties will not come alive for nine months or so, depending on the result of the election to be mounted after the next Conference is held.

(3) There is a dispute between the Parties as to whether they want a Constitutional Conference in London in January (the Opposition) or at Easter (the Chief Minister)—Easter weekend is the 27th to 30th March.

4. The Chief Minister has asked for our support on (3) above. I agree with the submission on this apart from the facts that more time will be needed in Fiji to prepare the ground and that Lord Shepherd has British Honduras commitments in January, PIOD is to be re-organised (and strengthened) over January and February and we could not service a Conference satisfactorily until that reorganisation has taken place. On the question of The Queen's visit I think we can take the Chief Minister's view that the conditions for the visit will be more auspicious if no decision has been reached on the future Constitution rather than if one Party or the other had suffered a defeat at a Constitutional Conference before it.

5. I therefore recommend the drafts should issue as soon as the Minister of State has approved them.

6. We can discuss at our meeting on Thursday whether Lord Shepherd still ought to make a visit to Fiji in advance of the Conference, whether in January or February.

**150** FCO 32/405, no 229

23 Dec 1969

[Future of Fiji]: letter from Sir R Foster to E J Emery on a proposal that there might not be an election until after independence.

*Appendices*

I forward a copy of a letter of the 16th December which the Chief Minister has sent me. This letter completely alters the position and appears to us to remove the main point of difficulty. The idea of not having an election until after independence had been reached is entirely new and, coming from the Opposition, a little unexpected. This, coupled with the extremely cooperative and friendly relations which at present exist between the Chief Minister and the Leader of the Opposition, seems to point to a breakthrough. I thought I should probe a bit to see how firm the proposal was and I arranged to see separately both the Chief Minister and Koya. I attach copies of the notes I made after each meeting. The results show that both sides are quite serious and firm. More particularly the meeting with Koya disclosed no reservations—on the contrary he was very anxious indeed to come to terms with the Chief Minister and get on to Dominion Status. This term is used in its correct sense of independence within the Monarchy whereas independence is apparently used to mean a Republic.

2. All this would I think now point to the usefulness of a visit by Lord Shepherd in the latter part of January if this can be arranged. You may also think that on this occasion a constitutional lawyer could be very usefully added to the party. A possible course of events after such a visit might be a conference in London at about the end of March with a view to producing an independence constitution for bringing into

force by perhaps the end of 1970. This would provide for an election under the new arrangements to be held during 1971, when we were due for an election in any case.

3. I am sending copies of this letter and enclosures to Arthur Galsworthy in Wellington, Charles Johnston in Canberra, Morrice James in Delhi and Michael Gass in Honiara.<sup>1</sup>

#### Appendix A to 150: letter from Ratu Sir K Mara to Sir R Foster, 16 Dec 1969

Thank you very much for your letter of 4th December setting out various proposed steps on the road to Dominion status.

This letter is by way of reply to yours but I am also authorised by the committee of the two parties on constitutional reform to say that it represents a unanimous view of that committee. I would go further and say that though the following views have the full support of the Alliance members of the committee, they were in fact initiated by the National Federation Party. In these circumstances I would hope that they would be given considerable weight and be passed on to the Secretary of State with your own support.

Our view is that, when there is such a strong consensus of agreement, not only between the parties but also in the country on our future as a Dominion, there is a real danger that concord and impetus will be lost if we cannot proceed to that status in the most direct possible way without following through step-by-step all the preliminaries which have become the established pattern with other dependent territories moving to independence.

We have been influenced in this view by the experience of Mauritius where the delay in achieving full independence led to opposition, riots and bloodshed.

In our view and having regard to repeated assurances by the United Kingdom that in regard to the pace of constitutional advance it is Fiji's own wishes which are considered paramount, it is our duty to inform the United Kingdom what these wishes are and to ask how they can best be implemented.

Briefly these wishes are that we should have Dominion status immediately following a Constitutional Conference in London and that the present system of a Chief Minister and Council of Ministers be replaced by a Prime Minister and a Cabinet. It would be agreed that questions of electoral boundaries and representation could be settled thereafter and that a general election would be held within a stated time after achieving Dominion status. It may well be that agreement on the electoral system can be fully achieved before the Conference. So much the better. It is fully appreciated by the Opposition that this proposal gives a position of advantage to the Government of the day. They accept this and have said they will fully support a Prime Minister during the period when final details are being worked out, particularly with regard to elections. A declaration of this nature cannot be lightly disregarded, and it is also appreciated by the Alliance Party that such an expression of confidence confers obligations upon them to ensure that this trust is not abused. It is our view that the Government in power after the Conference should have full authority to

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<sup>1</sup> Respectively, UK high commissioners to New Zealand, Australia and India, and (Michael Gass) high commissioner for Western Pacific (at Honiara, British Solomon Islands Protectorate) and British high commissioner for New Hebrides.

carry through any agreements reached in London and that this will not be so if we do not at that time have Dominion status. Moreover it makes the constitution a thoroughly bi-partisan matter and takes the political sting out of it. The last thing we want is an election incorporating the independence issue. This was the trouble in Mauritius.

We appreciate that this would be a departure from normal practice by the United Kingdom Government, and clearly there are matters of foreign relations, internal security and defence tied up with it. However we believe that given the goodwill at present existing these matters can be satisfactorily arranged to form a method of procedure to enable the unanimous wishes of the political parties' representation for early Dominion status to be met.

I should add that agreement has been reached by the committee on proposed chapters of the Constitution dealing with Human Rights, the Governor-General, the Judiciary, the Executive Authority, the Public Service Commission, the Ombudsman and Finance.

I would therefore be grateful if these matters could be laid before the Secretary of State so that the United Kingdom may indicate to us a formula which could enable them to be implemented.

**Appendix B to 150: note by Sir R Foster of a discussion with Ratu Sir K Mara,  
18 Dec 1969**

I had a discussion with the Chief Minister on the morning of 18th December in connection with his letter 1106/1 of the 16th December. Following are notes made as a result of the meeting.

I said that the idea that there should be no election until after independence was an entirely new idea and was one which I could not in our circumstances normally support. In this case however it had been thought up and was backed by the Opposition which changed the picture considerably. The Opposition seemed to be putting themselves at a disadvantage and I could not understand why this was so unless in fact Koya did not want to be or could not see himself as a Prime Minister over the next five or ten years. The Chief Minister thought that perhaps this was in fact so, though he did not know. The timetable, he thought, should now go firm if possible on a visit to Fiji by a Minister in the second half of January to prepare for a conference at the end of March. This visit in January would also be able to serve the purpose of allowing the minority groups to say anything that they wished to say before the conference. He said that the dialogue with the Opposition would continue for some time to come, in the hope of working out mutually agreed electoral arrangements. He thought it was more than possible that sufficient agreement on this would not have been reached by the time of the conference but that the discussions would go on in any case after the conference and before the new constitution came in. The new constitution could say that there should be an election under the new arrangements within a year of it coming into operation. He felt quite sure that they would in due course come to agreement. The constitution would in all respects be an independence constitution although it might be necessary to work out details about how they would operate things like defence and external affairs after the conference rather than before it. This would depend on the time available.

I probed the matter of the timing for the introduction of this new constitution and he said that it was appreciated by both sides that it would take some time to bring it into being. They were talking about this and a possible date suggested by the Opposition had been Cession Day 1970 (10th October). I said this might be too early but I did not know until things had been worked out a bit more. From his point of view independence Day and Cession Day should be celebrated on the same day if possible. Otherwise he thought that Independence Day would become the main holiday and Cession Day would gradually fade away. He thought that would be a pity. I said that if this was the pattern he would need now to go into the question of citizenship and have a look at the various models. He said he would do this. I also said if there was to be an Upper House it would be as well to get this cleared with the Opposition. I understood that both sides were attracted by the idea. I reminded him that I had given him a paper showing details of various Upper Houses some time ago and he said he still had it. I asked if he could let me have minutes of the various meetings they had been holding so that I could start trying to produce for them drafting instructions for the chapters of the new Constitution which had been agreed. He said he would certainly do so but the drafts were going the rounds at the moment.

He confirmed to me that although Koya had not seen his letter because he was away, Ramarkha and members of the Opposition had in fact done so and had cleared it. I said that I thought it would be courteous on my part to ask Koya to come and see me as soon as convenient so I could say how pleased I was that progress was being made and run over some of the ground with him, particularly as to possible timetables. It would give him an opportunity to send the Secretary of State a message if he so wished. This I hoped would confirm his support of the contents of the letter which we were discussing and would further have the effect of committing Koya to it. I said I was slightly worried that there might be a volte face on the part of the Opposition. The Chief Minister said he thought this was unlikely although he supposed one could not rule it out entirely as impossible.

The Chief Minister then went on to talk about the defence agreement with New Zealand and he said both the Alliance and Federation parties would like this continued. He understood it expired early in the year. I said I was grateful to have this information and would let the New Zealand Government know his views. We would then discover the New Zealand reaction. I thought that once Fiji became independent the New Zealand Government would wish to re-negotiate or confirm any agreement of this sort with the new Government. So far as I was aware they were quite happy with the present arrangements and would be willing to go on with them.

#### **Appendix C to 150: note by Sir R Foster of a meeting with Mr Koya, 19 Dec 1969**

I saw Mr. Koya on the morning of Friday 19th December. He told me that the position was perfectly correctly stated in the Chief Minister's letter of 16th December and it had been his idea that we should try to go through without an election. He said that if there was anything calculated to cause discord it was an election. The atmosphere at the moment was exceptionally good and he personally wanted to keep it that way. He would like to see a conference with 100% agreement. He appreciated that this suggestion would put a good deal on the shoulders of the Chief Minister who would be on trust to see that an election was held after independence. They

would prefer, however, to go through to independence with a Chief Minister they knew and a person whom they thoroughly trusted. An election might change the leadership and we would then possibly have to negotiate all over again about independence. As regards timing for an election he thought anything up to a year after independence would be quite satisfactory. He went on to say that he thought the next election would once more throw up an Alliance government but that the Opposition would be very much stronger.

We then talked about electoral arrangements and Koya said he fully appreciated the difficulties which the Chief Minister had. If he was saddled with communal seats then it was because his people demanded this as a protection. They had their fears and these must be catered for. It was no good he and Mara agreeing about arrangements at a high level if in fact they did not carry the people along too. He said he would be happy as regards a common roll if in fact Mara would say that although it is not possible to have it now it is not ruled out for all time and in 5, 10, or 15 years it will probably be possible. Whatever safeguards were needed would have to be spelt out and looked at. He was not against this sort of thing at all. With a laugh he said that the Fijians controlled the Army and Police and he did not think that they had a great deal to worry about. He said he thought that with this sort of give and take it would be possible to settle election arrangements by the time of a conference which he agreed could not now be held in January and a good time would be soon after the Queen's visit.

I asked him what he thought about the possibility of a visit by a Minister in the latter part of January and he said he thought it would be an excellent idea if it could be arranged as the Minister could see for himself the great degree of cooperation that existed here and it would also smooth the way for a conference. It would result he thought in a whole lot of people endeavouring to put views forward but these minority groups were entitled to have a say even if they did not carry much weight. He realised that if it was a matter of going straight to independence with an election afterwards then there was still a great deal that had to be done and this would take a few months. He seemed to appreciate that most of 1970 would have to run out on this process.

He certainly is in an extremely aimiable mood these days and the conditions do seem right for pressing on. He claims that these conditions can persist but could easily be disrupted by an election and I think he is almost certainly right.

## **151** FCO 32/582, no 2

2 Jan 1970

### **[Future of Fiji]: letter from E J Emery to Sir R Foster on Britain's conditions for the grant of independence**

Many thanks for your letter (S. 166/37) of 23 December about Ratu Mara's letter to you about the Constitution.<sup>1</sup> The notes enclosed of your talks with the Chief Minister and Mr. Koya have been particularly helpful.

2. To help us in considering how we should respond to the initiative that has been taken by Ratu Mara and Mr. Koya we have written a draft memorandum setting out the relevant considerations. I enclose a copy of this.<sup>2</sup>

<sup>1</sup> See 150.

<sup>2</sup> Not printed.

3. At the departmental level here our present thinking is that *provided we are satisfied that the agreement of the parties in Fiji is guaranteed*, Britain should agree that:—

- (a) Fiji should have independence as soon after a constitutional conference as can be arranged and a conference as early as possible.
- (b) The independence Constitution should embody present electoral arrangements or any other electoral arrangements on which the parties agree.
- (c) No election will be necessary before independence; there would be no need if the independence proposals are agreed by both parties.
- (d) We should give no guarantees in relation to the external defence or internal security of an independent Fiji.
- (e) We should not agree to any status for Fiji that would leave us with defence or internal security responsibilities but with no control over internal affairs, e.g. we should refuse any request for Associated Statehood or a Constitution of the Bahamas type (which provides full internal self-government with external affairs and defence reserved to the Governor and also the ultimate responsibility for the police and internal security resting with the Governor but entrusted to a local minister).

4. If for any reason, e.g. failure of the two parties to give the necessary guarantees of their agreement, it proves impracticable to proceed with the two-party independence proposal we could, however, agree to a request from the Chief Minister for some further advance short of independence, e.g. for the Chief Minister to preside over the Council of Ministers (instead of the Governor) and for the Chief Secretary to withdraw from the Council of Ministers and for an elected Minister of Finance.

5. We also have it in mind to propose that the Minister of State should visit Fiji towards the end of this month. The object of his visit would be:—

- (i) To ascertain that the two parties in Fiji are in full agreement about (a), (b) and (c) above, and to obtain from them clear, firm and public guarantees of their agreement.
- (ii) To reach agreement on the timing, composition and other arrangements for a Constitutional Conference.
- (iii) To reach agreement on publicity for the guarantees at (i) above, announcement of the Conference, etc. either on the spot if possible or *ad referendum* on his return to London as he may decide.

6. If you have any comments on the above or on the memorandum enclosed with this letter, I should be very grateful if you would let us have them by immediate telegram as soon as possible.

**152** FCO 32/569, OPD(70)1

8 Jan 1970

**'Fiji: independence': memorandum by Mr Stewart for Cabinet Defence and Oversea Policy Committee**

*Introduction*

Fiji has had good fortune in that under colonial rule race clashes have been avoided, despite the introduction of a large number of Indian indentured labourers at the end



of the 19th century. We have always recognised however the dangers of racial difficulties as the growing Indian population began to outstrip in numbers the Fijian. Indeed, it may well be that while Fiji remains a dependent territory the risks are increased, for, apart from the disparity between the races, so long as they can turn to us for help if they get into difficulties, there is less incentive to them to establish a real national identity cutting across racial divisions.

2. Over the past few years we have sought quietly to bring the leaders of the Fijians and the Indians together to work for co-operation and to create multi-racial political parties. Progress has been slow but steady, and we now have a situation that provides an opportunity for a big step forward, leading to independence, as a consequence of the apparent agreement between the political parties.

3. Independence for Fiji has always been the ultimate goal and it is clearly in our interests that Fiji should attain this as soon as possible. As this memorandum shows, apart from potential racial difficulties, Fiji is quite capable of sustaining independence.

4. Fiji has an advanced constitution, and while the Governor has residual powers over a wide field of subjects, Fiji has to all intents and purposes achieved internal self-government. The question now is whether we should agree to an accelerated advance to independence as proposed by the Chief Minister and Leader of the Opposition. The alternatives are:—

(a) to insist on a period of full internal self-government and an election after a constitutional conference and before independence. I think this unnecessary and disadvantageous in the Fiji circumstances (see paragraphs 24–26 below);

(b) to offer a Bahamas-type constitution (which provides full internal self-government with external affairs and defence reserved to the Governor, but with responsibility for the police and internal security, though ultimately resting with the Governor, entrusted to a local minister). I could not recommend our thus retaining responsibility for internal security in Fiji with no other powers over internal domestic policy.

5. In this memorandum I therefore invite my colleagues to consider the conditions on which we should grant independence to Fiji and agree to the immediate steps to be taken. My proposals under these two heads are set out in paragraphs 29–33 below.

## I. *Background*

### *Size*

6. The Crown Colony of Fiji (total area 7055 square miles) comprises two major islands and over eight hundred small islands and islets.

### *Population*

7. Fiji is our largest remaining dependent territory except Hong Kong. Its population is 512,000, of whom 51% are Indians, 41% Fijians and the rest Pacific Islanders, Chinese, Europeans and part-Europeans. The indigenous Fijian is thus now outnumbered five to four by the second and third generation descendants of the indentured Indian labourers who were brought to Fiji at the end of the nineteenth century to work in sugar industry.

*The economy and finance*

8. The economy is predominantly agricultural and based mainly on the export sugar and copra products and also of unrefined gold. Tourism is also making a significant and increasing contribution. Visible exports in 1968 amounted to some £24 million. Budgetary expenditure is now running at about £16 million per annum and there was a small surplus on the 1968 recurrent account. Recurrent revenue amounts to about one quarter of the Gross Domestic Product (which has been increasing in recent years at the rate of about 7% per annum at current prices) a not inappropriate figure for a country at Fiji's stage of development. The rate of population growth though still something of a strain on the economy is reported to have fallen to 2.5% in 1969. Fiji is not a grant-aided territory but current United Kingdom Development and Overseas Services aid amounts to about £2 million annually. (Fiji has made very sensible use of her development funds.) Fiji has substantial quotas under the Commonwealth Sugar Agreement which absorbs a major part of her exports.

*The present constitution*

9. Since 1967 the Colony has had a ministerial system of Government with a majority of elected ministers. The Governor retains responsibility for defence, external affairs, internal security and the public service, and also has general executive and legislative reserved powers.

10. The Legislative Council comprises not more than four officials and thirty-six elected members. Of the latter nine Fijians, nine Indians and seven 'General' (i.e. persons who are neither Fijians nor Indians) members are elected on three communal rolls. A further nine members of the Legislative Council are elected under a system of cross-voting under which seats are reserved in equal proportions for members of the three groups. These members are elected by people of all races voting together. There is universal adult suffrage. In addition, two Fijians are elected to the Legislative Council by the Council of Chiefs.

*The political parties*

11. There are two main political parties. The Alliance, which forms the present Government, is predominantly that of the Fijians, with the support of Europeans, various people of mixed blood and a number of Indians. The National Federation Party is supported by most of the Indian population but by few others. By mid-1969 both parties had come to aim at full internal self-government and eventual independence. The National Federation Party also wants 'one man, one vote, one value'; they probably believe that, because of the numerical superiority of the Indians, this would give them political supremacy, although they are on record as saying it would not, because they do not command the support of the whole Indian community. The Alliance Party have aimed at inbuilt guarantees for the enduring political supremacy of the native born Fijians. For this reason the communal voting system appeals to them most, but they have accepted the present degree of cross-voting and might agree to a limited extension of it.

12. The difference between the parties has therefore turned mainly on the balance of power to be guaranteed to each of the two main racial groups in the future Legislature, and hence on the electoral arrangements. This was the crucial issue at the 1965 Constitutional Conference in London and the present electoral system was

put forward then by the British Government as an attempt at compromise between the two sides. (It was stated in the White Paper about the Conference (Command 2783) that 'Her Majesty's Government, for their part, recognised that election on a straight common roll basis was not practicable for Fiji until a greater degree of integration of the Co communities had been achieved'.) The Indian Group at the Conference withheld its acquiescence in the British government's compromise.

## II. *The proposal of the two parties in Fiji*

13. In recent months the two parties in Fiji have been holding talks to try to reach agreement about the next constitutional steps. Progress was at first slow but has been better lately since Mr. S.M. Koya succeeded to the leadership of the National Federation Party. He seems to be more moderate than his predecessor (who died in October) and the Chief Minister, Ratu Mara, apparently finds him easier to work with.

14. On 16 December, the Governor received a letter from the Chief Minister written on behalf of both parties. A copy of the letter is at Annex A.<sup>1</sup> In this letter the Chief Minister states that a strong consensus of agreement exists between the two main parties in Fiji that the Colony should move to 'Dominion Status' (by this they appear to mean independence as a Monarchy within the Commonwealth—see paragraph 23 below) immediately following a Constitutional Conference in London. (In private conversation with the Governor, the date of 10 October, the anniversary of the Fijian Chiefs' Deed of Cession to the Crown, has been mentioned.) They propose that a general election should be held within a stated time after the achievement of 'Dominion Status'. The question of the electoral system would be settled either before or after the Conference. The Opposition have said that they will fully support a Fiji Prime Minister while final details with regard to the elections are being worked out. The Chief Minister's letter points out that an arrangement of this sort would make the Constitution a thoroughly bi-partisan matter.

15. The Parties have also agreed on some of the less controversial aspects of a new Constitution including a Bill of Rights and an Ombudsman.

16. The Governor considers that both sides are serious and firm about their proposals and urges that we take full advantage of the new situation which their letter represents.

## III. *Considerations relating to the independence of Fiji*

### 17. *The balance of the races*

Race relations in Fiji have been generally good though race dominates the political scene. The Fijians at their own initiative ceded the islands to Britain in 1874 by a Deed of Cession and contend that independence should leave them in control of 'their' country. The Indians on the other hand have contributed greatly to Fiji's present economic prosperity and they maintain that the Salisbury Declaration of 1875 (which promised that Indian labourers brought to Fiji would be properly treated and given equality of opportunity) entitles them to democracy based on one man, one vote. On balance I take the view that we would not in the end be able to

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<sup>1</sup> See 150, Appendix A.

justify, either in conscience or in political terms in this country, a solution that did not ensure that independence would leave the Fijians in ultimate control, but with full and adequate safeguards for all other communities. The two-party proposal, if sincerely adhered to, would achieve this by the will of both sides in Fiji; and the two parties have also agreed on strong constitutional protections for individuals of any race (Bill of Rights, Ombudsman, etc.). We should have an opportunity at a Constitutional Conference to set the seal on these.

#### 18. *Security*

The two-party proposal also seems to offer the best possible prospect of a peaceful progress to independence. The security risk lies more from dissatisfaction among Fijians than from dissatisfaction among Indians. Through past service in the police and the Fiji Military Force and through their predominance in these forces the Fijians are in a strong position. The Indians have a clear interest in keeping the peace not only because of their economic stake in the country, but also because, if there were violence, they would almost certainly get the worst of it. Indian fear of a violent reaction from the Fijians will also be a strong sanction in persuading the National Federation Party to adhere faithfully to any bargain they may make now with the Alliance. The best guarantee of continued internal harmony in Fiji will be an early political settlement on lines agreed by the Parties. Without such a settlement the internal security position could deteriorate, in circumstances in which we would continue to bear the responsibility. (The present Fiji Internal Security Plan envisages the reinforcement of Fiji with a force up to a brigade in strength.)

#### 19. *Economic viability*

As indicated in paragraph 8 above an independent Fiji would be economically viable.

#### 20. *International aspects*

The two-party proposals are also attractive from the international point of view:—

(a) The United Nations takes a close interest in Fiji. In 1967 the General Assembly endorsed by a substantial majority a recommendation of the Committee of 24 that Fiji should be given early independence on a one man, one vote, one value basis. In this context it is therefore very important that the circumstances in which Fiji goes to independence should be supported by the National Federation Party as well as by the Alliance Party.

(b) India also takes a close interest in the fate of the Indian community in Fiji. Recently the Government of India have been cooperative both in the United Nations and in Fiji where a number of Indian ministerial goodwill visits have helped to bring down the political temperature. Though the Government of India have, strictly, no standing in the matter it is clearly in the interests of our good relations with them that we should be able to demonstrate that the Indians in Fiji are content with the conditions and arrangements for independence.

(c) We are bound to take into account the views of other metropolitan powers in the Pacific, and especially Australia and New Zealand, in planning the constitutional futures of our territories in the area. We have kept the Australian and New Zealand Governments closely informed of recent developments. Consequently these two Governments have known for some time that Fiji would

probably become independent before long and if the circumstances described in Ratu Mara's letter obtain, I do not think the Australians (or indeed any of the other Pacific Powers) will comment adversely. Their concern will be for a peaceful hand-over and a stable future for the Colony.

#### 21. *Defence*

We had indications in recent discussions with political leaders in Fiji that although they seek independence they were also inclined to hope that Britain will still—to some degree at any rate—be ready to help over the external affairs, the defence, and the internal security (especially the latter) of an 'independent' Fiji. These discussions however preceded the inter-party talks which led up to the Chief Minister's letter, annexed to this paper, and it may be that the degree of agreement now reached has reduced their hankering for some such arrangement. The understanding and views of the local leaders on these matters require further probing and clarification. We would not wish to assume any responsibility for the defence and internal security of a Fiji over whose internal affairs we have no control. This would have to be made clear to both parties in Fiji before we were to agree to their proposals.

22. So far as external defence is concerned, Fiji, as the communications centre of the Pacific, is in a strong position to seek Australian and/or New Zealand assistance in developing her defence arrangements. She has already a Defence Finance Agreement with New Zealand and New Zealand provides up to \$NZ 20,000 per annum for the upkeep of the Fiji Military Force. The Commander of the Force is an officer of the New Zealand Army.

#### 23. *'Dominion Status'*

The Governor has confirmed that in asking for 'Dominion Status' the Chief Minister and the Leader of the Opposition mean independence with The Queen as Fiji's Head of State. We could agree to this. Fiji will almost certainly also seek full Membership of the Commonwealth. We would have to explain that this is not in our gift but is a matter for all Members of the Commonwealth, but we could undertake to sponsor Fiji's application for full Membership.

#### 24. *Elections*

It is sometimes necessary to hold an election in a dependent territory after a Constitutional Conference and before independence to confirm that the independence proposals conform to the will of the people. The Party leaders in Fiji have asked that the next election there should be postponed to a stated date after independence. There are precedents for this, e.g. Kenya, Malawi, The Gambia. We could agree to the proposal if they adhere to their present bi-partisan attitude to independence arrangements. There is much force in their argument that an election could disrupt the present harmony in Fiji and if this happened while we still had responsibility for internal security, we could be placed in an invidious and embarrassing position.

#### 25. *Early independence*

The Chief Minister and Mr. Koya want Fiji to proceed to independence as soon after a Constitutional Conference as the necessary arrangements can be made, i.e. without

necessarily having an intervening period of at least a few months of full internal self-government.

26. All the necessary changes and procedures could be accomplished with despatch given goodwill and cooperation on both sides. It would also leave a minimum of time for local differences and frictions to develop between a Conference and independence. We should therefore not object, and should be prepared to compress all procedures for which we are responsible, and to help the Fijians in expediting theirs.

#### IV. *Advantages to Britain in accepting the two party proposal*

27. (a) Fiji would achieve early independence on a basis fully agreed by the two main political parties in the Colony who in effect represent the two main racial groups and the overwhelming majority of the people.

(b) Such an agreed basis for independence is the best and only guarantee we can have that Fiji will proceed to independence on a peaceful basis.

(c) The agreed basis also provides the answer to potential critics, e.g. India and at the United Nations.

#### V. *The agreement between the parties in Fiji*

28. Before going along with the two-party proposal we should have to make absolutely certain that the agreement which the parties at present profess will stick. The Party leaders would have to place publicly on record their unanimity in asking for independence for Fiji and their agreement on the arrangements generally and in particular for a post-independence election. We must be sure that there will be no renegeing. It is because of this that I recommend in paragraphs 31–33 below that we should respond favourably to the invitation for a Minister to visit Fiji soon.

#### VI. *The British attitude to the two-party proposal*

29. *Provided we are satisfied that the agreement of the parties is guaranteed* I propose that we should agree that:—

(a) Fiji should have independence as soon after a constitutional conference as can be arranged and that to that end a conference should be arranged as early as possible. (The two party leaders hope for a conference soon after The Queen's visit to Fiji in March and 10 October, 'Cession Day', has been mentioned by the Chief Minister as a suitable independence day);

(b) the independence Constitution should embody present electoral arrangements or any other electoral arrangements on which the parties agree;

(c) no election will be necessary before independence; there would be no need if the independence proposals are agreed by both parties;

(d) we should undertake no obligations in relation to the external defence or internal security of an independent Fiji;

(e) we should not agree to any status for Fiji that would leave us with defence or internal security responsibilities but with no control over internal affairs, e.g. we should refuse any request for Associated Statehood or a Constitution of the Bahamas type (see paragraph 4 above).

30. If for any reason, e.g. failure of the two parties to give the necessary guarantees of their agreement, it proves impracticable to proceed with their

independence proposal we could however agree to a request from the Chief Minister for some further advance short of independence, e.g. for the Chief Minister to preside over the Council of Ministers (instead of the Governor) and for the Chief Secretary to withdraw from the Council of Ministers and for an elected Minister of Finance.

VII. *Proposal for a visit to Fiji by a minister of state*

31. The Chief Minister and the Leader of the Opposition in Fiji are both anxious that a British Minister should visit Fiji this month to see for himself (as the Leader of the Opposition puts it) the 'great degree of co-operation that exists'. The Governor strongly supports this proposal.

32. I recommend that we should inform the Chief Minister and the Leader of the Opposition, through the Governor, that a Minister will visit Fiji as they request as soon as practicable; that the purpose of the Minister's visit would be to consult with the Chief Minister, the Leader of the Opposition and any others that the Minister may consider necessary in seeking to ascertain opinions on the constitutional proposals; and that the visit in itself would not lay any commitment on Her Majesty's Government.

33. If my colleagues agree to this visit, I intend to ask the Minister of State with direct responsibility for Dependent Territories, Lord Shepherd, to visit Fiji at the end of this month. If, after his discussions in Fiji he is satisfied that the steps outlined in paragraph 29 above and as proposed by the two political leaders are the right course to adopt and that they thoroughly understand the conditions stated in the same paragraph, Lord Shepherd should, on obtaining from the two political leaders clear, firm and public statements of their agreement to these steps (and any other guarantees he might think necessary) be able to offer to the Chief Minister and the Leader of the Opposition Her Majesty's Government's agreement to a constitutional conference at a very early date and their agreement in principle to the steps which are detailed in paragraph 29.

**153** FCO 32/580, no 5

13 Jan 1970

[Future of Fiji]: minute by H Steel<sup>1</sup> to E J Emery on the use of the term 'dominion status' in the context of Fiji's independence

With reference to Mr. Bennett's<sup>2</sup> minute to you of 12 January, my impression from what I have seen in the telegrams is that the reason why we used the term 'Dominion Status' in our telegram to Fiji was that this was the term which the Fiji politicians themselves used. But I echo Mr. Bennett's hope, from the point of view of the Spain/Gibraltar dispute, that we shall be able to avoid resuscitating the term for public use. As Mr. Bennett says, the Spaniards (like a good many other people) tend to confuse it with the term 'part of Her Majesty's dominions' and this necessitates a good deal of tiresome explanation on our part, not all of which, I suspect, is successful. I suppose that, logically, the fact that the terms are both current ought to make it easier to distinguish between the two concepts they represent but it does not seem to work that way in practice. As an example of the difficulties we have, in a

<sup>1</sup> Legal counsellor, FCO.

<sup>2</sup> J S Bennett, head of Gibraltar and South Atlantic Dept, FCO.

communication which we sent to the Secretary-General of the U.N. in August 1969 in reply to a Spanish memorandum commenting on the new Gibraltar Constitution, we found it necessary to include the following passage with reference to the preamble to the Order in Council which Mr. Bennett refers to:—

‘It should be noted that the term “Her Majesty’s dominions” is written with a small “d” and should not be confused with “Dominion Status”, the term formerly used to describe the independent and self-governing members of the Commonwealth (e.g. Canada and Australia). The use of this term in the preamble to the new Constitution does not involve or imply any change in the international status of Gibraltar.’

(It is fair to add that the confusion that we were trying to dispel was manifested at an earlier stage in the dispute and did not, so far as I can see, appear in the particular Spanish memorandum which we were answering. In that memorandum the Spaniards seemed to be running the rather different point that, since Gibraltar had been ceded to us only as a fortress and garrison town, we had acted improperly in turning it into an ordinary ‘colony’—a status which, so they said, was implicit in the term ‘part of her Majesty’s dominions’.)

2. As borne out by what I have said about the Spanish memorandum, we must not think, of course, that if we confined ourselves to the term ‘part of her Majesty’s dominions’, we shall avoid the risk of misunderstanding. That term is also capable of being misleading except when it is used by experts talking, precisely, to experts. On the one hand, while most British dependent territories are ‘part of Her Majesty’s dominions’ there are others which are not, even though they are certainly dependent and are just as British for all practical purposes (e.g. the B.S.I.P). On the other hand, many territories which are not British dependencies in any sense of the term, are still ‘parts of Her Majesty’s dominions’ (e.g. Sierra Leone, the Gambia, Jamaica and Malta). Indeed, one of the many strange things that we sometimes did: ‘in the decolonisation of Africa in the late fifties and early sixties’ was to annex (and thus alter the status of) a part or a whole of one of our dependencies at the point when it achieved independence so that the whole country could come into independence ‘as part of Her Majesty’s dominions’ and thus have a Governor-General as local Head of State. Thus, in the case of the Gold Coast, Nigeria, Sierra Leone and Kenya (to take a few examples) we annexed those parts of those countries which had formerly been Protectorates (the remainder always having been colonies) while in the case of Tanganyika, Uganda, and Nyasaland we had to annex the whole of each of those territories since none of them had previously been a colony. All these countries were thus ‘parts of Her Majesty’s dominions’ for a substantial period after the respective dates of their achieving independence (and they still are deemed to be so for certain purpose of our own municipal law).

3. Finally, just to add to everybody’s confusion, I would remind you that there is always the complicating factor of the Australian dependencies, some of which are ‘parts of Her Majesty’s dominions’ but which cannot be described as ‘British dependencies’ in the ordinary sense of the word ‘British’ (i.e. the U.K.).

4. What I have just said—apart from the fun of increasing everybody’s confusion—seems to me to reinforce Mr. Bennett’s plea that we should not add to our difficulties by re-introducing a further confusing term which we have been sensible enough to allow to fall into virtual disuse.



**154** FCO 32/569, OPD 1(70)2

16 Jan 1970

**'Fiji: independence': Cabinet Defence and Oversea Policy Committee minutes**

The Committee considered a memorandum by the Foreign and Commonwealth Secretary (OPD(70) 1)<sup>1</sup> making proposals for bringing Fiji to early independence.

*The Foreign and Commonwealth Secretary* said that the division of the population of Fiji as between 51 per cent Indians, 41 per cent Fijians and other minor elements was reflected in Fiji's two political parties, of which the ruling Alliance Party under the present Chief Minister represented mainly the Fijians, but with the support of Europeans and a number of Indians, while the Opposition, the National Federation Party, was supported by most of the Indians but by few others. It had always been our intention to grant Fiji independence and there had now been a significant development which suggested that this could be achieved at an early date. Last month the Chief Minister, writing on behalf of both parties, had sent a letter to the Governor stating that agreement existed between them that Fiji should advance to 'dominion status'—by which the parties appeared to mean independence as a monarchy within the Commonwealth—immediately following a constitutional conference in London. (The suggestion had been made separately that independence should be granted on Fiji's 'Cession Day', 10th October, i.e. the day on which the Fiji Chief ceded the islands to Britain in 1874.) The letter further proposed that there should be no elections before independence, but that arrangements for holding them after independence should be agreed at the constitutional conference. This agreement between the parties was an opportunity which we should not let slip, but it was important to be absolutely certain that the parties were fully committed to the terms of the letter. It was therefore proposed that as a first step the Minister of State Lord Shepherd should visit Fiji, on the invitation of the Chief Minister and Leader of the Opposition, in order to examine the situation at first hand. If he was satisfied in all respects, and this would include obtaining agreement from the two leaders that the United Kingdom would not accept any responsibility for the defence or internal security of an independent Fiji, he would be authorised to state that Her Majesty's Government were prepared to hold a constitutional conference at an early date with a view to grant of independence as soon as possible thereafter. As regards financial arrangements, there would be a bill for about £2 million in compensation for public service officers, of which £1 million would be the responsibility of the United Kingdom.

In discussion general agreement was expressed with the proposals of the Foreign and Commonwealth Secretary. Attention was, however, drawn to the dangers inherent in constitutional arrangements designed to perpetuate control by the indigenous Fijians who—for reasons for which we could, historically, be held responsible—were now numerically in a minority. Such arrangements might in practice prove fragile; and indeed, the agreement as expressed in the Chief Minister's letter might from this point of view seem suspect. Unless the Indians were genuinely satisfied with the agreement, there was a risk that independence on such terms might lead to racial or other troubles in the future. On the other hand it was pointed

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<sup>1</sup> See 152.

out that since the Indians outnumbered the native Fijians and were moreover better educated and more sophisticated, independence on a straight 'one-man, one vote' basis would turn the Fijians into a minority in their own country. They would not accept this; and if we hesitated to grasp the opportunity of a settlement on agreed terms which had now presented itself, independence might be indefinitely postponed. In any case it was precisely to ascertain the situation in this respect that Lord Shepherd's visit was now proposed: and he would hold consultations with all the political leaders. The outlook was the more encouraging in that the Governor had just reported agreement by the Chief Minister and Leader of the Opposition to issue a joint public statement which would include a declaration of their intention to ask the Fiji Legislature, in due course, to debate a resolution to the effect that Fiji should proceed to dominion status as soon as possible without fresh elections being held before independence. The statement would also indicate that they had invited Lord Shepherd to visit to acquaint himself at first hand with the position. Nevertheless it was clear that the situation as between Fijians and Indians needed to be kept carefully in mind and when the proposed constitutional conference took place, it would be important to ensure that the constitution was so drafted as to give the best possible chances of integration of races in the future.

The point was also made that if trouble occurred in Fiji during the period between March and October and it became necessary for us to maintain a military presence there, this could have unfortunate repercussions on the important Far East reinforcement exercise BERSATU PADU.

*The Prime Minister*, summing up, said that the Committee approved the proposals of the Foreign and Commonwealth Secretary. They were therefore agreed that the first stop should be the visit of Lord Shepherd who, in his discussions with political leaders, would bear in mind the points made in discussion. The possibility of racial disturbances could not be dismissed at this stage and emphasised the need for us to proceed throughout in the closest touch with the Australian and New Zealand Governments.

*The Committee:—*

Approved OPD(70) 1.

**155** FCO 32/594, no 62 27 Jan 1970  
**[Council of Chiefs]: FCO record of a meeting between Lord Shepherd, Ratu Sir K Mara and the Council of Chiefs in the Council Board Room, Suva**

The *Chief Minister* said that he thought it was important that Lord Shepherd should meet this representative body of Fijian opinion. It was a responsible body which served a useful purpose as well as being a forum for Fijian views. Fijians were often blamed for the slow pace of political development; but, for their part, the Fijians felt that they had been responsible for the rapid pace of political development over the past few years. Fiji was multi-racial and the different races were able to live together in harmony. In this, Fiji was in advance of other Pacific territories—and, for that matter, many other countries in the world where legislation in respect of race relations was often necessary.

2. *Lord Shepherd* said that he was glad to have the opportunity of meeting this important body of Fijian leaders. He then outlined the purpose of his visit to Fiji, emphasising that there was no pressure from Britain to bring about constitutional change. He said he had been heartened by the attitudes adopted by the two major political parties and by the fact that there was such a wide area of agreement between them. He hoped that a report on the discussions which had gone on since his arrival would be produced later today.

3. Continuing, *Lord Shepherd* said that he had been impressed by the happy relationship which obviously existed between the races in Fiji. That being so, he was shocked at British press reports that he was in Fiji to assess whether the Royal visit should be called off because of growing political and racial tensions. He had already refused these mischievous [sic] reports: so had Buckingham Palace.

4. Reverting to the constitutional position, the *Minister of State* said that he was convinced that Fiji was ready for Independence. He believed that Fiji's problems could only be resolved by the people of Fiji. In this, he thought that the Council of Chiefs had an important role to play.

5. *Lord Shepherd* then invited questions.

6. Various questions on land were asked, e.g. how would Schedule A and B Crown Land be dealt with in future? *Lord Shepherd* said that he thought that this was something to be settled by the Fiji Government, perhaps by legislation. Fear was then expressed by several members that if a future government should not be predominantly Fijian, it might introduce legislation which would be detrimental to the interests of the Fijian people. *Lord Shepherd* thought that these fears would be relieved when members saw the report of the recent discussions.

Reference was made to land obtained by non-Fijian before Cession, very often at what now would be regarded as a ridiculously low price. This gave rise to the question: could anything be done at this stage to secure redress? Surely other territories, particularly in Africa, had faced a similar problem? *Lord Shepherd* said that it was not for a British Minister to offer advice on this. He was not aware of any parallel situation in Africa or elsewhere.

8. *Lord Shepherd* was asked if he would give his views on the size of the Upper House. He pointed out that it was difficult to give an answer unless he knew what exactly the functions of the Upper House were going to be. But he would suggest that it should be in the region of 50% of the size of the Lower House.

9. Several members asserted strongly that the Fijian people had a special position in their own country and that their interests must be safeguarded. *Lord Shepherd* said that he was sure that this was fully accepted in Fiji. It was significant that all Indians he had spoken to had recognised that the Fijians had a special position in the country.

10. The *Minister of State* was then asked to what extent Britain could assist in the resettlement or Indians (those who were unemployed or wanted to leave) in other parts of the world. *Lord Shepherd* said that even if Indians wished to leave, Britain's ability to assist would be limited—especially as we had our own problems in respect of racial minorities. But he was sure that Indians in Fiji already regarded themselves, in the widest sense, as Fijians.

11. *Lord Shepherd* was asked to comment on the Banaban people on Rabi—in particular he was asked whether the Banabans 'deserve a seat in the Lower House'? Other questions asked, and replied to, were:—

After Independence, would Fiji be able to consult Britain before making new legislation?

In the event of Britain joining the European Common Market, what financial ties with Fiji would be severed?

To what extent would Britain be able to lighten the burden which Fiji would have to shoulder, after Independence, in the field of External Affairs?

Should provision be made in the Constitution for a Ministry of Fijian Affairs?

Would Britain continue to give economic assistance?

What could be done to stop the press from carrying mischievous reports?

12. In conclusion there was some discussion about whether the term Fijian should apply to everyone who had the right to live in Fiji. The point was made by by one member that if everyone was called 'Fijian', it would leave the way open to the introduction of a common-roll. This led another member to say that he assumed that Lord Shepherd was fully aware that the Fijian people were not prepared to consider common-roll. They were absolutely against it.

13. The meeting adjourned at 10 a.m.

## **156** FCO 32/571, no 81

18 Feb 1970

[Future of Fiji]: minute by Lord Shepherd to Mr Stewart on his visit.

*Annex: Official report on the visit published in Fiji on 1 February*

Although I have already reported verbally to you about my visit to Fiji, you may also wish to see this short written account.

2. As you know, talks which had been going on for some months between representatives of the two main political parties in Fiji (the Alliance Party and the National Federation Party) about constitutional changes culminated in a statement, conveyed in a letter to the Governor by the Chief Minister, that both sides had agreed between them to press for Independence this year without fresh elections being held beforehand. It was against this background that I went to Fiji to ascertain, at first hand, the position reached in these talks.

3. During my visit I had discussions with the Chief Minister and the Leader of the Opposition and the other members of the Alliance and National Federation Parties who had been engaged in the inter-party constitutional talks. In addition I had talks with representatives of the Great Council of Chiefs<sup>1</sup> and with various organisations and individuals in Fiji; and received submissions from others about constitutional advance.

4. In approaching my task I felt that I should attempt to seek answers to two fundamental and connected questions: was there a wide area of agreement between the two parties; and, if so, was this agreement likely to stick? At my very first meeting with the Chief Minister and Leader of the Opposition and other members of the inter-party Working Committee, I therefore took the following line:—

(a) that I was in Fiji to learn and not to negotiate;

<sup>1</sup> See 155.

- (b) that I had been charged by Her Majesty's Government with the responsibility for assessing the wishes of the people in Fiji in regard to Independence and the way it was to be achieved;
- (c) that if before Independence there was to be no General Election or Referendum because a strong consensus of agreement existed, it was important that the area of agreement reached by the parties should be widely known throughout Fiji—*thus*
- (d) details of any area of agreement should be incorporated in a published report so that the people of Fiji would know exactly what was envisaged and the basis on which their political leaders proposed to take them into independence; and
- (e) that thereafter it would be necessary for the Legislative Council to endorse the proposals after first debating them.

5. No sooner had I made these points than the Chief Minister and Leader of the Opposition, no doubt anticipating my approach, immediately produced a paper setting out a summary of the agreements reached so far. The area of agreement on fundamental issues – except one to which I refer in the succeeding paragraph—was wide. It confirmed that Independence in 1970, without a prior general election, was the goal and that this proposal had originated with the Opposition. With the expert help of my advisers, who are well versed in producing White Papers on advanced Constitutional changes, it was possible during my visit to weave these heads of agreement into a comprehensive draft Report which I proposed should be published before I left Fiji.

6. The one major point of disagreement was over the method of election. The Fiji [sic] argument was simple: they had a special position in their own country and they feared that this would soon be lost if common-roll voting (i.e. one man, one vote) were to be introduced at this stage. Already Fijians felt that the increasing impact of the numerical and economic strength of the non-indigenous peoples threatened their political future. It was only in 1963 that the Fijians, for the first time in their history, had the vote. In 1966 they accepted cross voting: this was a major step forward. Any further advance would have to be taken slowly. Although the Alliance Party did not have a 'closed door' policy in respect of common-roll, the fact was that in the minds of most Fijians, common-roll carried the connotation of Indian dominance. The primary need was to dispel those fears. This would take time and education.

7. The Indians, on the other hand, maintained that the fears held by the Fijians that Indian politicians would achieve a position of dominance over them as a result of the introduction of a common-roll system were understandable but not justified. They recognised the special position of the Fijians and conceded that they should have the right in an Upper House to veto any legislation involving land, traditions and customs which the Lower House might pass. In short, their view was that there should be an Upper House designed to give protection to the Fijian people in addition to its normal function of acting as a House of review. This, they thought, ought to give the Fijians the safeguards they wanted and remove the present obstacles to elections to the Lower House on the basis of a common-roll. They considered that there was a case for common-roll and that they should press it.

8. Most of my discussions with both parties centred round this controversial issue. Progress was not easy. While the Alliance Party made it plain that they could

not at this stage budge on common-roll, the National Federation Party persisted in their contention that there should be at least a nod in the direction of such a system. In the circumstances, I sought to produce a formula which, if agreement could not be reached, would make it clear to the outside world that a dialogue was still going on between the parties. This I considered important since any public sign of real disagreement could easily be magnified by the press etc. with unfortunate results. On the morning of the day prior to my departure from Fiji, the National Federation Party came up with such a formula. What it said was that it was agreed that both parties needed more time to do some detailed research and to study the implications of various formulae put in by both sides on the composition of the Legislature and methods of election. It added that the talks which had gone on had narrowed the differences between both sides who were hopeful of producing an agreed formula between now and the Constitutional Conference. It went on to say that it was further agreed that if, at the Conference, these matters remained unresolved between the two parties, Fiji should go into independence without an election and that the first election should be held under the new Constitution on a formula approved and settled by the British Government. This was acceptable to the Alliance Party—and, of course, to me subject to a proviso to which I refer in the following paragraph—and it was agreed that this formula should be included in the Report.

9. While on the basis of precedent it would not be unusual at a Constitutional Conference for the British Government to lay down a solution in a matter of this sort, I felt that in the circumstances of Fiji, it would be prudent to let both sides know in advance what our ruling was likely to be so that neither party would have grounds for kicking up a fuss on this issue—if it were then politic for them to do so—at the Constitutional Conference. I therefore said that I would include in the report of my visit a paragraph to the effect that, if no agreement was reached and circumstances remained as at present, it would be necessary that the constitutional instruments for independence should reflect, subject to any formal changes arising from independence, the provisions of the existing Constitution. This was acceptable to all sides.

10. From the very beginning, I had made it clear that I expected all members of the interparty committee to sign the report describing the area of agreement. This was acceptable to the committee. I was, however, particularly gratified when I was asked by the Chief Minister and the Leader of the Opposition if I would have any objection to the report being seen, in confidence, by the other elected members of Legislative Council (before the formal signing of the document), and to their being invited to sign it also. I readily acceded to this and, in the event, it was signed by all elected members of the Legislative Council except one. The exception was a European Independent who, not being a member of the major parties, had regrettably been overlooked and was not shown a copy of the report until shortly before he was asked to sign it. Not unnaturally, he declined to do so.

11. Thus there was recorded agreement between the parties on Independence this year, without a prior election, and also an understanding of the basis on which the next election would be fought if no agreement could be reached before the Constitutional Conference. Of the utmost significance and importance was the fact that this agreement and understanding had been endorsed by 33 of the 34 elected members of Legislative Council.

12. In conclusion, may I make one further observation. Why, I wondered, had the Indians changed their line of approach since the death last September of their leader, A.D. Patel? There were, I think, two reasons for this. First, A.D. Patel was born in India and had been brought up against the background of Congress Party traditions; therefore to him independence on the basis of one man, one vote was a fundamental issue. With his death, this link with the Indian Congress Party was severed and the Indian leadership in Fiji passed to Indians who were born there. Secondly, the Indians in Fiji have been clearly frightened by the display of strength shown by the Fijians in a situation of strain in 1968: they have also been disillusioned by the situation in Mauritius, where strained racial relationships in their view have hampered economic progress. It is against this background (and their realisation that they are living in a country where they have good economic prospects) that they have, I think, come to the conclusion that they ought to get together with the Fijians, while the Fijians are still ready to treat them fairly.

13. If, as I expect, the Fijian Legislative Council debates and passes a motion calling for independence without fresh elections this year, the Independence Conference will take place in the week beginning 20 April. If the Conference goes as smoothly as present circumstances would indicate, Independence would be achieved on 10 October, 1970. All this seemingly justifies our decision to take advantage of the new situation in Fiji without delay.

14. Finally, let me record how greatly impressed I was by the courtesy and respect which the local politicians, both Fijians and Indians, paid each other. Around the working table they dealt with controversial issues in an understanding and conciliatory way; and socially they mixed easily. This, I thought, reflected the general pattern of the country where, when no one deliberately stirs up trouble, all races live and work in harmony.

15. I attach a copy of the official Report of my visit which was published in Fiji on 1 February.

## Annex to 156

Following talks between representatives of the Alliance Party and the National Federation Party in Fiji about constitutional changes, the Chief Minister of Fiji, the Honourable Ratu Sir Kamisese Mara KBE, and the Leader of the Opposition, the Honourable S.M. Koya, invited Lord Shepherd, Minister of State for Foreign and Commonwealth Affairs, to visit Fiji to acquaint himself at first hand with the position reached in the talks. Lord Shepherd accordingly visited Suva and had discussions between 26 January and 2 February 1970 with the Chief Minister and the Leader of the Opposition and the other representatives of the Alliance Party and the National Federation Party who had been engaged in the inter-Party constitutional talks.

2. The representatives of the two parties explained to Lord Shepherd that they had begun discussions in August 1969 to consider further constitutional changes with the aim of identifying areas of agreement and disagreement and of finding a mutually acceptable settlement of those issues on which the parties differed.

3. Realising that consideration of a wide range of matters to be provided in any written constitution would be affected by the constitutional status aimed at, they had agreed that this issue should first be resolved.

4. The National Federation Party had re-stated its previously declared objective which envisaged Fiji as an independent state with an elected President as Head of State, but as a member of the Commonwealth. The Alliance had favoured Dominion Status with all its implications, namely, full self-government with The Queen as Constitutional Monarch represented in Fiji by a Governor-General.

5. After discussion the two parties had agreed that Fiji should proceed to Dominion Status, i.e. that Fiji should become a fully sovereign and independent state with The Queen as Head of State and that Fiji should seek Membership of the Commonwealth.

6. The two parties had carefully considered the steps by which the new status should be achieved. On the proposal of the National Federation Party, and in view of the wide area of agreement between the two parties about a new constitution, they had agreed that Fiji should proceed to independence as soon as constitutional instruments could be drawn up after a constitutional conference and without an election before independence. They also agreed, however, that the constitutional instruments should provide for a general election not later than an agreed date after independence.

7. Within the framework described above the two parties had also agreed the proposals set out below.

#### *Name of an independent Fiji*

8. The name of the country should remain Fiji on independence.

#### *Preamble of the constitution*

9. There should be a preamble to the Constitution in which reference should be made to the Deed of Cession and to the economic and political advancement made by Fiji since the cession.

#### *Fundamental rights and freedoms*

10. The Constitution should include provision, substantially on the lines of Chapter I of the existing Fiji Constitution, for safeguarding the fundamental rights and freedoms of the individual, including the right to life, liberty, security of the person, the protection of the law, protection for privacy of the home and other property and from deprivation of property without compensation, and freedom of conscience, expression, assembly and association. Subject to safeguards, derogation from certain of these fundamental rights and freedoms should be permitted during a state of war or other public emergency.

11. Provision should be made in the Constitution for the enforcement by the courts of the fundamental rights and freedoms. In particular any person who alleges that any of the protective provisions is being or is likely to be contravened in relation to him should have a right to apply to the Supreme Court for redress.

12. As regards the provisions relating to compulsory acquisition of property the existing provision should be modified so that acquisition for the purpose of land settlement will cease to be permissible. It is also proposed that the Constitution should oblige the Government, failing a negotiated agreement with the owner:—

(a) to give notice to the owner of its intention to acquire the property compulsorily;



- (b) to apply to the Supreme Court for an order authorising compulsory acquisition, to obtain which the Government would have to justify the necessity or expediency of acquisition for the stated purpose;
- (c) to apply to the Supreme Court for an assessment of the compensation payable if the court grants the order authorising the acquisition; and
- (d) to pay the costs of the owner in connection with the Supreme Court proceedings. This proposal would have the effect of placing on the Government the onus of justifying the acquisition.

### *Citizenship*

13. The Constitution should provide for the following classes of persons to acquire citizenship of Fiji automatically on the date of independence:—

- (a) citizens of the United Kingdom and Colonies born in Fiji;
- (b) citizens of the United Kingdom and Colonies by virtue of naturalisation or registration in Fiji;
- (c) citizens of the United Kingdom and Colonies born outside Fiji whose fathers fall within (a) or (b) above.

14. The Constitution should also automatically confer citizenship of Fiji on persons born in Fiji after independence and on persons born outside Fiji after independence of a father who is a citizen of Fiji otherwise than by virtue of the latter's father having been born in Fiji.

15. The Constitution should confer a right to acquire citizenship of Fiji on application on any woman who at any time has been married to a citizen of Fiji or to a person who would have become a citizen of Fiji automatically on the date of independence had he still been alive.

16. The Constitution should enable the Parliament of Fiji to make provision for the acquisition of citizenship by other classes of persons, for deprivation of citizenship in the case of any person who has acquired citizenship otherwise than automatically, for the renunciation of citizenship, and for the deprivation of citizenship in the case of any citizen of Fiji who attains the age of twenty-one after independence and who, being a citizen of some other country, has not, in a prescribed period, renounced his other citizenship or, where he is unable to renounce it, made such declaration as may be prescribed.

### *Governor-General*

17. The Governor-General should be appointed by The Queen and should hold office during Her pleasure.

### *Parliament*

18. It was agreed that the parties needed more time to do some detailed research, and study the implications of various formulae put in by both sides, on the composition of the legislature and method of election. The talks so far had narrowed down the differences on these matters quite a lot and both sides were hopeful of producing an agreed formula between now and the constitutional conference referred in paragraph 48.

19. It was agreed that there should be an Upper House consisting of some members nominated by the Council of Chiefs, one Rotuman and some members

nominated by the Prime Minister and some members nominated by the Leader of the Opposition.

20. It was agreed that if at the constitutional conference these matters remained unresolved between the Parties, Fiji should go into independence without an election and the first election should be held under the new constitution on a formula approved and settled by the United Kingdom Government.

### *The Executive*

21. The Executive authority of Fiji should be vested in Her Majesty and, subject to the provisions of the Constitution, be exercisable on Her behalf by the Governor-General or through officers subordinate to him.

22. There should be a Cabinet, which should be collectively responsible to Parliament, consisting of a Prime Minister and such other Ministers as the Governor-General may appoint. The Governor-General should appoint as Prime Minister the member of the Lower House who appears to him best able to command the support of the majority of the members of that House, and should appoint other Ministers in accordance with the advice of the Prime Minister from among the members of the two Houses. (Discussions are continuing on the question of whether it should be possible to appoint a person who is not a member of either House to be Attorney-General.)

23. The Governor-General should be empowered to remove the Prime Minister from office if a vote of no confidence in his Government is passed in the Lower House and he does not within three days resign or advise a dissolution, and also, following a general election, where the Governor-General considers that as a result of the election the Prime Minister will not be able to command a majority in the new Lower House. Any other Minister should vacate office if the Governor-General revokes his appointment on the advice of the Prime Minister, if the Prime Minister goes out of office in consequence of a vote of no confidence or on the appointment of any person to be Prime Minister. The Prime Minister and any other Minister should vacate office if he ceases to be a member of the Lower House or, as the case may be, either House otherwise than by reason of a dissolution or if, at the first meeting of Parliament following a dissolution, he is not then a member of the Lower House or, as the case may be, either House.

24. In the exercise of his functions the Governor-General should be required to act in accordance with the advice of the Cabinet or of a Minister acting under the general authority of the Cabinet except in cases where the Governor-General is required by the Constitution to act in accordance with the advice of, or after consultation with, some person or authority other than the Cabinet or in his own deliberate judgment.

25. The Constitution should provide for the appointment of Assistant Minister in the same manner as Ministers other than the Prime Minister and for Assistant Ministers to hold office on the same terms as such Ministers.

26. The Governor-General should be required to appoint as Leader of the Opposition the member of the Lower House who, in the Governor-General's judgment, is the leader of the largest Opposition party in that House or, if there is no such party, whose appointment would be most acceptable to the leaders in the House of the Opposition parties. The Governor-General should have the power, exercisable in his own deliberate judgment, to revoke the appointment of the Leader of the

Opposition if he considers that he has ceased to fulfil the qualifications for appointment.

27. The Constitution should place the police force under the command of the Commissioner of Police and provide that, in the exercise of his power to determine the use and control the operations of the police force, the Commissioner will be under an obligation to comply with general directions of policy with respect to the maintenance of public safety and public order given him by the responsible Minister; in the exercise of his command of the force in other respects the Commissioner should act on his own responsibility and be independent. The organisation, maintenance and administration of the police force should be the responsibility of Ministers.

28. The Constitution should provide for a Director of Public Prosecution who will have independent powers in relation to criminal prosecution corresponding to those vested in the Attorney-General by the existing Fiji Constitution. A person should not be qualified to be or act as Director unless he is qualified for appointment as a Supreme Court Judge.

29. (Further consideration is being given to the provisions governing the exercise of the prerogative of mercy).

### *The Judicature*

30. The Constitution should contain provisions to secure the independence and impartiality of the judiciary. The Constitution should continue to provide for the Supreme Court. The judges of the Court should be a Chief Justice and such other Puisne Judges as may be prescribed by Parliament. The qualifications for appointment should follow the present qualifications. The Chief Justice should be appointed by the Governor-General acting after consultation with the Prime Minister and the Leader of the Opposition. Puisne Judges should be appointed by the Governor-General in accordance with the advice of the Judicial and Legal Service Commission.

31. The security of tenure of the judges of the Supreme Court should be protected by a provision on the same lines as exists in the present Constitution. The procedure for removing a judge should be initiated by the Governor-General, acting in his own deliberate judgment, in the case of the Chief Justice and by the Chief Justice in the case of the other judges of the Supreme Court.

32. The Constitution should continue to provide for a Court of Appeal consisting of the judges of the Supreme Court *ex officio* and such other judges, being persons qualified for appointment as judges of the Supreme Court as may be appointed. (Further consideration is to be given to the provisions for the appointment, tenure of office etc. of additional judges of the Court of Appeal.)

33. In addition to its jurisdiction regarding enforcement of the fundamental rights provisions, the Supreme Court should have jurisdiction to determine whether any other provision of the Constitution has been contravened and to make a declaration accordingly where a person alleges such a contravention and that his interests are being or are likely to be affected thereby. The Supreme Court should also have jurisdiction to supervise civil or criminal proceedings before all subordinate courts, with the power to issue the necessary orders for the purpose.

34. The Constitution should provide for a right of appeal from the Supreme Court to the Court of Appeal and from the latter to Her Majesty in Council in cases

relating to the enforcement of fundamental rights or the interpretation of the Constitution. It should also provide for appeals to lie to Her Majesty in Council in other cases as at present.

*Service Commissioners and the Public Service*

35. The Constitution should provide for a Judicial and Legal Service Commission, a Public Service Commission and a Police Service Commission. These Commissions should be executive. (Further consideration is to be given to a number of points. These include the composition of each Commission and the method of appointment and tenure of office of members; the precise responsibilities of each; and the question of appeals from the decisions of each.)

36. Magistrates and Legal Officers will come within the jurisdiction of the Judicial and Legal Service Commission. The Commission should also appoint the Director of Public Prosecutions, but the latter should enjoy security of tenure similar to that of a judge. Police Officers other than the Commissioner should come within the jurisdiction of the Police Service Commission. (Further consideration is to be given to the position of the Commissioner of Police.) The Police Service Commission should have power to delegate its powers of removal and discipline to the Commissioner and other officers of the police force. Other public officers should in general come within the jurisdiction of the Public Service Commission. (Principal diplomatic representatives abroad, the Secretary to the Cabinet, Permanent Secretaries and Divisional Commissioners may be exceptions. Further consideration is being given to this.) The Public Service Commission should have power to delegate its functions to any of its members or any public officer.

37. Provision should be made for the protection of pension rights of public officers and for preventing the refusal, withholding or reduction in amount of pension benefits unless the appropriate Service Commission concurs.

*Ombudsman*

38. The Constitution should establish the office of Ombudsman and provide for appointments to it to be made by the Governor-General after consultation with the Prime Minister, the Leader of the Opposition and such other persons as appear to the Governor-General, in his own deliberate judgment, to be leaders of parties in the Lower House. The Ombudsman should hold office for a period of four years and should be removable only on grounds of inability or misbehaviour after a tribunal consisting of persons who are or have been judges have investigated any allegation against him and have recommended his removal; the procedure for removing the Ombudsman should be initiated by the Governor-General in his own deliberate judgment.

39. The Ombudsman should have jurisdiction to investigate complaints regarding the acts, omissions, decisions and recommendations of specified public bodies and other officers which affect the interests of individuals or bodies of persons. He should be entitled to act upon his own initiative or upon receiving a complaint from an individual or a body, and Ministers and members of the two Houses should also be able to refer matters to him for consideration. The bodies which the Ombudsman should be authorised to investigate should include Government Departments, their officers, tender boards, the police and prison and hospital authorities, local government authorities and statutory bodies. The personal

acts and decisions of Ministers and decisions of the Service Commissions should be excluded from investigation by the Ombudsman.

40. The Constitution should contain provisions enabling the Ombudsman to examine witnesses and also provisions to prevent the disclosure of information on the grounds that it prejudices defence, external relations or internal security or that it might divulge the proceedings of the Cabinet. The Ombudsman should be entitled to refuse to investigate any complaint that is more than six months old or on the ground that it is vexatious or too trivial or the complainant is insufficiently interested in the matter, and he should be enabled to discontinue an investigation for any reason that seems fit to him. He should be precluded from investigating any matter in respect of which there is a statutory right of appeal to or review by a court or tribunal. However, he should not be precluded from investigating a matter merely because it is open to the complainant to apply to the Supreme Court alleging a violation of fundamental rights.

41. The Ombudsman should be entitled to report unfavourably on any decision, recommendation, act or omission on the ground that it is contrary to law, based wholly or partly on a mistake of law or fact, unreasonably delayed or otherwise manifestly unreasonable. He should address his report, recommending any remedial action that he thinks appropriate, to the department or organisation concerned. If no adequate remedial action has been taken within a reasonable time, he should be empowered to make a special report to the two Houses. He should also make annual reports to the Governor-General, which should be laid before the two Houses.

#### *Finance*

42. The Constitution should contain provision on the usual lines with respect to the appropriation and expenditure of public monies in order to ensure control of these matters by Parliament. The Constitution should provide for the establishment of a consolidated fund and regulate payments into and withdrawals from that fund and for the laying of annual estimates of revenue and expenditure before the Lower House and for the introduction of appropriation bills in respect of each financial year.

43. There should be provision for a Director of Audit who should have the function of auditing all public accounts and reporting on them to Parliament. The Director of Audit should be appointed by the Public Service Commission after consultation with the Prime Minister and the Leader of the Opposition, and should have security of tenure similar to that of a judge.

44. The salary and conditions of service of the Governor-General, judges of the Supreme Court and the Court of Appeal, members of the Service Commissions, the Director of Public Prosecution, the Commissioner of Police, the Ombudsman, and the Director of Audit should be protected in the same manner as the salary and conditions of service of judges and certain other officers are protected under the existing Constitution.

45. The Minister of State thanked the Chief Minister of Fiji and the Leader of the Opposition in the Legislative Council for their invitation to visit Fiji to acquaint himself with the Agreement reached by the Political Parties there on constitutional advance. Lord Shepherd also noted in the joint statement issued by Ratu Sir Kamisese Mara and Mr. S. M. Koya on 17 January 1970 their intention that Fiji should reach dominion status as soon as possible.

46. In addition to his talks with the Political Leaders the Minister had talks with representatives of the Great Council of Chiefs and with various organisations and individuals in Fiji and received submissions from others about constitutional advance.

47. The Minister of State took note of the account given to him by the Chief Minister and the Leader of the Opposition of the discussions they had held and of the Agreements reached between their parties. He hoped that it would be possible for the Parties between now and a constitutional conference to reach agreement on the matters referred to in paragraph 18, but he was bound to say that, if no Agreement was reached and circumstances remained as at present, it would in his view be necessary that the Constitutional Instrument for Independence should reflect, subject to any formal changes arising from Independence, the provisions of the existing Constitution.

48. As a consequence of what he has seen and heard during his visit and in particular of his talks with the Chief Minister and Mr. Koya and their colleagues in the Alliance and National Federation Parties and in view of the Agreement between the two parties recorded above, Lord Shepherd wishes to state that, subject to the Legislative Council endorsing by means of a formal resolution the proposals so far agreed, Her Majesty's Government will be willing to convene a Constitutional Conference in London at a date in April next to be mutually agreed with a view to finalising arrangements (including the date) for the independence of Fiji.

**157** FCO 32/613, no 22 11 Mar 1970  
**[South Pacific Sugar Mills]: FCO record of a meeting in London with representatives of the Colonial Sugar Refining Company Ltd<sup>1</sup> on the Denning award. *Addendum***

[In 1969 an independent inquiry into the sugar industry headed by Britain's master of the rolls, Lord Denning, made far-reaching recommendations for profit-sharing between growers and millers, long a major bone of contention. Denning's award was published on 27 Jan 1970 (*The Award of the Rt Hon Lord Denning in the Fiji Sugar Cane Dispute*, Suva, Government of Fiji, 1970). The principal recommendation was a new formula under which proceeds from sale would be shared between the growers and millers in the proportion of 65 per cent and 35 per cent respectively, and the provision of guaranteed minimum price of \$7.75 per ton of cane, with \$5.75 within five weeks after delivery and the balance within six weeks of the end of crushing. The CSR found this 'intolerable' and proposed to sell its SPSM shares to the Fiji government, but the offer was declined. Whitehall refused to intervene, advising the CSR to give the Denning award time. The Fiji government eventually purchased the SPSM in 1973 and the Fiji Sugar Corporation took over its operations.]

*Mr. When* said that the Award of Lord Denning in the Fiji Sugar Cane Contract dispute had placed his company in grave difficulty. He understood that there would shortly be a Fiji Constitutional Conference in London and that Fiji Ministers would be coming here. He was therefore anxious to set out the position of his company following the Denning Award. He was sure that all were anxious to see an economically stable Fiji but the outcome of the Award could have disastrous

<sup>1</sup> CSR was represented by P T When, assistant general manager, and B Dowling, London representative.

consequences there. The CSR position was that, after serious consideration, they had come to the conclusion that they could not advise the Directors of the South Pacific Sugar Mills (S.P.S.M.) to sign the Award. This would mean bankruptcy for the South Pacific Sugar Mills (S.P.S.M.). Acceptance of the Award would also place the whole of the CSR group in jeopardy and indeed would place its Board of Directors in a position of malfeasance. But legally it was an awkward situation since there was a possibility of a Court Order being obtained in Fiji to compel the S.P.S.M. to sign. The Award therefore could also have grave political consequences.

2. *Mr. Wheen* went on to say that no one was in any doubt about Lord Denning's stature. He was a great legal authority, Master of the Rolls and one of the three Senior Appeal Judges in this country. There was no gainsaying the Award. The purpose of his visit therefore was not to complain or to ask for any Foreign and Commonwealth Office action but to bring to the attention of the F.C.O. the likely consequences of the Award. Talks would be going on in Fiji with Fiji Ministers and he was anxious that what he had to say now should not prejudice the position there. The first reaction of Fiji Ministers to a recent C.S.R. approach had been disappointing. The C.S.R. had explained that they were distressed by the Award and both S.P.S.M. and C.S.R. took the view that to accept the Award for the 10 year period would put them in financial jeopardy. The Fiji Ministers had proposed trying out the Award. But Lord Denning's basis for arriving at a 65%–35% division to the growers and millers was based on a totally incorrect series of calculations. Furthermore his financial projections were similarly inaccurate. The C.S.R. had completed a serious study of the position that would obtain following acceptance of the Award and had concluded that by 1974 their losses would be running at \$F.9 million per annum.

3. The guarantee of a minimum price for the growers rested with the millers and this was entirely without precedent. No private enterprise company could take on this liability especially for a period of 10 years. There were two possibilities open to the C.S.R. They could give two years notice to cease crushing but they hoped that they would not be forced to do this since it would have enormous local repercussions. The second alternative was to start talking with the Fiji Government. This they had undertaken to find ways and means of solving the problem.

It seemed to the C.S.R. that the best solution would be for the Fiji Government to take over, on terms feasible to Fiji. Their major concern now was with the stability of Fiji. While they were convinced that the C.S.R. could never recover its former position locally they were anxious to come to some agreement with the Fiji Government. They would be happy to see the S.P.S.M. pass into other hands and would be prepared to continue to serve whoever took over for as long as required. They regarded Fiji not as a country for economic exploitation but as a social responsibility. The C.S.R. were much disturbed at the completely negative Fiji reaction to their proposal to pull out. The Fiji attitude was that the S.P.S.M. had to sign the Award. But the C.S.R. had taken the advice of three Queen's Counsel and there was no doubt that if they advised the S.P.S.M. to accept the Award the Directors of the C.S.R. could be sued by shareholders for malfeasance. There was to be a further meeting between the C.S.R. representatives and Fiji Ministers next Sunday. The Eve Contract expired on 31 March 1970 and there was little time left to sort matters out. Fiji Ministers would be coming to London in mid-April and he therefore thought it would be the right thing to do to come to the Foreign and Commonwealth Office and state the C.S.R. case.

4. *Mr. Morgan* said that he must make it plain at the outset that while the Secretary of State still had ultimate responsibility for Fiji, the present constitutional situation was such that the subject under discussion lay within the remit of elected Fiji Ministers. The Governor could of course override Ministers but the use of such power was a very grave matter indeed and impossible in present circumstances. We were naturally concerned at the possible repercussions which *Mr. Wheen* outlined but positive action by the Foreign and Commonwealth Office in this situation was for all practical purposes ruled out. Power of direction no longer rested with us although the possibility of persuasion was not ruled out. *Mr. Morgan* went on to enquire whether it had been open to the S.P.S.M. to evade arbitration proceedings. *Mr. Wheen* confirmed that had S.P.S.M. accepted the extreme terms put forward in the dispute by the growers, arbitration would have been unnecessary, but the answer was in practical terms that the arbitration was inevitable. Nor was there power to appeal. *Mr. Morgan* said that while we had no power to alter the Law we did retain power to disallow certain laws which the Fiji Government might propose to make. *Mr. Wheen* made the point that Lord Denning's Award had no special standing in Law and the Award itself confirmed this. *Mr. Morgan* said he thought that the Government of Fiji would like to settle the problem without disorder.

5. *Mr. Morgan* enquired what *Mr. Wheen* had meant in his point that matters might be discussed here but that these talks should not impinge on the talks in Fiji. *Mr. Wheen* said that he would prefer to speak informally. *Mr. Morgan* wondered what an informal conversation could be expected to lead to. *Mr. Wheen* said he thought it was his duty to come and explain the C.S.R. position and to establish what the F.C.O. functions were *vis-à-vis* Fiji as a Colony. He was not pleading a case but the Award could have far reaching ill-effects. It was impossible for the C.S.R. to carry on. *Mr. Morgan* suggested that the C.S.R. might wish to opt out. *Mr. Wheen* said they had no intention of withdrawing and felt it their duty to stay even if they suffered a very substantial loss of money. They had gone to Fiji in a spirit of co-operation and were given an ultimatum. He was not asking for any F.C.O. action, indeed this might be counter-productive, but he thought it necessary to explain the C.S.R.'s position.

6. *Mr. Morgan* enquired whether it was the intention of the C.S.R. to make further attempts to persuade the Government of Fiji to take up the equity in the S.P.S.M. *Mr. Wheen* said there was a problem here. Fiji obviously would not want to go forward to independence with it clear for all to see that among its first acts had been the nationalisation of the sugar industry. This would frighten off possible investors. But Fiji had said they might compel the S.P.S.M. to sign the Award. He therefore thought it right to let the Foreign and Commonwealth Office know what the C.S.R. was thinking prior to the next talks.

7. *Mr. Morgan* pointed out that there were basic rights of access to the Secretary of State by persons in a Colony. These were clearly defined and took the form of a petition. There was no right to make a representation here in London. The correct procedure was to refer to London through the Governor. Anything said here therefore would have to be referred to the Governor. *Mr. Wheen* said he understood this. *Mr. Morgan* said that clearly the Government of Fiji was concerned about the situation which portended possible economic disruption. What they would like to see was the S.P.S.M. giving the Award a trial. The Fiji Government were well aware of all the factors. There were two sides to the coin. The S.P.S.M. could appeal by petition via the Governor. But this was unlikely to be a very efficacious remedy. The



constitutional position made it difficult and practically speaking this was really no solution. But clearly a solution must be found.

8. Mr. Wheen stressed that neither the C.S.R. nor the S.P.S.M. wished to injure Fiji. They had long helped Fiji and were proud of this. They would continue to do so. This was his message. They had no wish to harm anyone but wanted to help. But it was not possible or even within the Law to sign the Award.

9. *Mr. Morgan* said he appreciated Mr. Wheen's position and the duty of the C.S.R. to its shareholders and employees. The last reports he had from Fiji suggested that the position was that the Fiji Government wished to give the Award a trial at least for a time. Clearly the Fiji Government did not wish to plunge into the operation of nationalisation at this moment. If Mr. Wheen had no objection we would like to let the Governor know about this talk and would emphasize the goodwill aspect mentioned by Mr. Wheen. *Mr. Wheen* signified he had no objection. *Mr. Morgan* then said that Mr. Wheen had made one particularly important point. There could not be negotiation here. The matter must be settled in Suva.

### Addendum to 157<sup>2</sup>

1. *Mr. Wheen*, during the discussion, expressed considerable criticism of the tone of the Denning Report. Of its 193 paragraphs, he said, some 70 were concerned only with impugning the reputation of the C.S.R. The company was so concerned that they were considering producing and publishing a critique of the Award.

2. He alleged inaccuracies in Lord Denning's Report. Its conclusions flowed from premises which were massively wrong. The critique which the C.S.R. were contemplating would point up the major areas of misunderstanding. *Mr. Morgan* said he understood the C.S.R. argument that there was an accretion of points in Lord Denning's analysis of figures but he was not clear why it was necessary to publish a critique. *Mr. Wheen* repeated that the good name of his company had been impugned in many respects and in depth. The integrity of the independent Chairman had also been gravely challenged. With specific regard to the C.S.R. there was a definite inference that they had acted just within the Law in taking substantial moneys out of Fiji. There were allegations that in a number of cases the C.S.R. acted in a way no company should. These were misrepresentations stemming from Lord Denning's contention that the Eve Contract allowed the millers a big slice of the cake before it was ever divided. This was totally wrong. The Eve Contract was a far more sophisticated analysis and Lord Denning simply did not understand the complications involved.

3. *Mr. Morgan* said it was not for him to judge but what the C.S.R. appeared to be saying was that Lord Denning was unsophisticated. It would be very difficult to overrate Lord Denning either in United Kingdom or Australia. *Mr. Wheen* said he had no wish to denigrate but Lord Denning had put the C.S.R. in a very difficult position and they were very conscious of the need to defend themselves. *Mr. Morgan* said that the C.S.R. had obviously taken account of the consequences of publishing a critique but he personally thought it would be a risky matter. *Mr. Wheen* reiterated that the C.S.R. Board could not take the matter lying down.

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<sup>2</sup> The addendum was not for circulation outside the FCO.

**158** FCO 32/615, no 48

10 Apr 1970

**[Defence]: minute by E J Emery to Sir L Monson on defence arrangements for Fiji after independence***Problem*

To decide the line of our brief for the Fiji Constitutional Conference about defence arrangements and in particular to decide what we should do to carry out the Chancellor of the Exchequer's request that our position on defence and internal security in Fiji should be made quite clear to the Fijians at the Constitutional Conference and that they should be asked formally to agree to it.

*Recommendation*

2. I recommend:—

(a) that our brief should advise Lord Shepherd to reiterate our attitude about defence and internal security clearly in full conference and make sure that the Fijians, both Government Party and Opposition, accept it. He should, however, decide in the light of the two Parties' reactions and according to how the Conference goes generally (and in consultation with other British Ministers as necessary) whether or not to press that a statement of our position and its acceptance by the two Parties need be written into the published Conference Report. An alternative would be to exchange letters about it with Ratu Mara and Mr. Koya on the understanding that they could be published if we were pressed on the matter in public later.

(b) that we should warn the Overseas Development Ministry and the Treasury that the Fijians may use our position on defence and internal security as a lever to get more aid or a more generous 'financial settlement' generally and that if we appear to fail to take this consideration into account we may jeopardise the success of the Conference.

[If you agree with this line I will draft a brief accordingly and agree it with other Departments in and outside the F.C.O. There is a slight additional procedural difficulty in that Mr. Moon's<sup>1</sup> letter of 25 March records a request by the Prime Minister that the Chancellor and the Foreign and Commonwealth Secretary should arrange for the point raised by the Chancellor to be discussed by their officials with a view to the point being resolved. My own view would be that this does not require a further reference back to the Prime Minister except perhaps just a P.S. note to say how we (at the official level) propose to play it. The Ministry of Defence and the Treasury can make up their own minds whether or not to refer to their own Ministers. In our case Lord Shepherd will not be back until about the 15th and the Secretary of State will be away from the 16th to the 23rd. (You may wish to discuss how to handle the matter ministerially in this Office with the Private Secretary to the Secretary of State.)]

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<sup>1</sup> P J S Moon, private secretary to the prime minister.

*Background and argument*

3. The O.P.D. Committee instructed Lord Shepherd when he went to Suva in January to obtain agreement from the two Fiji leaders that the United Kingdom would not accept any responsibility for the defence or internal security of an Independent Fiji.<sup>2</sup>

4. On Lord Shepherd's return the Secretary of State in a minute to the Prime Minister on 23 April said, 'While the matter was not raised formally, both political leaders in Fiji are aware, and have accepted, that the United Kingdom would not accept any responsibility for the defence or internal security of an independent Fiji. By tacit understanding it will not be an item on the Agenda at the Constitutional Conference'.

5. In the House of Lords on 10 February in answer to a Supplementary Question by Lord Lansdowne<sup>3</sup> about whether the question of defence had yet been inexhaustibly discussed, Lord Shepherd said: 'On the question of defence this is clearly a subject that would be discussed formally at the Constitutional Conference'.

6. Meantime, there have been the following developments in Fiji:—

(a) On 25 February in speaking on the Resolution in which the Legislative Council endorsed Lord Shepherd's Report, the Chief Minister said there were a number of matters (e.g. aid) to be settled before the date of Independence could be settled. He said also, 'there is the question of defence and security. This negotiation is already under way but any further comments may prejudice the outcome of this negotiation'. Ratu Mara said on that occasion that he was appointing committees (from among the Delegates to London) to discuss, apparently in London, the various matters outstanding including defence.

(b) Fiji has a Defence Finance Agreement with New Zealand, under which the latter assist the F.M.F.:—

- (i) with \$F20,000 per annum;
- (ii) provide but do not pay a Commander and four cadre personnel;
- (iii) maintain and train some fifty F.M.F. soldiers in New Zealand annually;
- (iv) provide material and advice at minimum costs.

The Chief Minister has been pressing for a decision from the New Zealand authorities about their willingness to continue assistance to Fiji in the defence field, saying he wanted to know where he stood on this before going to London. In a letter to Ratu Mara went on 6 March, Mr Holyoake<sup>4</sup> said: 'We appreciate, however, that, particularly during the first years of Independence, Fiji will continue to need assistance with the organisation, administration and training of the Fiji military forces, including the provision of personnel in Fiji and of training in New Zealand, and I am confident that appropriate understandings can be worked out. I need hardly add that, as at present, New Zealand would not be prepared to undertake any obligation to assist in the maintenance of internal security'.

<sup>2</sup> See 154.

<sup>3</sup> Formerly joint parliamentary under-secretary at the FO, 1958–1962, and minister of state for colonial affairs, 1962–1964, and Commonwealth affairs, 1963–1964.

<sup>4</sup> Prime minister of New Zealand, 1960–1972.

(c) In March Mr. Laking, the Secretary for External Affairs, New Zealand, visited Fiji and the Chief Secretary had told us that this visit was valuable in that, apart from indicating warm New Zealand interest in Fiji's future, it provided an opportunity to establish beyond all doubt that Ratu Mara now recognises clearly the inevitability of Fiji becoming fully responsible for its own internal security commitments after Independence. Ratu Mara told Mr. Laking, however, that he would be in a better position to comment on all future New Zealand Fiji/defence links after the London Conference during which he proposed to ascertain what assistance in this field may be available from the United Kingdom.

(d) Also in March Colonel Morris, the New Zealand Commander of the Fijian military force, gave Ratu Mara a paper setting out rather extravagant proposals for Fiji's military and police needs after Independence. Ratu Mara's reaction to the paper was that though some of the proposals in it might err on the side of extravagance, it should prove handy when he came to have discussions with the United Kingdom.

(e) The Chief Secretary has pointed out to us that even though we persuade Ratu Mara of the extravagance of Colonel Morris's proposals, it remains the case that Britain, on Fiji's independence, will be relieved of a present liability and that precedents will dictate a consequential increase in Fiji's police and perhaps in the military forces too. We must expect it to be argued by Fiji at the Conference that Britain should offer some help towards what becomes necessary.

7. If the Fijians, even, as a matter of tactics, are disposed to press us for some defence guarantees they will have at least the precedent of Mauritius to point to.<sup>5</sup> I attach telegrams to Mr. Lloyd about this showing the answers that can be given.

8. The precedents as regards writing the defence position into the report of the Conference are that if there is to be a defence agreement that intention is written into the report. If there is to be no agreement, nothing is said on defence in the report. It might be difficult therefore to press for a mention of 'no defence or internal security commitment' in the Fiji report. It would also not accord with how things were left at Lord Shepherd's talks in Suva (paragraph 4 above). The alternative I suggest, the exchange of letters, would protect us later if need be and would enable us, even short of publishing them, to answer satisfactorily further questions such as Lord Lansdowne's (paragraph 5 above).

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<sup>5</sup> Mauritius became independent in Mar 1968. British troops, flown in from Singapore, were retained until June because of communal disturbances. The UK also provided training for the Special Mobile Force, a para-military branch of the local police.

## **159** FCO 32/95, no 13

11 Apr 1970

'European Economic Community': FCO brief (FCC(70)13) for Fiji constitutional conference. *Annex A*: Extract from Mr Brown's statement to WEU ministers in 1967

### *Objective*

To explain to the Fijians our present thinking on our application for full membership of the E.E.C; and to let them know how we envisage their own future relationship with the Communities.

*Talking points*

Our policy is to achieve full membership of the European Economic Communities. We have persisted in this despite setbacks and delays. Following recent developments in Western Europe, we hope that negotiations for membership will open in the next few months. We are anxious that they should proceed reasonably quickly, but Fiji seems likely to achieve independence before the outcome of the negotiations is known.

*The position of Fiji*

2. After our entry into the E.E.C. we should expect our pattern of trade with third countries to undergo certain alterations. The system of Commonwealth preferences at present in force would, over a period of years, be eliminated; and we should extend the common external tariff of the Communities to imports from those third countries not members or associate members of the E.E.C.

3. Our negotiating position for membership remains that laid down in the statement by the then Foreign Secretary, Mr. George Brown, to the W.E.U. Council of Ministers in July 1967. Fijian Ministers will be aware that at that time we envisaged association for Fiji with the Communities under Part IV of the Treaty of Rome, since Fiji was still a dependent territory. For independent Commonwealth countries of Africa and the Caribbean, we hoped to reach agreement with the Communities for their association under a renegotiated Yaoundé Convention.<sup>1</sup> We still hope that such arrangements can be reached for the latter.

4. Since, however, Fiji will probably become independent in the course of our negotiations for entry, we hope it may be possible to arrange with the Communities for some solution to the problems for Fiji raised by our entry, to be worked out along the lines envisaged for the independent Commonwealth countries of Africa and the Caribbean. In any case we consider that the problems for Fiji of our entry will be at least eased by the schemes for generalised preferences for developing countries at present under consideration at UNCTAD.

*Sugar*

5. Fiji's sugar interests and the effect on them of our entry to the E.E.C. are covered in a separate brief (U.K. Brief FCC No. 16).<sup>2</sup>

*Consultation with Fiji over our E.E.C. entry*

6. I welcome this opportunity for discussion with you as prospective partners within the Commonwealth. As you know, the process of Commonwealth consultation is a continuous one. In the special conditions of our entry negotiations, we are considering whether some other form of consultation, along possibly more formal lines, should be initiated. When we know the opening date for negotiations, and what subjects the Communities will propose for negotiations, we shall be in a better position to make a decision on this. Meanwhile we shall continue to keep you in touch with our thinking on this subject in the normal way.

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<sup>1</sup> See 137, note 2.

<sup>2</sup> See 160.

### *Background*

7. By the time the Conference opens, the subject of our entry to the E.E.C., and its effects on Fiji, will already have been discussed by a special Fijian delegation with Mr. Luard. The record of this meeting will be submitted in due course.

### *Association for Fiji with the E.E.C.*

8. The position of Fiji in 1967 is explained in the Talking Points. Relevant extracts from Mr. Brown's statement to the W.E.U. Council of Ministers are attached as an Annex to this Brief. Since Fiji is likely to be independent before we can expect to enter the E.E.C., we shall have to consider, in negotiations with the Communities, how best to treat her interests. We hope that some form of association may be arranged for Fiji, although up to now the Communities have indicated that association under such arrangements as the Yaoundé Convention is open to developing Commonwealth countries in Africa and the Caribbean only. It is not yet clear whether the scope of such Conventions could be extended to cover countries in the Pacific and Indian Oceans.

### *UNCTAD Preferences Scheme*

9. This is at present under consideration within O.E.C.D. and at UNCTAD in Geneva. Several schemes for generalised preferences for developing countries are being discussed, and we should not expect the scheme to come into effect before the middle of 1971 at the earliest. Whichever scheme or schemes are adopted, they should extend some measure of help to Fiji's exports.

### *Copra/Coconut Oil*

10. Fiji is one of the main Commonwealth Pacific Islands producers, accounting for some 1% of world production of coconut oil and copra. 10% of Fiji's export earnings come from these products, the United Kingdom being a major market. The enlarged Community will continue to be a major importer of copra and coconut oil.

## **Annex A to 159**

... 36. During the 1961–63 negotiations between the Community and Britain it was provisionally agreed that, with one or two exceptions, association under Part IV of the Treaty of Rome would be appropriate for our dependent territories. We trust that you would still agree that for these territories this is the best arrangement. We should discuss together the position of any dependent territories for which association is not appropriate.

37. It was also provisionally agreed during the 1961–63 negotiations that association under what was later negotiated as the Yaoundé Convention should be open to independent Commonwealth countries in Africa and the Caribbean. The Community subsequently repeated this offer in the Declaration of Intent issued by the Council of Ministers of the Community in July, 1963—a Declaration of Intent which was in no way dependent on Britain's becoming a member of the Community. I trust that we can quickly confirm that the alternatives contemplated in this declaration will be open to independent Commonwealth countries in Africa and in the Caribbean.

38. I realise that the Yaoundé Convention is due to expire in May, 1969. It would scarcely be practicable for the Commonwealth countries in question to negotiate accession to the present Yaounde Convention. I therefore suggest that these countries should be allowed to continue their present trading arrangements with Britain until new arrangements come into force after the expiry of the Yaoundé Convention in the negotiation of which it should be open to them to take part.

39. Agreement was also reached in principle in the 1961–63 negotiations that there should be certain trading arrangements for developing independent Commonwealth countries for whom association was not thought appropriate. We hope it will be possible to revive that agreement.

## **160** FCO 32/595, no 12

11 Apr 1970

‘The Commonwealth Sugar Agreement’: FCO brief (FCC(70)16) for Fiji constitutional conference. *Annex A: ‘The Fiji sugar industry’*

### *Objective*

This brief is for background information and in case Fiji delegates raise matters relating to the C.S.A.

### *Talking points*

#### *Effect of independence*

As you know, the Commonwealth Sugar Agreement is a commercial purchasing agreement between the British Minister of Agriculture and certain Commonwealth sugar industries, in the case of Fiji the Colonial Sugar Refining Co. Ltd. Fiji’s position under the Agreement will thus not be affected in any way by independence.

#### *What are you going to do for us in negotiations with the E.E.C.?*

2. H.M.G. have always made it quite clear—in Mr. Brown’s W.E.U. statement<sup>1</sup> and in subsequent Ministerial statements—that our obligations to the developing countries belonging to the C.S.A. are something which must be dealt with in the negotiations. The Six are fully aware of this; and the E.E.C. Commission’s Opinion of October 1969 on the applications for membership of Britain, Denmark, Ireland and Norway, specifically (paras. 65–66) recognises this as a problem warranting special attention. We are confident that a solution can be found.

3. (For use only if asked). It would be premature at this stage, before negotiations begin, to speculate on the precise nature of the arrangements to be agreed.

### *Background*

4. The C.S.A. is a purchasing agreement between the Minister of Agriculture and certain Commonwealth Sugar Industries, originally negotiated in 1951, but evolved from arrangements for purchasing sugar from the Commonwealth during the war. The following quotas are in force:—

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<sup>1</sup> See 159, Annex.

	<u>Tons</u>
Australia	335,000
West Indies and Guyana	725,000
Mauritius	380,000
Fiji	140,000
East Africa (not taken up)	7,000
British Honduras	20,500
India	25,000
Southern Rhodesia (suspended)	25,000
Swaziland	<u>85,000</u>
	<u>1,742,500</u>

5. The price, which is supposed to be 'reasonably remunerative to efficient producers', is negotiated every three years (next review is November 1971), and is currently £43-10-0d. per ton (cf. world price of about £32 per ton). There is a supplement of £1-10-0d. for the developing members (i.e. all except Australia) and another supplement for developing members which varies inversely to the world price and at the maximum is £2-10-0d. per ton.

6. The Agreement is now of indefinite duration but Britain cannot be committed to continue our contractual obligations under the Agreement beyond 31 December 1974 if we enter the E.E.C. Changes in the Agreement (unless mutually agreed) require three years notice from a review, or six in the case of provisions relating to the quantities which the U.K. is required to purchase from the developing members (unless we join the E.E.C.).

#### *E.E.C. entry and the Commonwealth Sugar Agreement*

7. The Commonwealth Sugar Agreement will be one of the major problems in any negotiations to join the E.E.C. This is not merely because the E.E.C. sugar regime contains no provisions for giving preferential entry, or paying special prices, to particular third countries (the former French Colonies in Africa no longer enjoy their previous preferential access to the French market). More important is that the high common prices for sugar in the Six are resulting in a surplus from current production (excluding stocks accumulated from previous years) of at least one million tons per year. This is either exported to the world market at considerable cost (because of the E.E.C. export subsidies), or else denatured and used for animal feed in the Community which, taking into account the loss of levy income or cost of export restitution on the equivalent amount of grain, is also very expensive. If the Commonwealth Sugar Agreement did not exist, the whole of this surplus could easily be sold within an enlarged Community, almost all of it in the U.K. However assuming a continuation of the Commonwealth Sugar Agreement, the greater part would have to be exported to the world market. As with other commodities, no agreement has been reached in the E.E.C. on how to reduce this surplus. Unless something fairly drastic is done, this surplus will increase still further.

8. In June 1967, Lord Beswick gave to the Governments of the Commonwealth countries whose industries are members of the C.S.A. the following assurance:—

'The British Government during the negotiations will seek from the Six for the period after 1974, and will use its best endeavours to obtain, in respect of



the developing countries whose industries are parties to the Commonwealth Sugar Agreement, an assurance which is consistent with the British Government's undertaking to protect the essential interests of the developing countries which the C.S.A. at present safeguards. We cannot commit ourselves here and now as to its exact form, but the basic point on which you can be assured is that we shall, during our negotiations, seek assurances in whatever form seems appropriate which are consistent with our undertaking.'

9. On 4 July, 1967, the then Foreign Secretary in his speech to the Western European Union said:—

'For sugar as you know we have an agreement with Commonwealth sugar producers which runs until the end of 1974. Your own transitional arrangements are due to expire six months later. The commitment we have under the Commonwealth Sugar Agreement is a contract which we must fulfil. We believe that the sugar exported to Britain under the Commonwealth Sugar Agreement can be accommodated within a reasonable production quota under existing community arrangements and without departure from the precedents which you have set for yourselves. We have also to look to the longer term interests of the developing countries and territories, many of whose economies are over-whelmingly dependent on their exports of sugar, and we believe that it is in the Community's longer term interest that we should do so. In due course we shall wish to discuss with you how these interests can be safeguarded in the longer term.'

10. A note on the sugar industry is annexed.

## Annex to 160

Sugar cane is the most important crop in Fiji, accounting for about seventy per cent of export earnings and providing employment for about twenty per cent of the total labour force. Most of the cane is grown by Indian farmers on land leased from either the South Pacific Sugar Mills (a subsidiary of the main Australian company) or from the Fiji community. These are about 15,000 small growers (mainly Indians) who produce about 98 per cent of the cane. The processing of the crops is carried out by the South Pacific Sugar Mills. The industry has the lowest production costs of any Commonwealth sugar producers. The costs will have been somewhat raised by the new sugar cane contract which came into force in March 1970 following an award by the Master of the Rolls, Lord Denning, who arbitrated in the contract dispute.<sup>2</sup>

2. Lord Denning's award involved a new formula by which the millers get 35 per cent and the growers 65 per cent of the proceeds of sale of suga—compared with a split of about 41 per cent and 50 per cent respectively which obtained previously. The millers, who were very reluctant to accept this, said it would ruin them, and tried to persuade the Fiji Government to buy them out. The Fiji Government urged the

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<sup>2</sup> See 157.

millers to try the Denning formula for a period and they finally agreed to do so but said they would only guarantee to remain operating in Fiji until early 1972.

3. Fiji exports sugar to the UK (159, 287 metric tons), mainly under the CSA; the USA (38,822 metric tons under the US Sugar Quota) and 150,107 metric tons at the free world price (mainly to Canada, Malaysia and Japan).

## **161** FCO 32/595, no 21

13 Apr 1970

### **'Commonwealth membership': FCO brief (FCC(70)5) for Fiji constitutional conference**

#### *Objective*

To ensure that the Fiji delegation is aware of the steps required to obtain Commonwealth membership.

#### *Talking points*

It is customary for Dependent Territories to pass a formal resolution in their Assembly before independence to express their wish for Commonwealth membership and to request the British Government to sponsor their application for membership with other Commonwealth members.

Once this resolution has been passed, the British Government will ask the Commonwealth Secretary-General to carry out the usual consultation with all Commonwealth Heads of Government on Fiji's application.

#### *Background*

Though there have been cases where a country has not passed a resolution before independence, we have generally preferred that there should be such a resolution (passed unanimously, if possible) so that the general wish of all shades of opinion is properly recorded.

The Alliance Party and the National Federation Party confirmed in their discussions with Lord Shepherd in January 1970 that Fiji wished to become a fully sovereign and independent state within the Commonwealth with The Queen as Head of State.<sup>1</sup> The report signed at Suva on 2 February, 1970 was endorsed by all the members of the Fiji Legislative Council save one. The Legislative Council passed a motion on 25 February, 1970 (with only one dissenting voice heard) approving and confirming the report of Lord Shepherd's visit. As the section on Commonwealth membership was only a small part of the report, the separate formal motion would be desirable.

It has been our practice to take informal soundings of old members of the Commonwealth before proceeding with the application of a Dependent Territory on independence for Commonwealth Membership. In the case of Fiji, it would probably be politic to include India in these informal soundings. These soundings in no way pre-empt the formal consultation now carried out by the Commonwealth Secretary-General of all Commonwealth Heads of Government which is the final formal step before membership is agreed.

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<sup>1</sup> See 156, Annex, paras 4–5.

**162** FCO 32/595, no 23

13 Apr 1970

**'Rotumans': FCO brief (FCC(70(6) for Fiji constitutional conference.*****Annex: Background note****Objective*

- (a) To reassure the Rotumans that their essential rights will be protected in an independent Fiji, and
- (b) in so doing to discourage any Rotuman 'separatist' tendencies.

*Talking points*

2. The Rotuman requests for a representative in the Upper House and special protection of their Ordinance in the Constitution are not likely to be resisted by Fiji and once the Fiji delegates have indicated at the Conference that this is so, we can go along with them.

*Background*

- 3. A note about Rotuma is attached.
- 4. When Lord Shepherd was in Fiji the Rotuma Council of Chiefs sent him a telegram saying that they and the people of Rotuma supported the change to 'Dominion Status' provided:—

- (i) the link with The Crown was maintained always;
- (ii) Rotuma was given a separate constituency for the election of a Member to the Lower House;
- (iii) Rotuma was represented by a Chief in the Upper House;
- (iv) there were safeguards for the Rotuma Lands Ordinance as in the present Fiji Constitution.

5. Immediately before Lord Shepherd's visit the Chief Minister had had a private talk with a leading Rotuman and Ratu Mara told Lord Shepherd that he had taken the line that a seat in the Upper House for the Rotumans would be no problem. This was in fact proposed in Lord Shepherd's report and in March the Rotuma Island Council approved that report.

6. On 24 March two representatives of Rotuma called on the Governor. They said they spoke for everyone in Rotuma. They said they agreed with what was happening in Fiji, but there must be no question of breaking the links with The Queen. The Rotuma Ordinance and the Rotuma Lands Ordinance must be preserved. The Governor said that he did not see difficulty in these being protected in a future constitution as they are in the current Constitution. The Rotumans said they would like a representative in the Upper House; they would like him appointed by the Rotuma Council. They would like to have a Member in the Legislative Council as well. The Governor explained the difficulties in the latter proposition and they seemed to accept them.

7. Lord Shepherd, with the Chief Minister's agreement, invited the Rotumans to send observers to the Constitutional Conference and two are coming, Chief Maraf and Wilson Inia, both Members of the Rotuma Council.

## Annex to 162

Rotuma, which lies 250 miles North-west of the main islands in the Fiji Group and some 360 sea miles from Suva, was discovered by H.M.S. Pandora, in 1791, when a search was being made for the mutineers of the 'Bounty'. It was offered to Great Britain by the three principal Rotuman Chiefs in 1879 and was formally annexed on the 13th May, 1881.

2. The island itself is some 8 miles long by 2½ miles wide. Its soil is rich and fertile and it produces some 2,700 tons of copra (its only export) a year, worth about \$379,000.\* About 3,200 Rotumans, who unlike the Fijians, are Polynesians and whose language and culture differ substantially from those of other Pacific peoples, live in Rotuma itself, but practically nobody else does. Another 3,000 Rotumans are settled more or less permanently in the main islands of the Fiji group.

3. Geographical isolation (there is no air service and shipping services are irregular), the separate cession of Rotuma to Gt. Britain, and language, cultural and ethnic differences have led Rotumans in Rotuma to consider themselves a race apart not necessarily linked to the destinies of Fiji proper, although since its cession it has formed part of the Colony of Fiji and all Fiji Ordinances run there unless expressly excluded.

4. Provision is made for the good government and wellbeing of its population by the Rotuma Ordinance and for the ownership of land there by the Rotuma Lands Ordinance 1959. Both are entrenched under section 74 of the present Constitution of Fiji which reads:—

'74.(1) Any Bill to amend or repeal any ordinance to which this section applies or which is in any way repugnant to or inconsistent with the provisions of any such Ordinance, or any resolution the effect of which would be to recommend any amendment of the provisions of this Constitution, shall not be passed by the Legislative Council, unless, in the case of a Bill it has been supported on the second and third readings in the Council, or in the case of such a resolution upon the motion being proposed, by the votes of more than two-thirds of all the elected members of the Legislative Council.

(2) The Ordinances to which this section applies are:—

.....

(e) The Rotuma Ordinance;

(f) The Rotuma Lands Ordinance, 1959.'

5. The Rotuma Ordinance provides for a Rotuma Council, consisting of the chiefs of the seven Rotuma districts, one elected representative from each district, the resident medical officer and the District Officer as Chairman. The Council makes regulations which are subject to the approval of the Fiji Legislative Council.

6. For the purposes of Legislative Council elections Rotumans and other Pacific Islanders are grouped with Fijians. The island of Rotuma itself comes within the Fijian, Lau/Rotuma Constituency. (The Hon. J. Mavoia, the Minister for Social Services, is member for this constituency). It also comes within the Northern/Eastern Cross Voting Constituency. Of the present population of Rotuma itself, some 1,200 are registered electors able to vote in Legislative Council elections. The Rotumans settled in Fiji can vote in the Fijian constituencies concerned.

\* \$F.2.09 = £1 Sterling

**163** FCO 32/596, no 22

13 Apr 1970

**'Banabans and Fiji independence': FCO brief (FCC(70)7) for Fiji constitutional conference<sup>1</sup>**

[Phosphate-rich Banaba (alternatively called Ocean Island) formed part of the Gilbert and Ellice Islands Colony. It was annexed by the UK in 1900. Japan occupied the northern Gilbert Islands in 1942–1943 until driven out by the US army in some of the Pacific war's fiercest fighting. Phosphate mining made Banaba almost uninhabitable and at the end of the war the inhabitants were moved to the Fijian island of Rabi. The Banabans became citizens of Fiji upon Fiji's independence in 1970 but retained ownership of land on Banaba. In 1981, after years of discussions and litigation over phosphate royalties and environmental damage caused by open-cast mining, the Banabans accepted A\$14.58 million compensation from the UK government (FCO 32/625–627, 821, 972–979, 1981, 1059–1080, 1085). They continue to have special rights of residence and representation in Kiribati, the new name of the Gilbert Islands at independence in 1979 (the Ellice Islands having separated from the Gilbert Islands in 1975 and become independent as Tuvalu in 1978).]

*Objectives*

- (a) to encourage the Banabans to identify themselves with Fiji, adopt Fiji citizenship and abandon separatist tendencies;
- (b) to encourage the Fijians to treat the Banabans as citizens of Fiji, to help them integrate into the Fiji community and to develop Rabi as their home;
- (c) with the objectives at (a) and (b) to try to obtain at the conference Fiji's agreement that the Banabans should have representation that the Constitution should provide protection of Banaban custom, particularly land tenure.

*Talking points*

2. We believe that Fiji Independence affords an opportunity from the Banabans to confirm that they wish to safeguard their future and ensure the economic development of Rabi by integration with the life of Fiji. We believe the Banabans intend to take up their status in Fiji with the obligations and privileges which that status carries.

3. We wish to suggest that the Fiji Government should consider making allowance for Banaban customs, in particular as regards their system of land tenure and Local Government and should meet their request for representation in the Upper House.

4. In return we feel the Banabans should take advantage of the help which the Fiji Government is prepared to offer them and focus their efforts and resources on the development of Rabi and their future in Fiji. In these matters they have already the benefit of the wise advice of the Fiji Government including that of Mr. Naisara (Assistant Minister for Natural Resources) in whose constituency Rabi falls.

5. The British Government has a special interest in the Banaban people deriving from the circumstances of their transfer from Ocean Island. Lord Shepherd was able to see for himself the economic potential of Rabi during his visit there in January 1970. We hope the Fiji Government will agree that H.M.G. in co-operation with them, should explore further ways in which we might help the Banabans over the development of the Island.

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<sup>1</sup> The Banabans were represented at the conference by observers.

*Background: Banaban requests*

6. The Banabans are the original inhabitants of Ocean Island (Gilbert and Ellice Islands Colony). In 1942 Rabi was purchased for them with funds held in Trust for them from their Ocean Island Phosphate revenues. The freehold of the Island is held in Trust for the Community by the Council. There are now about 2,000 Banabans, most of whom, principally the younger element, will become Fiji citizens automatically at independence, remaining, however, also United Kingdom citizens.

7. The Banabans are obsessed with obtaining an increased share of the divisible benefits deriving from the Ocean Island Phosphate operation. They have recently petitioned for an enquiry into their case and have asked us to offer a larger share of benefits from remaining uncleared phosphate areas. They hope to discuss these questions after the Conference. The arrangements governing the phosphates operations were reviewed by the Partner Governments in Suva in March 1970. At the time of that review other matters were also discussed by the United Kingdom delegation (led by Mr. J. C. Morgan) with the Banaban representatives and their advisers (including Sir Dingle Foot).<sup>2</sup> The discussions of those matters affecting the position of the Banabans at the Independence of Fiji is summarised below.

*Parliamentary representation*

8. The Banabans enquired about the possibility of having an elected Banaban member in the Lower House and a nominated representative in the Upper House. We believe that the Fiji leaders would certainly not agree to the former, but might agree to the latter if the Banabans put it to them tactfully. We should support the request for a member in the Upper House as necessary.

*Discrimination between communities*

9. The Banabans asked for inclusion in the Constitution of a special provision similar to that in the Ceylon Constitution prohibiting discrimination between communities. For our part, we would expect the Human Rights provisions in the present Constitution to cover this. However, the Fiji Attorney General will look at the Ceylon provisions. He may be able to persuade Sir Dingle Foot that the existing Human Rights clauses are adequate.

*Protection of Banaban custom, especially land tenure*

10. The Banabans operate an exceptional system of customary land tenure, safeguarded at present by the Fiji Banabans Land Ordinance. Under native Fijian custom, land is held under communal ownership; Banaban custom provides for individual land ownership. The Banabans have asked for this custom and their other customs to be specially protected by, for example, entrenched provisions in the Constitution. The Fiji Government may not see difficulty in this. We should support it as necessary.

11. The Banabans have also said *that they wished the Rabi Island Council (established under the Banaban Settlement Ordinance) to be restyled The 'Council of Leaders' and given enhanced status combining the functions of a Local Government authority with a degree of authority in respect of their customs and land tenure system so that these could not be altered without the agreement of the Council.*

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<sup>2</sup> Labour MP and former solicitor-general.

12. Fiji officials are already considering the desirability of a review of the arrangements concerning the administration of Rabi since the existing arrangements give the Government more control over the Banabans than is normal for a Local Government Administration. The objective of a review would be to leave the Banabans at Independence under no greater control by the Central Government than other local authorities. We think the Fiji Government may not object to this and might even agree that the Lands Ordinance could be entrenched in the Constitution. We can support this as necessary.

### *Banaban finances*

#### *Taxation*

13. The Banabans are subject to Fiji taxation laws except that their phosphate royalties are expressly exempted from Fiji tax (Fiji Banaban Funds Ordinance). The Banabans have asked for this exemption to be enshrined in the Constitution. We have said that we could not impose conditions on what Fiji might do after independence but that nevertheless our view was that the Banaban royalties were already taxed in the Gilbert and Ellice Islands Colony and that if Fiji taxed them we would have to consider how we might remedy the position.

14. The Banabans put forward also a proposal that their revenues in Fiji outside Rabi should be subject to central government taxation but that their earnings inside Rabi and also outside Fiji should be subject only to Council taxation and central government services to the Banabans would be limited accordingly.

15. It is highly unlikely that the Fiji Government would grant the Banabans special tax privileges (beyond those they already enjoy for their phosphate royalties). The Banabans would be well advised not to ask for them.

#### *The Banaban Trust Fund*

16. After Independence it will be inappropriate for the Governor-General or Chief Minister to be the Trustee of the Banaban Trust Fund. If the money could be made available to a Rabi Island Development Corporation with some business expertise and if the Council's hold on it loosened effective development might become possible. This can be pursued outside the conference.

#### *Economic assistance*

17. Because of their obsession with securing an increased share of the divisible benefits from the Ocean Island phosphate industry and their tradition not to work for others the Banabans have not applied themselves to the development of Rabi. Professor Joy, an Agricultural Economist, revisited Rabi under technical assistance arrangements last year. He recommended that to avoid a disastrous fall in living standards after 1976 the Banabans should get down to the development of Rabi's considerable productive potential rather than waste royalties on imported food and subsidised public services. Primarily because this advice failed to lend support to their phosphate case, the Council eventually rejected it. A modified version of Professor Joy's report now nearing completion suggests heavy external aid related to a five-year programme of full employment on productive projects at a total cost of £700,000. This report has not yet been made available to the Banabans.

18. If the matter arises we should explain our view that only a sustained effort concentrating on expanding production on Rabi will meet the situation.

*Claim to Independence*

19. As long ago as 1948 the Banabans' claim for independence for Ocean Island and Rabi Island was rejected. Their claim was again rejected by Lord Shepherd at the Ocean Island phosphate talks in London in October 1968. At Suva last month they suggested that after exhaustion of the phosphate deposits Ocean Island might be transferred to Fiji as a 'national monument' for the Banabans. This seems an unlikely starter but we have not yet thought about it.

*Ocean Island*

20. The independence of Fiji will not affect the Banabans' continued ownership of Ocean Island and their right subject to law and the convenience of the British Phosphate Commissioners to travel freely between Rabi and Ocean. In our view the Banabans will have a continued right to make representations to the British Government over the royalties which they receive from the phosphate operation. The Fiji Government do not of course like this much.

**164** FCO 32/596, no 26

15 Apr 1970

'General compensation scheme': FCO brief (FCC(70)45) for Fiji constitutional conference on compensation arrangements for expatriate civil servants

*Objective*

To secure the Fiji Government's agreement in principle to the introduction of a General Compensation Scheme to provide for the payment of compensation to those officers for whom the Secretary of State has a special responsibility (e.g. designated pensionable officers) whether such officers continue to serve in the public service of Fiji or whether they elect to retire. Special provision will be made for those officers who are required to retire as a result of constitutional changes. Similar but less beneficial arrangements may be necessary in respect of certain other officers (e.g. non-designated officers).

*Talking points*

2. General Compensation Schemes are brought into effect from the date of executivisation of the Public Service Commission, normally at least six months before Independence. This established procedure has the intention of:—

- (a) enabling those officers who do not wish to serve on Independence, to give six months notice and proceed on retirement leave on Independence Day;
- (b) enabling the Government to give six months to those officers who will not be required to serve on Independence;
- (c) ensuring that the Government has the earliest possible indication of the public service staffing situation on Independence;



(d) providing for payment of the initial instalment of compensation to all entitled officers on the operative date.

3. We have been informed of proposals for the introduction in Fiji at independence of promotions appeals procedure and certain other features based on Australian practice. We understand that these may involve some reduction in the functions of the PSC. In view of this the question arises whether the executivisation of the PSC for a short period followed by reduction in some of its responsibilities could be avoided by deferring its executivisation but proceeding nevertheless with the introduction of the Compensation Scheme.

4. The idea of deferring the executivisation of the PSC until appeals arrangements can be introduced at Independence may have been dropped by the Fiji Delegation. If so, we should simply propose that the executivisation of the PSC should take place on 10 July, 1970, together with the operation of the General Compensation Scheme from that date and the commencement of payments thereunder.

5. Should the Fiji Delegation press for the deferment of executivisation of the PSC until independence we should say that this would not be in the interest of the Fiji Government or the staff or the British Government. We should explain that the British Government must be seen to transfer stable Public Service arrangements at independence and that these must pass fully into the hands of the Fiji authorities before officers can be permitted to give notice of retirement with compensation. In order to plan its staffing the Fiji Government will need reasonable notice of such retirements, and the power to require officers to retire not long after Independence (six months notice is required). The officers have a traditional right to exercise an option to proceed on retirement leave on Independence if they so wish. We must therefore press for agreement to the arrangements in paragraph 4 above.

6. In either event (and whether the promotion appeals procedure is to be operated by an independent Committee or by the Public Service Commission) we expect the promotions appeals proposals to be regarded as imposing less favourable conditions of service on expatriate staff and as being capable of adversely affecting their compensation and pension position. We propose the following measures to deal with this:—

(a) In connection with the executivisation of the PSC an announcement should be made that this is a transitional arrangement pending the introduction of promotion appeals procedure;

(b) provisions should be included in the Compensation Scheme to safeguard officers against any adverse effect from the promotion appeal proposals.

7. The Independence Constitution could include enabling provision for the introduction of promotion appeals procedures—on the assumption that the Fiji Delegation decide in favour of such procedures. If the Fiji delegation are able *at the present Conference* to define the new arrangements for making promotions, acting appointments and other functions to be removed from the PSC, the Independence constitution can be drafted accordingly. Otherwise it will be necessary to provide for an executive PSC with normal full powers. This can be discussed further under the subject of Service Commissioners.

*Background*

8. General Compensation Schemes derive from paragraph 6 of 'Colonial 306 1954' and from paragraphs 16 and 17 of 'Command 1193 1960' (see Appendices A and B).<sup>1</sup> Over the years the provisions of such Schemes have become standard and it is proposed that these provisions should be followed in the Fiji Scheme with the addition of necessary additional provisions safeguarding against any adverse effects on compensation and pension entitlements resulting from the Promotion Appeal proposals.

9. The financial aspects of the compensation scheme were discussed briefly in the aid talks on 15 April. On the assumption that Fiji wish to take advantage of the British Government's now pensions/compensation policy for expatriates announced by the Minister of Overseas Development on 11 March—and the Fiji delegation confirmed that they were in principle proposing to do this—we said that we were prepared, instead of providing loans to meet their compensation and commutation liabilities, to make a grant of the order of £245,000 in respect of their compensation and commutation costs arising between now and April, 1971. As from April 1971 HMG would be meeting expatriate benefit costs except for those arising from service after independence.

10. In view of these discussions we do not expect much difficulty about the timing of the introduction of the compensation scheme referred to in paragraph 3–5 above.

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<sup>1</sup> Not printed.

**165** FCO 32/596, no 28

15 Apr 1970

**'Banaban citizenship and Fiji independence': FCO brief (FCC(70)7) for Fiji constitutional conference**

The following note is relevant to the policies proposed in U.K. Brief No. FCC(70)7.<sup>1</sup>

2. There are now about 2,000 Banabans of whom about 500 were born on Ocean Island in the Gilbert and Ellice Islands Colony. The rest may be assumed to have been born on Rabi Island in Fiji.

3. If Fiji adopts the citizenship proposals set out in Lord Shepherd's Report (paragraphs 13 to 16) and if she, after Independence, passes other citizenship laws on lines which are normal to Commonwealth countries (and in particular if she has a law compelling persons with dual citizenship to choose one at the expense of the other). The citizenship position of the Banabans would then be:—

(a) One quarter of the Banabans will be U.K. citizens only but with the option of surrendering U.K. citizenship and becoming Fiji citizens instead on registration, and

(b) three-quarters of the Banabans will be dual Fiji/U.K. citizens but of these the great majority will have to choose one and reject the other at various times within the next twenty-two years or so.

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<sup>1</sup> See 163.

(c) For one generation after Fiji Independence, but not beyond that, there will be a large proportion of Banabans who *could* remain U.K. citizens.

4. We should accept this situation which, at worst, will only marginally complicate our 'Banaban problem' and we should not try to persuade Fiji to make special citizenship arrangements for the Banabans. Fiji's main concern will be to compel Indians to show whether they are true 'Fijians' or not and to try to persuade Fiji to make special arrangements for the Banabans would only irritate.

5. Recent indications from Fiji are that the Banabans accept that in due course they will all become citizens of independent Fiji. We should leave it at that and concentrate, as the brief advises, on encouraging the Banabans to identify themselves with Fiji and in encouraging the Fijians to treat the Banabans as citizens of Fiji and to help them integrate into the Fiji community and to develop Rabi as their home.

## **166** FCO 32/596, no 32

17 Apr 1970

### 'Defence': FCO brief (FCC(70)8) for Fiji constitutional conference

#### *Objectives*

1. Both political leaders in Fiji are aware and have accepted that Britain will not accept any defence or internal security commitment for an independent Fiji. It is tacitly understood that this will not be an item on the conference agenda. Our objectives are therefore:—

- (a) To arrange with the Chief Minister and Mr. Koya what answer should be given to public questions about this.
- (b) to counter claims of Fiji delegates that the absence of a defence commitment by us leaves them with a financial burden which we should relieve by aid etc.

#### *Recommendations*

2. Informally and outside the conference the Minister of State should obtain the agreement of Ratu Mara and Mr. Koya that questions on this subject in Parliament or elsewhere should be answered by saying that as it had been agreed that defence need not be on the agenda of the conference it was not therefore discussed there.

#### *Talking points*

3. If the Chief Minister deploys the argument that we will be relieved of our present defence liabilities and we should offer some help towards what becomes necessary in Fiji to make up for this our comment must be that Fiji will not really need a much enlarged and probably under-occupied army. Other Commonwealth countries with whom a comparison might be drawn have nothing so substantial and elaborate as has been suggested in Fiji.

4. A comparison of the size of the defence forces in Mauritius, Guyana, and Trinidad does not provide any useful yardstick. Their populations of ¾ million and up are greater than the population of Fiji. These countries are thus able to sustain higher forces levels. Also, Guyana for example has a disputed land frontier with Venezuela.

5. There is no external threat to Fiji.

6. (If the Fijians press for some form of defence guarantee and point to Mauritius.)<sup>1</sup> It was the strategic importance of communications facilities in Mauritius which led the British government to concede exceptionally a consultative defence guarantee of limited duration to the Mauritian Government.

### *Background*

#### *Britain's position regarding Fiji defence*

7. The OPD Committee instructed Lord Shepherd when he went to Suva in January to make it clear that and get acceptance by the two Fiji leaders that the United Kingdom would not accept any responsibility for the defence or internal security of an independent Fiji.<sup>2</sup>

8. On Lord Shepherd's return the Secretary of State minuted to the Prime Minister on 23 April that:—

'While the matter was not raised formally, both political leaders in Fiji are aware and have accepted that the United Kingdom should not accept any responsibility for the defence or internal security of an independent Fiji. By tacit understanding it will not be an item on the agenda at the constitutional conference.'

9. Precedents are that if there is to be no defence agreement with a territory coming to independence nothing is written into the conference report. A mention of defence in the conference report would not be consonant with the way things were left at Lord Shepherd's talks in Suva. There would be positive damage if the report said that defence guarantees were requested and refused. To press for some mention of defence in the report of the Fiji conference would also be likely to be unpalatable to the Fiji delegates.

10. Meantime on 25 February, speaking on the resolution in which the Legislative Council endorsed Lord Shepherd's report, the Fiji Chief Minister said there were a number of matters, e.g. (aid) to be settled before the date of independence could be settled. He said also 'there is the question of defence and security. This negotiation is already under way but any further comments may prejudice the outcome of this negotiation'. Ratu Mara said on that occasion that he was appointing committees (from among the delegates to London) to discuss, apparently in London, the various matters outstanding, including defence. Reports from Fiji indicate that Ratu Mara accepts that we shall accept no defence commitment but that he will try to get as much financially from us as he can and to use defence needs as ammunition for this.

#### *Fiji's military forces and police force*

11. Fiji's defence and police forces stand at present at:—

Fiji Military Force,		
Regular forces	—	152
Territorials	—	601 all ranks
Reservists	—	2,300 all ranks
Police	—	783
Reserves	—	645

<sup>1</sup> See 158, note 5.

<sup>2</sup> See 154.

12. The Chief Minister has recently received from his police and military advisers papers setting out proposals for Fiji's needs in the defence and internal security sectors after independence. In addition to increases already planned in the establishment of the police force for the period 1970–1975 of 200 men, the Fiji Police Commissioner has proposed the creation of a police mobile force of 192 all ranks. The Inspector General of Colonial Police has advised that the extension of 200 already planned would be barely sufficient to meet future commitments and he supports the formation of the police mobile force as being necessary if the police force is to have a reasonable chance of containing a threat to internal security. A very rough estimate of the cost of the police plan is approximately \$F400,000 recurrent expenditure and almost \$F3 million capital. (This includes estimates for sophisticated equipment all of which, in our view, may not be necessary).

13. The Fiji Military Force Commanders estimate of future needs has not been costed. It should be less expensive.

*Fiji–New Zealand Defence Finance Agreement*

14. Fiji has a Defence Finance Agreement with New Zealand under which the latter assists the Fiji military forces with up to \$NZ20,000 per annum. New Zealand provide but do not pay a Commander and 4 cadre personnel, maintain and train some 50 Fiji military force soldiers in New Zealand annually and provide material and advice at minimum costs.

15. The Fiji Chief Minister had been pressing for a decision from the New Zealand authorities about their willingness to continue assistance to Fiji in the defence field. In a letter to Ratu Mara on 6 March, Mr. Holyoake wrote 'we appreciate, however, that particularly during the first years of independence Fiji will continue to need assistance with the organisation, administration and training of the Fiji military forces, including the provision of personnel in Fiji and of training in New Zealand and I am confident that appropriate understandings can be worked out. I need hardly add that as at present, New Zealand would not be prepared to undertake any obligation to assist in the maintenance of internal security.'

**167** FCO 32/572, no 109

20 Apr 1970

'Fiji constitutional conference': speeches by Lord Shepherd, Ratu Sir K Mara and Mr Koya at the first plenary session at Marlborough House

1. *Speech by Minister of State for Foreign and Commonwealth Affairs*

*Lord Shepherd* said: 'Your Excellency, Honourable Chief Minister, Honourable Leader of the Opposition and Members of the Legislative Council of Fiji. May I welcome you very warmly on my behalf and that of the Secretary of State and of the British Government and people. The Secretary of State regrets that he cannot be here to preside over this meeting today. But as you know, he is in Japan. He hopes to return in time to meet all of you before this conference ends.

I hope that you will enjoy your visit to London as much as I enjoyed my own visit to Fiji earlier this year. Your Excellency, I shall not forget the beauty of your lovely

islands and the warm welcome that I received everywhere, from yourselves in Suva, and from people in other towns and villages throughout Fiji.

True, it is a spring day with sunshine in London; but I do not believe I shall be able to offer you the same abundance of sunshine that I saw myself in Fiji; but perhaps, with a degree of luck, we might have a little less rain. But I can assure you, on behalf of the British people, a very warm welcome indeed.

While in Nadi and in Suva I saw something of the preparations you were making for the visit of Her Majesty The Queen, Prince Philip and Princess Anne. We, in the United Kingdom, reading the reports of that visit were delighted to know how much it was enjoyed both by the visitors and the visited alike. I think it was a particularly happy circumstance that the people of Fiji had an opportunity of thus reaffirming their well known loyalty and affection for Her Majesty just as they were about to take a great new constitutional step forward.

I think it is right and proper that the work we began together in Suva should be continued here in this historic Marlborough House. This house has been the scene of other Conferences that have resulted in the creation of new, independent Commonwealth Countries, and like your own in 1966 have marked the constitutional advance of others. This house is now the headquarters of the Commonwealth Secretariat, and I am very pleased to note that the Secretary General, Mr. Arnold Smith, is himself present here today. It is also the special meeting place of members of that unique association of people which Fiji hopes soon to join in her own right.

Our task this week is to complete together the work we began in Suva last January. May I remind you that the Chief Minister and the Leader of the Opposition who had been having talks with other representatives of their two parties over a number of months about Constitutional changes, invited me to visit Fiji to acquaint myself at first hand with the position they had reached in their talks.

I thought then it right to remind them and also other members of the Legislative Council as to what Her Majesty's Government's position was on constitutional advance in Fiji. It was simply that Her Majesty's Government would not hold back advance, nor however would we in any way press changes on the Government and people of Fiji, and that what we would be guided by would be the basic principles of what were the wishes of the people. In other words, the pace and the timing of independence would lie in Fiji.

I found firm agreement between the Alliance Party and the National Federation Party that at an early date Fiji should become a fully sovereign and independent state with The Queen as Head of State, and that Fiji should seek membership of the Commonwealth. I also found that the Chief Minister, the Leader of the Opposition and their colleagues had reached a wide area of agreement about the Constitution. I found also amongst other people I was able to meet in a number of centres of Fiji a widespread acceptance and understanding of these objectives.

During our discussions in Fiji we, that is the Chief Minister, the Leader of the Opposition and their party colleagues and I, identified the areas of agreement that existed between the two parties on the Constitution and we also identified the areas where further thought and discussion was required; and we set them out in the Report of my visit to Fiji, which you know was at a historic meeting on the 2nd of February, signed by thirty-three elected members of the Legislative Council.

This Report was itself approved and confirmed by the Fiji Legislative Council on the 25th of February, and in consequence the British Government have invited the

members of the Legislative Council of Fiji to meet here to draw up the principles of an Independence Constitution.

May I also express a welcome to our friends the Banaban people and the Rotumans, who are present at this Conference as observers.

Our meeting here this week is the culmination of nearly a century of partnership between our two peoples. In the years that have passed since Cession, Fiji has developed stable political institutions, a thriving, healthy, economy and high social and educational standards. The peoples of Fiji are thus fitted to take the next important step in their progress among the nations.

The growth in the Fiji economy during recent years is a matter of great satisfaction to us all. We see every reason for this to continue. With Independence new sources of economic aid would be open to you. You can be sure, however, that British help will continue to be available to Fiji after Independence, both by way of technical assistance and capital aid.

I think credit for Fiji's progress can be shared by the peoples of both our countries. But there is one aspect in particular of Fiji's development which is uniquely the contribution of the people of Fiji. No one from outside could have given it to you or imposed it upon you. It comes and could only come from the characters and hearts of your own peoples. I refer, of course, to the harmony in which the various peoples of Fiji live and work together. Since the Vunivalu of Bau, whose descendant, Ratu George, we are indeed fortunate to have taking part in our counsels today, and the other Chiefs, ceded Fiji to Queen Victoria, the local Fijian people have been joined by people from the sub-continent of India. They now live together in your islands in roughly equal numbers as well as with peoples of other races. We are all aware in the world today that this is a situation which brings with it problems. The peoples of Fiji have surmounted those problems in remarkable degree. Their racial tolerance and mutual understanding, their ability to live together in goodwill, have placed them in high regard among their friends and neighbours in the world. As The Queen said in Suva the other day, these are invaluable assets. They are a vital element in the agreement on which this Conference is founded. They will be as vital in the future as in the past if the problems which we know remain are to be overcome, to ensure a happy and prosperous country. These problems in my own view can best be solved by the people of Fiji themselves when they have full responsibility for their affairs, and here I have no doubt that they will be solved in due course.

Another thing I should like to say is that the Constitution which we shall resolve together, must be a Constitution desired generally by the peoples of Fiji. Only a Constitution shaped by the people who will live with it and under it can be lasting and effective. It will be subject to change no doubt in the future, for, as the Chief Minister said in the speech I was privileged to hear him make in the Legislative Council Chamber in Fiji on 2 February, a Constitution is a living creature, subject to growth, susceptible to change; it is a sign of life, vigour and maturity to be ready to change when change is required. But Your Excellency, the initial framework as well as subsequent change must reflect the wishes and the agreement of the peoples of Fiji as expressed through you, their elected representatives.

If we are successful in the work at this Conference, as I am sure we shall be, Fiji will become a sovereign, independent country, fully responsible for all her own affairs, internal and external. She will retain her links with The Crown and she will have the expectation of becoming a Member of the Commonwealth. But she will take

her place independently in the comity of nations, beholden to no one, but fortunate in her friends, far and near. Among those friends, I hope that Fiji will always include this country. Our work in the coming days may alter the Constitutional links between Britain and Fiji, but the ties of mutual regard, affection and friendship will not thereby be weakened. Indeed, I believe they will be enriched and strengthened by the free association on which we shall enter.'

## 2. *Speech by the Chief Minister of Fiji*

*The Hon. Ratu Sir Kamisese Mara* said: 'Lord Shepherd, members of the United Kingdom delegation, Hon. Leader of the Opposition, ladies and gentlemen. May I thank you first, Sir, for your very kind words of welcome, which we greatly appreciate. Though many of us are not strangers to these walls, they nevertheless have an atmosphere which could be daunting, were it not dispelled by the warmth of your address. We in Fiji are perhaps more sensible to atmosphere than subtle argument. And we have already sensed, both during your visit to Fiji earlier this year, and since our arrival in London, that this new venture on which we are embarking has all possible goodwill from the British Government, and that your only wish is to assist in an arrangement which will meet the aspirations and desires of the people of Fiji, our various races and parties, and will also benefit the country widely as a whole. We also appreciate that it is not the intention nor the wish of the British Government to impose any solution upon us.

We, for our part, feel that we bring a new atmosphere from Fiji to the conference table. It is not an atmosphere of complete agreement: it has room for the frank expression of sincerely held differences. It is an atmosphere which admits of give and take, and which shows tolerance for differing views. Above all, it is an atmosphere where the united and determined aim is the progress and welfare of Fiji as a whole.

Our links with the British Crown are strong and treasured, forged in war and in peace. And all of us in Fiji, of whatever race or age, can look back in gratitude for the wisdom and trust shown by the Chiefs of Fiji who ceded our islands to Queen Victoria. And looking back over nearly one hundred years, I can say that their wisdom cannot be questioned, and their trust has not been misplaced. For those who have come after, from whatever quarter, we have had a welcome; we have appreciated the contribution they have made in our economic and social life and we look to them all to join us in making Fiji one nation. But we have looked to Britain for our defence and our external affairs. You have sent us civil servants over the years who are today training our own people in the areas where they can most quickly aspire to responsibility. You have generously given us Colonial Development and Welfare grants both to increase our economic growth and to accelerate our social service programme. But our need will not end suddenly, or become less, on Independence. Rather the reverse. And we were therefore glad to have your Lordship's assurance in Fiji that you would continue to do what you could to provide economic capital assistance to Fiji. This is most reassuring. For political independence and stability must be based on sound economic foundations. It is to secure such foundations that we rely on aid from our friends overseas. But it is not only for ourselves that we ask for aid. We have played, and continue to play, a leading part in the South Pacific. In so doing we are following in a heritage and a tradition bequeathed to us by the British Government. And we are proud to carry on this generous tradition as evidenced in the South Pacific Commission, the Pacific Islands Producers'



Association, and our role in regional schemes with the United Nations agencies. Through the Fiji School of Medicine we have trained men who have become leaders in nearly every country of the South Pacific. This role of Fiji as the crucible of the South Pacific is hallowed by history and is now highlighted and projected into the future by the establishment of the University of the South Pacific.

I spoke at the outset about atmosphere. We are also here in a businesslike atmosphere. It is our aim to leave London with not only broad principles settled but with the drafting of our new Constitution well under way. To this end, joint committees of both parties have been working in Fiji and will continue to work here with your advisers. This is the reason why we have come in such force.

To revert to the political aspect, I would like to refer briefly to a statement by the head of the Foreign Ministry of Malaysia, a country whose situation and racial make-up have many similarities to our own. He said, 'The creation of a harmonious united society is a long and arduous process but it must be done. All our actions must have one over-riding aim in mind—the survival, the unity and the progress of the nation. Without trust and understanding between the different communities there is no hope for Malaysia.' The same is true for Fiji. And this is a view which does not only find its expression in Fiji from the Government side. The Honourable Leader of the Opposition put it another way just before he left Fiji. He said, 'We cannot afford to condemn or hate any race, we will have to live like brothers and sisters.' And he and his colleagues by their constructive approach to our problems have complemented our efforts towards trust and understanding in Fiji.

Trust and understanding may seem too tenuous and intangible to be the basis for the survival, unity and progress of a nation. But in a multi-racial society, trust, understanding and tolerance are the cornerstones of peace and order. These qualities are nourished and developed by the traditions and culture of every race. Hence the provisions in the Constitution to safeguard the culture and interests of the various units which make up the multi-racial society of Fiji. You have yourself, Sir, recognised this fact by your invitation to the Rotuman and Banaban observers here today to be present at a conference whose results will affect them as well as everyone else in Fiji.

I wonder, Sir, if it has occurred to those of us who have come to this Conference by air that at the time of taking off and coming into land, we all had to fasten our safety belts. This is always done during the transitional periods, since this is when such safeguards are needed. And that is why our Constitution must provide safeguards. And it must, as you so rightly say, reflect the general desires of all the people of Fiji.

It will be a measure of the success of this Conference if the Constitution we finally approve will enable us to create a Fiji where people of different races, opinions and cultures can live and work together for the good of all; can differ without rancour, govern without violence, and accept responsibility as reasonable people intent on serving the best interests of all.'

### 3. *Speech by the Leader of the National Federation Party*

*The Hon. S.M. Koya* said: 'My Lord, Your Excellency, the Honourable Chief Minister, the Honourable Members of the Legislative Council, Ladies and Gentlemen.

I thank you, my Lord and the United Kingdom delegation, for your kind invitation and for the kind words of welcome which you have expressed on this historic occasion.

The main purpose of this conference, as we all know, is firstly to endorse the agreement already reached in Fiji on the 2nd February 1970 that Fiji should become an independent and sovereign country; and secondly to recommend to Her Majesty's Government of the United Kingdom a complete framework for a new Constitution for Fiji.

It is important to remember that prior to the signing of the Deed of Cession on the 10th October, 1874, Fiji was a free and independent country in the full sense of the word. The immediate pre-Colonial era prior to 1874 demonstrates this vividly. If Fiji was not independent, the signatories to the Deed of Cession would not have had the power in the eyes of international law to cede Fiji freely and voluntarily to Her Majesty Queen Victoria. Independence, therefore, is not something which is new to Fiji.

The Deed of Cession was signed on the 10th October 1874. Thereafter Fiji was governed as a Colony by the United Kingdom Government through its Colonial Office until about the end of 1966.

The first Constitutional Conference for Fiji was held at this very historic place on the 26th July, 1965. Dealing with the question of Fiji's future, my predecessor, the late Honourable Mr. A.D. Patel, made a very significant and far-reaching statement. He said Fiji should become independent and acquire the same status as had already been acquired by Australia, New Zealand, and Canada. He expressed the hope that Fiji would become independent 'in the not too distant future'.

The 1965 Constitutional Conference produced the existing Constitution and it gave some measure of internal self-government to the people of Fiji. Elections were held under this Constitution. The present Constitution has been severely and consistently criticised by my party. Between 1966 and 1969 positive views and declarations were made from our side that Fiji should become independent without delay. Talks on the future of Fiji commenced in August 1969 and on the 3rd November, 1969, the two major political parties, namely the Alliance Party and the National Federation Party, agreed that Fiji should become independent by way of Dominion status. In January of this year, your Lordship on our invitation visited Fiji. After some talks with the Fiji delegation, a Report prepared by your Lordship was signed on the 2nd February, 1970. This document we understand will form the basis of our deliberations here. This in brief is a summary of the Constitutional developments in Fiji.

In the economic arena Fiji must acknowledge the fact that each community living there has made a positive and everlasting contribution. The Fijians, who are the autochthonous race, were generous in allowing their land to be used and developed for agriculture, urban and rural settlements and for other public purposes at a rent far below the rent demanded by landlords of other countries. They were generous in not hindering the national economic progress. They fully appreciated that the country's progress could only be made by the employment of labour and capital which were in the hands of other races. In dealing with other races the Fijian people as a whole consistently displayed their national characteristic, namely kindness and sympathy, throughout the history of Fiji. The Indians contributed to Fiji's development firstly by way of labour and hard work and secondly by investing their capital in Fiji. The Europeans, Indians and other races alike are to be congratulated for investing capital in Fiji without which the country would not have reached the stage of economic development in which she finds herself today.

In the field of administration of justice, law and order, Fiji must pay tribute to the British Government. It encouraged the building up of various institutions along the well-established and traditional lines. We now have very sophisticated courts of law and a police force of which we can be really proud. Our public service is in no way inferior to any public service of other Commonwealth countries. In the circumstances, therefore, it should not be a matter of any real surprise that both major political parties should want independence for Fiji.

At this juncture I would like to outline to you, my Lord, with your permission, some of the significant points pertaining to the forthcoming Constitutional Conference.

Firstly, there is no political competition between the two major political parties to seek or obtain independence for Fiji.

Secondly, unlike other former colonies, Fiji desires to acquire independence without following the traditional formula laid down by Her Majesty's Government on this subject. In other words, Fiji has not had full internal self-government but nonetheless she wants independence now without going through a second stage of its constitutional development.

Thirdly, Fiji wishes to become independent without holding a prior election for it.

Fourthly, Fiji's desire to become independent emanates from the mutual understanding between the two main political parties and its leaders without any pressure or violence from within or without.

Fifthly, it is a common ground that Fiji's sovereignty should be transferred to the people of Fiji as a whole.

Sixthly, after Fiji attains its independence she will continue to have strong and close links with the Crown.

Seventhly, it has been agreed that Fiji's future legislature should have an Upper House, not necessarily to act as a House of Review like the House of Lords in England, but as a House of Protection for the autochthonous race whose forefathers, as I have already said, generously ceded the beautiful islands of Fiji to Her Majesty, Queen Victoria. Pausing here for a moment, it is interesting to note that the Upper House will give the Fijian people an effective constitutional power to prevent, in a sophisticated way, any legislation being enacted against their wishes which affects their land, their customs, their culture and their way of life. It is pleasing to note that this aspect of the proposal for the establishment of the Upper House was proposed by my party and graciously accepted by the Fijian people through its leaders and Council of Chiefs.

Eightly, it is a common ground that the provisions for citizenship in the new Constitution should be made on the most liberal lines. It is felt that it will not be in the national interest to permit the people of Fiji to have dual citizenship, or indeed any other citizenship rights which would be inconsistent with Fiji's sovereignty. Fortunately for us we would not have to face problems of the Kenya Asians who held British passports and citizenship after Kenya became independent. In this regard I am duty bound to pay my humble tributes and that of my colleagues to the Council of Chiefs. In proposing that the citizenship laws should be made on the humane lines, the Council of Chiefs have acted with wisdom and as statemen of the world.

Ninthly, it is accepted that Fiji's constitution should be regarded as a living organism susceptible to changes and be changed when changes are required to meet the general wishes of the people.

Tenthly, we have achieved inter-racial harmony in our complex and multi-racial society.

I would therefore say to you, my Lord, that we have come to London for this historic conference as one people and with one voice.

Having agreed on nearly all the important provisions for the new Constitution and having signed your Lordship's Report, we can confidently say that we would not require much of your time, energy and advice when the deliberations begin. However, there are one or two important subjects, on which we shall require guidance and help. Allow me to say, my Lord, and without being impertinent in any way, that the United Kingdom delegation has a grave responsibility to give us advice on matters which may at first sight appear to be controversial. I take the view that in addition to taking a decision that Fiji should become independent on the appointed day and thus relinquish your power as the administering authority, you have an important additional role to play. This additional role, in my humble view, is one of a mediator and a friend to all parties. It is important to note that any Constitution which has been worked out or drafted in haste has invariably been found to be unworkable or unacceptable subsequently and thus lent itself to grave criticism. All we ask is a patient and sympathetic hearing.

May I point out, my Lord, that it is a common ground between all three parties, namely the United Kingdom delegation, the Alliance delegation and my delegation, that Fiji should become a nation. It behoves therefore all of us to see that the new Constitution is one which will expressly and/or by clear implication guide the people of Fiji to unite rather than divide. It should produce conditions which would be conducive to and consistent with the making of the country into one nation and one people.

In my view we are the framers of the new Constitution and as such we have a solemn duty not only to ourselves, the people of Fiji, the world opinion, but also to posterity. I do beseech on all the delegates and make this humble plea; that we should throughout the deliberations guard ourselves of any proposal which may bear the characteristic of divisive forces. Let no historian indict us that on this day—a day of grave moment for all the people of Fiji—that we fell into the cardinal error of taking a short-term or a racial view concerning Fiji's future and its body politic. We must strive to see that we only borrow such provisions from the Constitutions of other countries which have commanded universal approval and reject those which have received universal condemnation.

We are not oblivious to the fact that the old concept of Empire no longer exists and that we now belong to the Commonwealth. This is an institution which has been accepted by nearly all former colonies administered by the United Kingdom. The United Kingdom delegation is looked upon by us not only as the retiring trustee for Fiji but as a potential Commonwealth partner and a friend and a guide. It can help us to frame the Constitution which will be viable, and sufficiently flexible to meet the ever-changing conditions of the world. These changes do inevitably affect everyone's lives in the modern world and Fiji would be no exception. It is for this reason we desire that the new Constitution should be one which would meet the aspirations and the general wishes of the people of Fiji at any give time in the foreseeable future.

I firmly believe that Independent Fiji can and should play its part, however small, in the comity of nations for the benefit of mankind. Indeed in a regional sphere and notwithstanding its status as a Colony, Fiji has contributed in a small way in

uplifting the economic and social progress of some of its neighbouring islands. There is a school of thought to which some of us belong, that the world is one. It is therefore imperative that a citizen of any enlightened and independent country should strive and work for the betterment of not only himself and his country but for the people of the world at large.

I firmly believe that the world has become one. This may be most controversial but it is also the fundamental point, and most of the controversy arises from a misunderstanding of what is meant when it is said that the world has become one.

This one world no longer accepts the supremacy of any of its parts over the whole or any other part.

In this one world any war or threat of war has become an immediate danger of overwhelming catastrophe for the whole world.

In this one world, respect for the dignity and worth of the human person has come to be widely accepted as the foundation of fundamental and inalienable human rights.

This one world recognises a common responsibility for the common welfare, among as within nations.

This one world needs a common discipline to ensure advanced science and technology serve man and do not destroy him.

This one world is in the process of organising itself by conscious efforts as a world community.

This concept of one world has inspired great powers including Great Britain to assist dependent and independent countries in various ways.

Independent Fiji therefore will sooner or later join the world community and would therefore I am sure belong to one world school of thought. Our future success as a nation therefore will depend firstly on a liberal and far sighted democratic constitution and secondly the initial help which may be forthcoming from friendly nations to put us on a sound economic base. Given the opportunity we shall endeavour to see that the present standard of living of our people is further enhanced and that Fiji's economy is developed to such a degree that she is self-sufficient and plays its deserving role in the comity of nations. I hope therefore that the United Kingdom delegation will note that we attach supreme importance on the subject of political independence and the new Constitution for Fiji. We do in addition attach a great importance in our proposal for the continuance of British aid for such reasonable period as may be agreed upon for the mutual benefit.

In conclusion, my Lord, Your Excellency, Honourable the Chief Minister, Honourable members of the Legislative Council and Ladies and Gentlemen, I say that we are living in a wholly new world, a new world than any of our conflicting ideologies has sufficiently appreciated; a world in which politics, strategy, economics, science and technology and not least the range and intensity of human aspirations, have been transformed within our lifetime; a world in which change at an ever-accelerated rate has become the *status quo*. In this new world man must re-find his true vocation.

The vocation of man in our age is to secure a mastery of his own destiny comparable to the mastery which he has secured over the world of nature. He can secure it only in the same manner, by learning and respecting the laws which govern the life of society no less than the world of nature. If we fulfil this vocation, the prospects before mankind are infinite. If we fail to fulfil it, civilisation as we have

known it has run its course. In political terms, for us the essence of this vocation is to develop a united independent Fiji, in which men of varied races, cultures and ideologies can live together in peace and freedom on a shrinking planet. We must develop 'laws' which are the natural order of society into a 'law' which is the accepted basis of an orderly government.

In my humble submission human freedom in political society presupposes law. The development of a united and independent Fiji therefore poses acutely the question of the role of its new Constitution in its affairs. Can the new Constitution play a part in promoting the unity, freedom and welfare of its inhabitants in the nuclear age comparable to that which it plays in securing freedom and good government within a well-ordered state? How effective a contribution can the new Constitution make to securing peace with justice, protecting the dignity of man, promoting economic stability and growth, and ensuring that scientific and technological progress serves the common interest and does not enslave mankind? Would it be one which would serve the citizens of Fiji or would it be one of the inherited inhibitions from which they are seeking to win their freedom? If the new Constitution fails us in these high matters, can there be a united Independent Fiji standing for peace and freedom? The answers to all these questions lie in the hands of the delegates attending this Conference. I am confident that this Conference can produce a flexible, democratic, non-racial and humane Constitution for the Independent Fiji and for the common good.

I join all of you in the solemn prayer that God guide us in all our deliberations.'

## 168 FCO 32/572, no 112

22 Apr 1970

### 'Fiji constitutional conference': FCO record of Lord Shepherd's joint and separate meetings with the two parties on a common roll electoral roll

Lord Shepherd (accompanied by Sir Leslie Monson, Mr. D. Gordon Smith, Miss Emery and Mr. Posnett)<sup>1</sup> met first with the Joint Constitutional Sub-Committee of the Alliance and National Federation Parties.

*The Chairman* asked what progress the two parties had been able to make since his visit to Suva in reaching agreement about a new electoral arrangement for Fiji. *The Chief Minister* of Fiji said they had not been able to reach agreement. *Ratu David* said that the Federation Party had put in a paper and the Alliance Party had prepared a critique of it. These would be given to Lord Shepherd.

*Mr. R. D. Patel* said that all were agreed that there should be a common roll—but not yet. For forty years the same excuse against it had been put forward. The National Federation Party were not advocating a common roll for party gain. They had tried to reassure all communities. The desire for one nation was common ground between the parties. They sought from Britain a solution that would provide a way to build Fiji into one nation. They looked for friendly mediation and advice from Lord Shepherd.

<sup>1</sup> Gordon-Smith was an FCO legal counsellor; R N Posnett served on the UK Mission to the UN in New York, 1967–1970.

*Ratu Edward* said that the common roll was a distant thing for Fiji. It was not the common roll but cross-voting that had brought people in Fiji together in the last four or five years. Elsewhere, where the common roll had been embraced, there had been bloodshed. The common roll now in Fiji would mean bloodshed now. This was the reality that had to be faced.

*Lord Shepherd* then adjourned the meeting to have separate meetings with the representatives of the two parties.

*Lord Shepherd's meeting with representatives of the Alliance Party*

*Lord Shepherd* referred to his undertaking in Suva to rule on the electoral problem if the two parties had not reached an agreement themselves.<sup>2</sup> He said that he appreciated the need to approach change in this matter in Fiji with a degree of caution. The Chief Minister, during the Suva talks, had put forward a new formula for a Lower House of 50; 11 Fijian, 11 Indian and three General communal roll seats, and 10 Fijian, 10 Indian and 5 General cross-voting seats. *The Chief Minister* confirmed that he was still prepared to offer this. *Lord Shepherd* said that he was concerned that this formula gave undue weight to the General vote as compared with the Indian and Fijian. *Ratu Mara* said that the 'General' were small in numbers but their contribution to the development of Fiji was greater than that of the other communities and had in recent years increased.

*Ratu Mara* said that Britain's fault was arrogance. It was only recently that she had had a racial problem and she was creating a complicated legislative structure to hide it. In Fiji they faced facts. The Alliance had already done, in the cross-voting arrangement, all they could to move to a common roll. The majority of countries that had tried it had not succeeded with the common roll; success in it was on the whole confined to countries populated by people of British descent. The Federation Party wanted the common roll for domination.

*Lord Shepherd* reminded the meeting that in Suva he had deployed the idea that we should indicate that the door was not irrevocably closed on the common roll. He had suggested a Royal Commission in say, five or seven years' time to make recommendations on the desirability of a common roll or a greater measure of common roll in Fiji. Its recommendations would not be binding on the Government. A proposal of this kind would help him in debates on the Fiji Constitution in the British Parliament.

*Ratu Mara* tabled a paper by the Fijian members of the Alliance Party on the common roll. This said that the Fijians looked to the Constitution to safeguard their position by giving them representation in no way inferior to that of any other race in the country. To ask the Fijians to accept the common roll now was to ask the impossible. They were, however, prepared to agree to the appointment of a Royal Commission after the first post-Independence general election to enquire into the electoral system and make recommendations. *Ratu Edward* said that it had taken a hundred years for people in Fiji to get together. They could not put the common roll to their people. *Mr. Barrett*<sup>3</sup> said that introduction of the common roll would cause the part-Europeans to feel betrayed. *Mr. V. J. Singh* [sic]<sup>4</sup> said that

<sup>2</sup> See 156, para 8–9.

<sup>3</sup> Wesley Barrett, European member of Alliance Party.

<sup>4</sup> V R Singh, Indian member of Alliance Party.

there was talk of the common roll being the long term objective. He personally did not accept that.

*Lord Shepherd* referred to his reluctance to rule and said if he had to do so he must be trusted to do the right thing.

The Alliance Party representatives then withdraw.

*Meeting with representatives of National Federation Party*

*Mr. Koya* said that the concern of his party was to achieve political integration. *Mr. R. D. Patel*<sup>5</sup> said that this must start now or there would be no hope. Fiji would settle into communal compartments. In the National Federation Party view the common roll was the starting point for making Fiji one nation. In the past Britain had divided to rule but now it was her task to help people about to be independent to unite. The National Federation Party looked to Lord Shepherd for a solution which would not make the Alliance feel they had lost their cause or the National Federation Party feel they had lost their ideal of a common roll.

*Mr. Ramrakha* said that to write the present electoral formula into the Constitution would mean that the Conference had been a failure. There should be an introduction to the common roll now. *Mr. Koya* said that it was not true that the Federation Party was an Indian party. There had been a merger with a Fijian Party in 1968. Their call for common roll was not an Indian call.

*Ratu Julian*<sup>6</sup> said that a stigma had come to be attached to the common roll. The Fijians feared that it meant the Indians would rule. The Europeans, who had had the best of it politically, also feared Indian domination (yet they were ready to share the economic prosperity of the Indians). The Europeans were sitting pretty on the present arrangement. *Ratu Julian* also said that the Chief Minister had said that the common roll should begin with local government. Where was a common roll in the election of the township boards and some Fijians were beginning to be elected. But in Lautoka and Suva the rolls were still communal. There was also communal distinction in the provincial councils (Fijian) and the advisory councils (the rest).

*Lord Shepherd* said that he believed the solution to Fiji's problem would be found in Independence. In considering the problem before him he must take into account the fact that the Fijian was a rural man. Among the Fijians there was fear and uncertainty about what the common roll would mean. He had agreed to the holding of the Conference because when he had visited Fiji he had found give and take and understanding among the communities. We must not turn the clock back in Fiji and we should be doing that if Fiji did not become independent at the time when independence was now generally expected.

*Lord Shepherd* said that the Alliance Party had not closed the door irrevocably on the common roll but he could see no prospect of getting the common roll accepted generally now; to attempt it now would be disastrous. Equally, if the Conference failed the good relations between the communities in Fiji would become bad relations. But the problem should not be too difficult. The Alliance have not closed the door on the common roll. They had also confirmed their offer made to him in Fiji of a 50 member Lower House (see paragraph 6 above). In the view of the National

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<sup>5</sup> R D Patel, member of National Federation Party.

<sup>6</sup> Ratu Julian Toganivalu, member of National Federation Party.



Federation party would this be preferable to the present arrangement?

*Mr. Koya* said that the Federation Party would not accept a ruling that represented something that was not in Lord Shepherd's report. *Lord Shepherd* said that if he had to rule it would be for the status quo but if the enlarged House suggested by the Alliance Party was acceptable to the National Federation Party he would be happy to receive this proposal from both sides. He was only seeking a compromise. *Mr. Ramrakha* said the only way they could compromise was to introduce some degree of common roll in the Lower House.

*Lord Shepherd* asked whether a Conference Report would be acceptable containing a ruling by him as forecast in his report together with a statement that there would be a Royal Commission to consider the electoral problem with a view to a common roll (i.e. keeping the door open).

*Mr. R. D. Patel* said that the common roll must be a closed issue. It must be understood that all were dedicated to it in the long run. *Mr. Koya* said no-one must feel victorious or defeated.

*Lord Shepherd* said that he would be happy not to rule. He would like now to propose that it should be on the record that he had had these two meetings with representatives of the parties and had asked *Mr. Koya* and *Ratu Mara* to meet further together. *Mr. Patel*, with *Mr. Koya* agreeing, said that that was not enough. *Lord Shepherd* then agreed that he would meet with the two leaders for further discussion.

**169** FCO 32/582, no 28

28 Apr 1970

[Common roll]: letter from National Federation Party delegation to Lord Shepherd protesting that their views on a common roll have been misrepresented in the compromise formula put forward by the UK at the constitutional conference

Dear Lord Shepherd,

The compromise propounded by the United Kingdom delegation this morning comes as a grave shock to all of us. Worse still, it is based on a gross misconception, and it clearly misstates our position. We have never advocated common roll as a 'long-term' objective. To ask us to sign a document in which our objective for common roll is described as 'long-term' would mean that we would be betraying our own party, and the voters who voted for us thrice on a party platform that called for immediate introduction of common roll.

That the United Kingdom delegation should be guilty of such a gross misconception of our stand on how to weld Fiji into one nation shows that the United Kingdom delegation has not studied much less considered our case on Common Roll. Common roll has been in issue for the past forty years, and yet we are now being told to accept it as a 'long-term' objective. Any compromise must be a mid-way between the views of both sides and not an acceptance of one side's views rejecting the other side's views completely.

We reiterate that it is a serious matter that the United Kingdom delegation should have gone against its own solemn document like the White Paper which states that the parties' views in 1965 to be as follows:—

'There were, however, strongly opposed views within the Fiji delegation on the method of election to the Legislative Council and the representation therein of the different communities. The Indian group contended that the proper course was to proceed at once, with appropriate safeguards, to the replacement of the existing system of elections on communal rolls by a system under which all the elected members of the Legislative Council would be returned, by single member constituencies, on a straight common roll, that is to say, with neither communal qualifications for electors nor communal reservation of seats for candidates. The Fijian and European groups, on the other hand, took their stand on the retention of a fully communal system of elections as at present. While both these groups recognised that election on a straight common roll basis was a desirable long-term objective, they could not agree to its introduction at the present stage or in the foreseeable future. Faced with this conflict of views the Conference did not succeed in reaching agreement on when such a system should be introduced.'

In the last paragraph of your paper, you have completely accepted the Alliance proposals made to us in Fiji and rejected by us there and then. Hence, we do not agree that it is a compromise. May we remind you that the United Kingdom has been responsible for creating and preserving racial electorates and they cannot divest themselves of their responsibility in the matter by merely taking shelter under disagreement of the two parties. They must at least propose a start in retracing and undoing the harm and mischief that racial electorates have done in Fiji and prevented it from becoming one nation.

Soon after the last conference the Alliance had committed itself to introduce common roll at local government level and yet in the City of Suva, and town of Lautoka it has not been introduced. All these facts do not inspire any confidence in us that the Alliance will act according to vague declarations they usually make and people think they are merely paying lip-service to common roll.

Our basic point is that the entire United Kingdom delegation proposals rest on the basic misconception that we profess common-roll as a 'long-term' objective. Since this distorts the entire thinking of the United Kingdom delegation, we call upon you (a) to correct this impression in the plenary session and (b) to submit fresh proposals taking into account the correct viewpoints of the two parties.

Lastly, we stress that we are not averse to compromise.

**170** OD 34/301, no 39

29 Apr 1970

'Capital aid—Fiji': ODM brief by J M Kisch<sup>1</sup> to Mrs Hart<sup>2</sup> for a meeting with Ratu Sir K Mara's on Fiji's expectations of UK aid

1. The Chief Minister is making a further approach to the Minister, seeking an improvement on the capital aid offered at the Aid Talks on 14 and 15 April. A

<sup>1</sup> Assistant secretary, Ministry of Overseas Development.

<sup>2</sup> Judith Hart, minister of overseas development, 1969–1970.

summary of these talks is attached<sup>3</sup> and paragraph 12–14 thereof sets out the position reached. For the transitional period and pending receipt of the Fiji Development Plan 1971–74 our offer was:—

- i. the carry forward of C D & W money, £2.4m., for use on schemes already approved: this is the current figure, and it will have run down to, say, £2m. by independence.
- ii. a further six months of grant aid at the current annual level ie £677,000. This is itself something of a bonus for Fiji since very little will be spent before independence.
- iii. a similar figure by way of loan at the Exchequer rate but with a five years waiver of interest, and exemption from capital repayments for the first two years and for the five following years the graduated capital repayments reaching the full annual rate in the eighth year.
- iv. the terms and amount of loans thereafter to be settled in the light of detailed consideration of the Development Plan when it is ready.

2. Fiji reactions have been:—

- i. They need grant support for the whole period of their new Plan; otherwise its vital objectives, particularly raising the rural Fijians from their present poverty and so avoiding racial strife between them and the Indians, cannot be achieved. We have demonstrated quite clearly that there is no reason to think that loan repayments will strain their growing resources and that there is therefore no reason to think that their Plan will be prejudiced. In fact, we believe the Fijians realise by now that after the transitional period aid will have to be by way of loan.
- ii. The Foreign Office are pushing them into independence and the ODM are increasing the cost of aid at the same time. We are certainly happy that they are now on the road to independence and assume they are too. It is natural that the regime over aid, as in other things, should be different after independence but we are making transitional offers we regard as generous.
- iii. They will have to meet new costs for a Diplomatic Service and subscriptions to the IMF and the Asian Development Bank, and additional defence costs and police. (It has been made clear that Britain will undertake no defence or internal security commitments). All this is true but the costs do not appear very heavy (they have not been quantified). Fiji will derive benefits from the International Bank and the Asian Development Bank and they are also likely to get more aid after independence from other donors.
- iv. They are making contributions to regional development in the area. This is commendable but Fiji also draws dividends from it: most recipients of development assistance from us are themselves givers of technical and other assistance (e.g. under the Colombo Plan).
- v. They claim a special relationship with Britain because of the entirely voluntary cession of Fiji to Queen Victoria in 1874. We can say that we have and are giving generous help to Fiji compared with what we have done elsewhere and bearing in mind the U.K. resources available.

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<sup>3</sup> Not printed.

3. Neither we nor the FCO know what the Chief Minister is likely to ask for except that he wants more grant money. At the talks a fortnight ago (before the Chief Minister arrived) Fiji Ministers asked us to increase the £677,000 in para 1(ii) above, to a full year's grant i.e. £1.354m. The Treasury have said that this may be conceded if FCO and ODM Ministers thought it necessary to achieve an amicable conclusion to the constitutional talks. If it were conceded, the transitional loan which we offered would no longer be required.

#### 4. *FCO views*

Further to his letter of the 21st April (36), Lord Shepherd has asked that our Minister be informed that the constitutional talks which were scheduled to last only a week are now being continued into a third week and that the situation is 'delicate and brittle'. The main source of trouble is failure to agree on the franchise arrangements; there have also been other troubles e.g. over citizenship and membership of the Fiji Upper House. The Chief Minister is under pressure from the Fijian chiefs on one side and his Indian colleagues on the other and on certain issues on the British side. He is complaining about all the problems which are being thrown upon him and is constantly harking back to the extra difficulty resulting from ODM's insistence on hardening the terms of aid. Lord Shepherd therefore is extremely anxious that aid arrangements should appear generous to Ratu Mara as otherwise an amicable conclusion of the constitutional talks will be unobtainable.<sup>4</sup>

#### 5. *Suggested line to be taken by the minister*

She will no doubt wish the Chief Minister to unburden himself and then reply to the effect that the proposed transitional arrangements are indeed generous, involving as they do a carry forward of £2.4m. of C D & W money plus £1m. for the University of the South Pacific (admittedly a regional scheme but with Fiji the chief beneficiary) plus a further £677,000 of grant aid. By far the greater part of these sums will remain unspent at independence and continue to be available for an indefinite period thereafter. Nor will Britain be unsympathetic when we get the Development Plan and are able to make arrangements for longer term aid on loan terms which we are sure will not place any undue burden on Fiji. Technical assistance will also be continuing at a high level (of the order of £1m. a year), and on the assumption that Fiji wish her to do so, she will be taking over from next April all the heavy costs which would otherwise have fallen on Fiji (over £1m. capital plus a considerable annual sum for expatriate pensions and compensation) in accordance with her statement of March 11. She has thrown in an extra £245,000 to cover compensation and commutation payments incurred by the Fiji Government up to March 31 1971. (In case there is any doubt, it might be wise for her to mention that some account will be expected to be taken of the extra resources thus released when longer term aid arrangements come to be made.)

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<sup>4</sup> Shepherd told Hart it would be embarrassing if aid became a sticking point, delaying Fiji's independence for another six months and leaving the UK with a continuing responsibility for defence and internal security. William Rodgers, minister of state at the Treasury, told Shepherd he supported the new aid proposals if they were needed to secure agreement, but on condition they would be transitional to cover the year of independence and would not be repeated (OD 34/301, no 34, Shepherd to Hart, 21 Apr 1970, and no 35, Rodgers to Shepherd, 23 Apr 1970).

6. She might therefore say that although she is very conscious of the burdens which the Chief Minister has to bear, she cannot accept that her present offer is in any way ungenerous or that it will require the Fiji Government to renounce any essential part of their development objectives.

7. Nevertheless, taking into account everything she has heard from the Chief Minister, the close and friendly relations between the two countries and to put the generosity of the British offer beyond question, she is prepared exceptionally to increase the additional grant of £677,000 already offered for the transitional period to £1,354,000.

## **171** OD 34/301, no 41

30 Apr 1970

### **[Aid to Fiji]: ODM note by R B M King<sup>1</sup> of a meeting between Mrs Hart and Ratu Sir K Mara and Mr Koya**

The Minister had a discussion with Ratu Mara and Sidik Koya this morning. Miss Emery of the FCO and I were present.

Ratu Mara reiterated the desire of the Fiji Government to be assured of continuing grant aid for their Sixth Development Plan whereas our present proposals involved transition to loan. He said that not only would the loan terms put the contents of the Plan in jeopardy but that it would be very difficult to explain to the Fiji people that transition to independence meant more onerous debt obligations. Mr Koya indicated his support of these views.

The Minister pointed out the relatively marginal burden that loan servicing charges would entail for the Fiji Government, said that it was a common pattern that countries going to independence switched from grant to loan basis, and added that she did not think that the change need affect in any substantial way, if at all, the content of the Development Plan. I added that it should not necessarily be assumed that if Fiji were not to go into independence we could continue to provide development assistance on grant terms; we might well come to the conclusion that in the circumstances of Fiji, even though still dependent, loan terms would be appropriate.

In the course of further discussion, during which the Minister stressed the relief that our new pensions policy would give the Fiji Government, Mrs Hart said that if it would help the situation she would be willing to agree that the second £677,000 of the £1.3m to be available to the Fiji Government in the current year should be in grant form instead of loan form as proposed. Ratu Mara said that this would be a welcome relief.

Mr Koya asked whether, if the Fiji Government decided to take over the sugar industry HMG would be prepared to make a loan to Fiji for the purpose. In reply the Minister said we would need to look at any such proposal in some detail and it might be appropriate for the Fijian Government to seek assistance from other quarters. If HMG agreed to a loan for this purpose it would have to come out of the total allocation of aid to Fiji and could not be additional.

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<sup>1</sup> Deputy secretary, Ministry of Overseas Development.

In conclusion Ratu Mara stressed the obligations which Fiji was willing to accept in relation to economic and technical assistance to the smaller dependencies in the Pacific area. The Minister expressed her appreciation of this and said that we should take these obligations fully into account in assessing our future aid to Fiji.<sup>2</sup>

<sup>2</sup> In the final settlement Fiji received £1.354 million grant aid for hospitals, schools and communications, and a £1.25 million grant to the University of the South Pacific. Technical assistance, including supplementation of expatriate salaries, amounted to £800,000.

**172** FCO 32/630, no 7 1 May 1970  
 [United Nations]: letter from J D B Shaw (New York) to J H Lambert  
 on how Ratu Sir K Mara and Mr Koya might address the Committee  
 of 24

Thank you for your letter of 28 April about Ratu Mara's plans for coming to New York. We were interested to see from your telegram No. 977 to Washington that Koya will also be coming and that both he and Ratu Mara aim to be in New York at the same time and to act in unison in any discussions they have on U.N. matters. This, together with the announcement in your telegram to Fiji No. 189 about agreement on a formula for future electoral arrangements, will obviously facilitate the presentation of the outcome of the constitutional conference in the Committee of 24 and minimize the risk of undesirable complications.

2. It may be useful to set down our preliminary thoughts on the various ways in which Ratu Mara and Koya could jointly present their views to the Committee of 24. I should say from the start that whatever approach is eventually adopted they must expect to be faced with questions on the following points:—

- (a) Their views on willingness to accept some form of U.N. visitation between now and independence.
- (b) Why it is proposed to move to independence without first holding a further General Election.
- (c) Whether they regard the electoral arrangements put forward as an interim solution to be applied for the first General Election, which will not take place until after independence, as an adequate form of democratic representation fairly reflecting the wishes of the people of Fiji as a whole and why it is not possible to proceed at once to a common roll for all seats on the basis of one man one vote.

Presumably both Ratu Mara and Koya are individually perfectly capable of coping with these questions and presumably they would be able to maintain a common front on these key issues. We would not expect either of them to be subjected to hostile or insistent questioning, particularly in the present relaxed atmosphere in the Committee of 24 which extends even to the Communist representatives on the Committee. But they should be left in no doubt that all three of these questions are liable to be put to them in sympathetic and courteous but nonetheless unavoidable terms.

3. Subject to the understanding that they would be expected not only to make a presentation to members of the Committee but to be willing to answer these and

other questions, discussion with the Committee of 24 could take the following forms:—

- (a) A purely private meeting with some or all of the individual members of the Committee or with two or three groups of members of the Committee, possibly combined with some form of hospitality.
- (b) Appearance at a closed meeting of the Sub-Committee on Fiji (there would be no record of a closed meeting and no publicity given to what was said).
- (c) Appearance at a normal open meeting of the Sub-Committee on Fiji.
- (d) Appearance at a normal open meeting of the main Committee of 24.

4. From the point of view of maximum impact there is no doubt that course (d) would have considerable attraction and I do not think there would be much difficulty in arranging in consultation with the Chairman of the Committee, Davidson Nicol,<sup>1</sup> for both Ratu Mara and Koya to be asked to address the Committee as distinguished visitors without their having to go through the somewhat undignified procedure of applying to be heard as 'petitioners'. I believe that a somewhat similar arrangement may have been made in 1965 or 1966 when the New Zealanders arranged for the Premier of the Cook Islands, Mr. Albert Henry, to address the Committee of 24 and the Fourth Committee. For obvious reasons, we do not feel that it would be appropriate or reasonable to expect Ratu Mara and Koya to address the Committee as part of the U.K. Delegation. Given the disappointing experience last summer when Cato<sup>2</sup> came to New York to speak informally to members of the Committee about St. Vincent, we would not regard (a) above as a satisfactory method of establishing contact with the Committee for the rather different set of circumstances which now apply in the case of Fiji. As between (b) and (c) there are certain attractions for aiming for a closed meeting of the Sub-Committee on Fiji, such as the avoidance of publicity, but this needs to be set against the limited impact which unrecorded views expressed at a closed meeting would have on the membership at large. Sooner or later the question of Fiji is bound to come up in the main committee and from this point of view there would be everything to be said for having the views of the Chief Minister and Koya actually on record whether in a meeting of the Sub-Committee on Fiji or in the main Committee itself. There is in any case a risk that once the final conference communique is issued and the results are a matter of public knowledge, we may be asked in any case to make a short statement in the main Committee and this could lead to a decision to place Fiji without further ado on the main Committee's agenda.

5. These are preliminary thoughts only and before reaching any final conclusion we should like to take informal soundings, once we are in a position to do so, with the Norwegian Chairman of the Sub-Committee on Fiji and with the New Zealand Delegation in view of their earlier experience with Albert Henry and the Cook Islands and also rather more cautiously to try and sound out the intentions of the Indian Mission. We cannot of course judge from here the prospects for Ratu Mara and Koya maintaining a common front in face of questioning on such key issues as willingness to receive a Visiting Mission but other things being equal our preference at this stage would be to advise in favour of a formal appearance of the two leaders before an open

<sup>1</sup> of Sierra Leone.

<sup>2</sup> Dr A S Cato, a native of St Vincent who was prominent in Barbados public life.

meeting of either the main Committee or the Sub-Committee on Fiji. Bearing in mind Ratu Mara's standing as the future Prime Minister of an independent Fiji and the wider impact achieved by a statement in front of all members of the Committee of 24, there is something to be said for an appearance before the main Committee.

6. In conclusion I should say that we are reasonably confident that we would find Davidson Nicol accommodating on such matters as agreeing to hold a meeting at comparatively short notice and on the modalities of arranging for the Chief Minister and Koya to address the Committee without going through the tedious and unsuitable procedure of a request for a hearing as petitioners.

7. It may be better to leave any final decision on these points until Ratu Mara and Koya actually arrive in New York but you will perhaps find it useful to have these ideas before you for briefing purposes.

## **173** FCO 32/576, no 119

4 May 1970

[Fiji constitutional conference]: minute by E J Emery on the outcome

The Secretary of State has agreed to take the chair and to address the closing meeting of the Fiji Constitutional Conference at Marlborough House at 10.00 a.m. on Wednesday, 6 May. I attach a draft speech.<sup>1</sup> The Secretary of State's speech will be followed by speeches by the Chief Minister of Fiji, the Honourable Ratu Sir Kamisese Mara, K.B.E., and by the Leader of the Opposition the Honourable S. M. Koya, and then by the ceremony of signing the report of the conference. After that the Secretary of State might say 'I declare the Fiji Independence Conference, 1970 closed.'

2. An advance copy of the report of the conference is at A.

### 3. *The constitution*

The conference has confirmed the request made in January by representatives of the political parties in Fiji to Lord Shepherd during his visit there that Fiji should become a fully sovereign and independent state with the Queen as Head of State and that Fiji should proceed to independence as soon as possible after a Constitutional Conference and without an election before independence, the independence constitution to set an agreed date for an election after independence. The conference has also agreed that Fiji should seek membership of the Commonwealth.

4. The most significant development during the conference was the agreement reached between the leaders of the two Fiji parties about the composition and electoral arrangements for a Lower House. We thus avoided the need which seemed a possibility before the conference that Britain would have to 'rule' on this matter. The arrangements agreed between the two leaders continue the present electoral system of combined communal and 'cross-voting' (the latter now to be known as the 'national roll') but it increases the proportion of seats elected on the national roll as

<sup>1</sup> Not printed. Stewart was unable to attend the closing session because of a debate on Cambodia in the House of Commons. Shepherd spoke in his place.



opposed to the communal rolls from 9 out of 36 to 25 out of 52 and it decreases the 'general' (i.e. mainly European) representation in the House.

5. The Constitution provides for an Upper House the purpose of which is largely to protect the rights of Fijians and other minority communities and there will also be other safeguards for such communities including a Statement of Fundamental Rights and Freedoms and an Ombudsman.

6. The Secretary of State may like to take the opportunity of congratulating the Chief Minister and the Leader of the Opposition on their success in reaching agreement.

#### 7. *Defence*

We have undertaken no defence or internal security commitment for an independent Fiji. This was previously understood by the two leaders and was not raised at the conference.

#### 8. *Aid*

We shall continue to give development aid to Fiji after independence. There have been talks outside the conference between Fiji Ministers and Mrs. Hart about this.<sup>2</sup> We believe the Fiji Ministers to be satisfied with the result.

#### 9. *House for British high commissioner in Fiji*

We had understood privately that the Chief Minister might at the conference offer the present Chief Secretary's house in Suva to the British Government as a residence for our future High Commissioner. He has not yet done so. If he makes this gesture during his final speech the Secretary of State is advised to express appreciation and to accept.

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<sup>2</sup> See 170 & 171.

## **174** FCO 32/615, no 23

12 May 1970

[United Nations]: inward telegram no 1087 from Lord Caradon<sup>1</sup> (New York) to FCO on a discussion in the Committee of 24 and a proposal that a UN visiting Mission should visit Fiji

At today's meeting of the Committee, Ravne (Norway) as Chairman of the Sub-Committee on Fiji said that the Sub-Committee welcomed the agreement reached at the Constitutional Conference in London setting 10 October as the date for independence. It had need the presence in New York of the Chief Minister and Koya and recommended that they be invited to address the Committee. This was approved without objection.

2. In his statement (copy by today's bag) Ratu Mara expressed appreciation for the Committee's interest and for the opportunity to inform it of arrangements for

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<sup>1</sup> Minister of state for foreign and Commonwealth affairs and UK permanent representative at the UN, 1964–1970.

Fiji's independence. He paid a warm tribute to Koya and outlined their common background of western education. From being political opponents they had come in the last few months to question some of their earlier basic assumptions and to see that understanding and tolerance were the first priority. Neither believed the class struggle was relevant to the task of nation building. Ratu Mara then described the progress of inter-party talks leading to the visit of Lord Shepherd and finally to the Constitutional Conference. He referred to the two statements about representation (your telegrams no. 189 and 191 to Fiji), which had previously been distributed to the Committee, and concluded by quoting the joint statement signed by all members of the two parties at the end of the Conference.

3. In reply to an enquiry by Wyse (Sierra Leone) about the Fiji Government's willingness to receive a visiting Fiji Mission, Ratu Mara said that the people of Fiji, particularly the Fijians, had in the past associated such visits with an imposed solution of their problems. He would not rule out such a visit, but without first consulting people in Fiji on his return he could not commit his Government. He himself had been partly responsible for previous decisions not to accept a visit.

4. Koya said that he had reservations about a visit at the present time. There was still a section of the community in Fiji, representing certain vested interests, which had tried to undermine the move to independence and might still make mischief. A visit might also be considered a reflection on the definitive agreement reached in London. After independence they might well be glad to welcome members of the Committee. Fiji had nothing to hide. They were proud to have reached agreement on the issue of independence and on avoiding political competition on this question. They had decided to have no election before independence. Their aim was to achieve a smooth transition in the hand-over of power to the elected representatives of the people. It had been agreed to maintain a democratic structure through the separation of powers and to protect the interests of minority groups. Finally, they were determined to make independence a success and to avoid the pitfalls which independence had brought in some other countries independence would be useless if it turned to anarchy.

5. Mselle (Danzania) while welcoming the agreement on independence, said that he needed more time before pronouncing on the detailed arrangements.

6. Neklessa (U.S.S.R.) said that it had been important to hear the opinions of representatives of the people. The U.K. however should be condemned for its stubborn opposition to General Assembly decisions about Visiting Missions. This was the main reason for the unfavourable situation in the territory. He protested about the lack of notice given to the committee about putting Fiji on its agenda. He had only learned of the proposed hearing a few minutes before the meeting.

7. Maiga (Mali) said that it was expected that the U.K. would oppose Visiting Missions but it was incomprehensible that the representatives of Fiji could not give a clear cut opinion on this matter. The recent outcome on Bahrain<sup>2</sup> showed that when

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<sup>2</sup> In 1968, when Britain announced its decision to withdraw from the Persian Gulf by the end of 1971, the Shah of Iran responded by insisting that before Bahrain joined any wider union of Gulf states, there must first be a plebiscite as a means of demonstrating whether Bahrain wished to join Iran instead. The Shah dropped his claim in May 1970 when a UN Visiting Mission confirmed overwhelming support in Bahrain for independence.

the U.N. was fully informed about a situation it could take appropriate decisions. Now that the Fijian representatives had been heard in New York it was a fair quid pro quo to ask that the Committee should be allowed to go to Fiji.

8. In reply to an enquiry by Kouame (Ivory Coast) as to whether the proceedings were intended to lead to a definitive conclusion on Fiji, the Chairman indicated that the item would be discussed in detail at a later stage. However, he was sure that members of the committee would not have wished to have lost the valuable opportunity of hearing the Fijian leaders while they were in New York.

9. Deressa (Ethiopia) spoke appreciatively of the value of direct contact with the Fijian leaders. They had demonstrated their seriousness of purpose on the issue of independence, and he had listened to them with pride.

10. Shaw (U.K.) paid tribute on my behalf to the Fijian leaders who had given a striking example of unanimity and constructive agreement. Fiji had presented a unique political problem. There would be later opportunities to reply to the discordant comments of the U.S.S.R. he quoted from Lord Shepherd's final statement at the London Conference, and referred to the appropriateness of Fiji moving to independence in this anniversary year. (Text by Bag).

11. Psoncak (Yugoslavia) also thanked the Fijian representatives, but thought they might have misunderstood the purpose of a Visiting Mission. There was no intention of creating trouble among certain sections of the people.

12. Stanoev (Bulgaria) after quoting from a recent article in *Le Monde* questioned the genuineness of racial harmony in the territory, and referred to the virtual monopoly of an Australian company in the Sugar Industry. The Fijian reply about a Visiting Mission had been evasive.

13. In reply Ratu Mara said that they had thought that once the Conference was over they should lose no time in informing the Committee of its results. They could not have done this before the Conference. They were sorry if this had caused difficulties for certain delegations: they could have avoided coming to the U.S. and instead gone straight home, but it was a Fijian custom to show courtesy. The Sugar Company which had been mentioned had already given notice that it wished to relinquish its holdings in Fiji in a year or two's time. He was sorry if the U.K. was being blamed for not allowing Visiting Missions. Their relationship with the U.K. was not that of a dictatorship. The U.K. had always proceeded by consultation and agreement. Even if the U.K. had previously agreed to a Visiting Mission this might not have been allowed. He was prepared to consult his colleagues and might now have a better chance of persuading those who in the past had been against a visit. But he could not commit his Parliamentary colleagues without first consulting them all.

14. Fiji had voluntarily ceded itself to the U.K. and had never been conquered. The Fijians had been brought up to find solutions for themselves. Their country was unique in having welcomed an immigrant population.

14. Sen (India) also thanked the visitors. The sole purpose of the Committee of 24 was to speed up independence. India was sensitive to what had been achieved and would always welcome the independence of Non-Self-Governing Territories. For various reasons the forthcoming independence of Fiji, firstly as an Asian country, secondly as a multi-racial society, and thirdly as a society with a large community of Asian origin, provided a special source of satisfaction to India. There was no need

either to foreclose the Committee's debate on Fiji or to prejudge the Chief Minister's decision on a Visiting Mission.<sup>3</sup>

15. Davidson Nicol concluded by claiming that the Committee should be regarded as a peace maker. To hear leaders of both parties presenting their views to the Committee had verged on the historic. He hoped members would understand the great trouble taken by the Chief Minister and the leader of the Opposition in coming to New York, and their courtesy in doing so.<sup>4</sup>

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<sup>3</sup> J D Hennings of the UK High Commission, New Delhi, informed the FCO in May 1970 that reactions in India to Fiji's constitutional conference had been 'remarkably subdued', with little press comment. There had been no official comment by the Ministry of External Affairs, and the High Commission thought it ill-advised to enquire. Hennings commented: 'I think we can conclude that in the Government of India's view the compromises of the conference show that their interventions with us before the conference have borne fruit, and that as the representatives of the Indian community in Fiji have been partner to what has now been decided it must be for that community to determine how their interests can best be furthered in the circumstances of an independent Fiji' (FCO 32/574, no 54, Hennings to Emery, 22 May 1970).

<sup>4</sup> Whether Britain should continue its representation on the Committee of 24 had been the subject of long-standing debate between the UK Mission in New York and Whitehall. It came to prominence from the end of 1967. Caradon argued consistently that the UK should not relinquish its membership and should instead vigorously defend its record. Britain eventually withdrew from the Committee in Jan 1971, arguing that it had become too doctrinaire and that the task of decolonisation was in any case virtually complete. For background, see S R Ashton & Wm Roger Louis, eds, *East of Suez and the Commonwealth 1964–1971* (BDEEP, 2004) part II, chapter 6.

## **175** FCO 32/574, no 56 27 May 1970 [New Zealand and Fiji]: letter from Sir A Galsworthy (Wellington)<sup>1</sup> to E J Emery on the reaction in New Zealand to the approach of independence

In your letter to Jock Duncan<sup>2</sup> of 11 May on the outcome of the Fiji Constitutional Conference you said you would be interested to learn local reactions.

2. So far as the New Zealanders are concerned, the Government is clearly very pleased indeed with the outcome of the Conference, which turned out far better than they had dared to hope. They are particularly pleased about the new interim electoral arrangements for the first Legislature after Independence, about the agreement to appoint a Royal Commission thereafter to make recommendations for the most appropriate method of election and representation for Fiji, and about the constitutional arrangements relating to the amendment of the electoral provisions after the Royal Commission has reported. The feeling on the part of the New Zealand authorities is that these arrangements ought, if anything can, to take the heat out of the electoral question for the first two or three years at any rate after Independence; and they regard this as a considerable advantage. The Ministry of Foreign Affairs, in talks with me, have paid sincere tribute to British skill in helping to bring the Conference to so satisfactory a conclusion. On the basis of this outcome they are now going ahead with arrangements to appoint a New Zealand Commissioner—the Prime Minister, Mr Holyoake, is in touch with Ratu Mara on this subject.

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<sup>1</sup> Galsworthy was now UK high commissioner to New Zealand.

<sup>2</sup> J S R Duncan, minister, UK High Commission, Canberra, 1969–1971.

3. The New Zealand press has also generally welcomed the outcome of the Constitutional Conference, though press comment has tended to dwell on the underlying difficulties of the Fiji situation, and there has been no tendency to euphoria. There has, however, been no suggestion that Britain is laying down its responsibilities prematurely and landing New Zealand with a possibly awkward baby on its doorstep. The general conclusion that has been drawn by the press is that it is now up to New Zealand to provide Fiji with the help and guidance that the New member of the Commonwealth will need; and some impatience has been expressed in the press that New Zealand has left it so long before setting about the establishment of a Commission in Suva.

4. The only slightly critical comment in the press as been on the theme that the offer of future aid which we are said to have made to Mara after the Conference came as a disappointment to him. George Laking<sup>3</sup> asked me the other day if I could give him some information about these aid talks (my telegram to you No. 291 of 23 May refers).<sup>4</sup> I should be most grateful for any information I can pass on to Laking in confidence. The New Zealanders are now really preparing to take a close and friendly interest in Fiji and are very conscious of their responsibilities in this respect.

5. On one thing I am quite clear. Nobody here feels that Britain has been forcing the pace in withdrawing from our Pacific responsibilities. The general feeling is that we had no option but to respond to the joint demands of the Alliance and Federation parties for Independence, and that the situation in Fiji would have deteriorated seriously had we not responded as we did. The New Zealand authorities are also grateful to us for the care we have taken to do our best to endow Fiji with a viable political system prior to our departure, and appreciative of the degree of success we have been able to achieve.

6. The main grumble on the part of the New Zealand authorities, particularly the Defence Department, is that they cannot get the Australians to take an interest in what happens to Fiji after Independence, despite the New Zealand contention that of things went wrong in Fiji Australian interests would be very directly affected. We can expect the New Zealanders to push this pretty hard at the ANZAM Chiefs of Staff meeting in July.

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<sup>3</sup> G R Laking, secretary of foreign affairs and permanent head, Prime Minister's Dept, New Zealand, 1967–1972.

<sup>4</sup> cf 170 & 171.

## **176** FCO 32/630, no 21A

2 July 1970

[United Nations]: letter from J D B Shaw to E J Emery on a proposal that representatives of the Committee of 24 might be invited to Fiji's independence celebrations<sup>1</sup>

I was interested to see your letter to Mr. Lloyd in Suva with its accounts of your contacts with New Zealand House concerning Ratu Mara's attitude to a Visiting Mission by the Committee of 24. It is now approaching two months since I reported

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<sup>1</sup> After the general election held on 18 June 1970, a Conservative government is now in office in the UK.

in my letter 4/7/136 of 15 May on the visit to New York by the Chief Minister and Mr. Koya and on their appearance before the Committee of 24 on 12 May.<sup>2</sup> I am glad to say that during this period there has not been a single enquiry from any member of the Committee of 24 about Fiji or about the attitude of the Chief Minister to a Visiting Mission following his return from New York. With each week it seems increasingly less likely that the Committee of 24, with its heavy backlog of work for the present year, will find time to engage in substantive discussion of Fiji, much less to think in serious terms of mounting a Visiting Mission before independence.

2. As indicated in my letter of 15 May, the closer we get to independence the less convincing the argument appears for a Visiting Mission, particularly as in the case of Fiji there is no question of independence coming immediately in the wake of 'a final act of self-determination'. Moreover, following the joint appearance of the Chief Minister and Mr. Koya, it can hardly be claimed that a Mission is desirable in order to investigate the views of a dissenting political minority. While one must always allow for the unexpected we should expect most member of the Committee in such circumstances to be more influenced by the euphoria of impending independence, and by the need to think in terms of their future relations with Fiji as a fellow U.N. Member State.

3. However this is not to say that we shall get away without formal discussion of Fiji in the Committee of 24 between now and 10 October. We must certainly count on receiving a letter from Ravne, Chairman of the Sub-Committee on Fiji, with the customary annual enquiry about our readiness to accept a Visiting Mission. While there has been no effort to reconvene the Sub-Committee on Fiji since the Chief Minister and Mr. Koya were here in May, procedural requirements make formal action of this kind unavoidable and a letter of enquiry can be expected sometime in the course of the next two months.

4. Our advice, based on present indications, is that it would be sufficient to return a temporising or tactfully negative reply to this enquiry. However, the effect of this would in our view be much alleviated and a favourable climate created for Fiji's application for U.N. membership, if it were to be accompanied at the same time by an indication that the Government of Fiji hoped to invite representatives of the Committee of 24 to be present at the independence celebrations. I think it would probably be sufficient if the invitations were limited to the Chairman of the Committee of 24 (Davidson Nicol of Sierra Leone) and to the Chairman of the Sub-Committee on Fiji (Ravne of Norway). It is quite possible that with the pressure of the General Assembly both Nicol and Ravne might find it difficult to get away at the time of independence. But the main point would be that a gesture had been made. Although there would be some advantage in inviting Nicol and Ravne in their formal capacities (this would incidentally solve the problem of responsibility for fares), even on a private basis I am sure that the gesture towards the Committee would be well received. In any case I would suggest that it would be unnecessary to invite more than two, or at most three, representatives of the Committee. On the basis of recent experience an open-ended invitation to the Committee is only likely to result in proposals for quite excessively large representation.

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<sup>2</sup> cf 172, 174.

5. I do not believe that there would be any risk of selected representatives of the Committee, who visited Fiji in response to an invitation to attend the independence celebrations, engaging in extra-mural activities such as scrutinising constitutional and electoral arrangements. We should wish to make this clear from the start in the course of preliminary soundings, and in any case such activities would be out of character for both Nicol and Ravne. On the basis outlined, I am satisfied that we can discount the speculative comment by Venkataswaran reported by the New Zealand High Commission in Delhi.

6. There is of course no question of the Committee of 24 having any *locus standi* in relation to Fiji after independence, and I take it that the penultimate sentence of paragraph 3 of your letter was simply intended to suggest that inter-communal relations in Fiji are likely to be somewhat less sensitive at the time of independence than in the months immediately preceding the next general election.

## **177** FCO 46/537

31 July 1970

### **'Fiji: defence': minute by A B Urwick<sup>1</sup> on why the UK is unable to retain responsibility for external defence or internal security**

#### *Problem*

The Chief Minister of Fiji, accompanied by the Leader of the Opposition, intends to visit Britain in August for discussions with H.M.G. He has indicated that one of the subjects he wishes to discuss is 'defence'. He may ask whether H.M.G.'s policy of not retaining a formal commitment for Fiji's external defence or internal security after independence on 10 October remains unchanged.

#### *Recommendation*

2. That this policy should be reaffirmed if it is queried by the Chief Minister of Fiji, but that we should at the same time undertake to consider sympathetically any request he may make for training and supplies.

#### *Background*

3. During discussions leading up to the Fiji Constitutional Conference in April/May 1970, the Chief Minister and the Leader of the Opposition in Fiji were aware that H.M.G. would not accept any defence or internal security commitment for an independent Fiji.<sup>2</sup> It was tacitly agreed that this would not be discussed during the Conference.

4. On 30 April during an informal talk with Lord Shepherd (then Minister of State) the Chief Minister confirmed that he fully accepted there would be no question of a defence guarantee from the United Kingdom after independence.

5. After the Conference the Chief Minister called at the Ministry of Defence and was seen by the Minister (Administration). The Chief Minister voiced his concern that the existing U.K. commitment to maintain internal security in Fiji would be withdrawn at independence and said that he would like that security ensured for 10

<sup>1</sup> FCO Defence Dept.

<sup>2</sup> cf 154, 158, 166.

years. The Minister (Administration) explained the difficulties in the context of withdrawal from Singapore.

6. H.M.G.'s decision to reverse the policy of withdrawal of all British forces from their stations in Malaysia and Singapore by the end of 1971 may encourage Fijian leaders to hope that H.M.G. will also be ready to reverse the previous Government's decision not to give any formal defence commitment to Fiji after independence.<sup>3</sup> The Chief Minister is coming to London in August and will be seeing Ministers in the Foreign and Commonwealth Office and in the Ministry of Defence. It is therefore necessary to determine precisely the line which Ministers should take in discussion with the Chief Minister of Fiji if he raises this point.

7. The decisions taken so far on British participation in five power defence arrangements in the Malaysia/Singapore region do not substantially affect the arguments against retaining any formal defence commitment to Fiji after independence. Ministers agreed before Lord Carrington's<sup>4</sup> departure on his Far East tour that it would be desirable to replace our present automatic obligation to go to Malaysia's defence with a commitment only to consult in the event of external attack on Malaysia and Singapore. It was also agreed that the U.K. would continue to have no commitment to assist Malaysia and Singapore in maintaining internal security, but that we would if required be prepared to give assurances that our definition of external attack would cover 'externally promoted subversion'. Ministers further agreed that the British military presence in Malaysia/Singapore should no longer be preponderant and that the Defence Secretary should indicate to our four Commonwealth partners in the region that the scale of our presence was unlikely significantly to exceed a limited number of frigates or destroyers, an infantry battalion with supporting units and some maritime reconnaissance aircraft and helicopters.

8. Our much smaller military presence in Malaysia/Singapore would make it necessary, if we were called upon to come to the assistance of Fiji, to send troops from the U.K. The present Fiji Internal Security Plan envisages that, in the worst case, at least a brigade would be needed to help preserve order in the event of communal disturbances between the native Fijian and Indian communities, which are roughly equal in numbers. The battalion based in Malaysia/Singapore after 1971 would probably not be available for use in Fiji, as it is likely to be integrated into a local command structure and we do not at present envisage having transport aircraft permanently stationed in the area. The Defence Secretary was told by the Malaysian Government during his talks in Kuala Lumpur on 29 July that 'any link between the

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<sup>3</sup> A new five-power agreement (involving the UK, Australia, New Zealand and the two local governments) was concluded at London in Apr 1971. It replaced the former Anglo-Malaysian defence agreement, which the Labour government had intended to end by withdrawing all UK forces by the end of 1971. Under the new five-power agreement negotiated by a Conservative government, the UK maintained naval and air units, together with a skeleton military force, as a guarantee against external aggression. The main UK concerns were that the agreement should not extend to internal security, that Australia should play a full part, and that there should be a commitment to consultation only in the event of an emergency. The agreement lasted until 1976 when it lapsed and all British forces were withdrawn. For the governments of Malaysia and Singapore, the agreement provided insurance during what for them was a period of defence readjustment. Lee Kuan Yew in Singapore thought it would provide stability and reassure investors. These concerns were deemed more important than an unlikely communist attack or a recurrence of Indonesian aggression against Malaysia. S R Ashton & Wm Roger Louis eds, *East of Suez and the Commonwealth 1964-1971* (BDEEP, 2004) part I, p lviii and doc 114.

<sup>4</sup> Secretary of state for defence, 1970-1974.



Five Power Defence Arrangements and SEATO and any wider peace-keeping or national role, e.g. Hong Kong or Brunei, which the United Kingdom wished to play in the area would create political difficulty for Malaysia'.

9. The serious manpower shortage in the British Army has recently led the Defence Secretary to recommend to his colleagues that they should not fully reverse the previous Government's policy of reducing the order of battle of the British Army by a further nine infantry battalions. (These nine units are however to be given the option of remaining at company strength.) The 46th British infantry battalions to which the British Army would be reduced in September 1972 will be insufficient to meet the U.K.'s defence commitments during the 1970s, which the Army Department recently estimated would require between 51–56 battalions depending on the requirements of Northern Ireland. The Defence Secretary is likely to press in September for the retention of the Gurkha Brigade on a five battalion basis as a means of meeting the gap between our commitments and the minimum manpower resources required to fulfil them. But even this would not assist us directly in meeting any commitment to Fiji, because the use of Gurkhas would raise political difficulties on account of the existence of a large Indian community there. In any case four of the five Gurkhas battalions are already earmarked for the Hong Kong garrison and the remaining battalion will probably be needed for Brunei.

10. The most serious potential threat facing Fiji is that of communal disturbances between native Fijians and Indians. At present the internal security situation is quiet, but after independence H.M.G. will no longer exercise ultimate control of the internal policies of the Fiji Government. H.M.G. have not hitherto extended internal security guarantees to dependent territories when they became independent. We have for example taken care to avoid becoming involved in communal disorders between Malays and Chinese in Malaysia. Moreover involvement in the internal security problems of Fiji after independence might be embarrassing to us in our relations with India, in view of the large Indian community there. The Northern Ireland situation shows how many troops may be required to control an internal security situation.

11. There is at present no external threat to Fiji and, should one ever arise, it would be more appropriate following the reduction in our military presence in South East Asia for Fiji to turn for assistance in the first instance to New Zealand and Australia, her two Commonwealth neighbours. New Zealand has no formal defence commitment to Fiji and she is not prepared to undertake any obligation to assist in the maintenance of internal security after independence, but the defence links between the two countries are close. Under an agreement which is due to expire on independence (but which we expect to be renewed), New Zealand provides training and other military assistance to the Fiji Military Force. They also provide a New Zealand officer to command the Fiji Military Force and this arrangement is to continue after independence.

12. Another factor to be taken into account is that the extension of an external defence guarantee to Fiji would set an undesirable precedent for other dependent territories, such as British Honduras, which are soon to become independent.

13. The Fiji Military Force (FMF) is made up of 152 regulars, 601 territorials and approximately 2,000 reservists. We believe it is adequate to control any minor internal disorders, but that it would not be able to cope with widespread communal disturbances. The officers and men of the FMF are mostly of Fijian origin and could

not therefore be relied upon to be entirely impartial in the event of inter-racial strife between native Fijians and Indians.

14. The United Kingdom at present provides assistance to the FMF through collaborative training exercises in Fiji and by extending cadet training facilities in the U.K. It is intended that both these forms of assistance should continue after independence. We are also looking into the possibility that a limited number of FMF officers should receive training in an internal security role in Hong Kong after independence and also that Internal security training teams from Hong Kong should go to Fiji.

15. This submission has been cleared with Pacific and Indian Ocean Department, South West Pacific Department and at official level with the Ministry of Defence.<sup>5</sup>

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<sup>5</sup> For the Aug defence talks with Mara and Koya, see FCO 32/632. The defence negotiations were protracted and not finally settled until Jan 1971. The Fiji ministers argued they were entitled to assistance, because Fiji had effectively skipped the usual stage of internal self-government and had moved immediately to independence. The UK itself recognised that it would be prudent to lend support to Fiji's military forces. Fiji was seen as the 'hub' of the Pacific. If law and order broke down soon after independence it would damage the ideal of a multi-racial society, drive tourists away, and nullify the development aid invested. Under the Jan 1971 settlement, the UK provided £75,000 for Fiji's military forces, and another £10,000 for rifles if they could be obtained at low cost. In total over the first two years of independence the UK agreed to provide £100,000 in military aid and £300,000 towards the capital cost entailed in creating a mobile police force (FCO 24/1138 and FCO 46/537 for details).

## **178** FCO 32/632, no 77 12 Aug 1970 **[Sugar]: FCO record of a conversation with Ratu Sir K Mara and Mr Koya on Britain's negotiations to join the EEC and the implications for Fiji's sugar industry**

After welcoming the visitors, *Mr. Ford*<sup>1</sup> explained the current position in our negotiations to join the EEC. The negotiations had formally opened with Mr. Barber's<sup>2</sup> statement in Luxembourg on 30 June, a copy of which the Chief Minister had probably seen. This statement set out our negotiating position, with reference to Mr. Brown's earlier statement to the WEU in 1967.<sup>3</sup> The first bilateral Ministerial meeting had taken place on 21 July when we had tried to get negotiations moving by seeking Community agreement to start work at an official level on the subjects to be covered in negotiations. We had put forward subjects for discussion, including the problem of the CSA, and secured the Community's agreement to a fact-finding study being started and preparatory work undertaken to clear the way for the next Ministerial meeting. We had put in a factual paper on the workings of the CSA which the Community would now study. The Community Deputies would meet Sir C. O'Neill<sup>4</sup> in mid-September, and again a fortnight later, to discuss the agenda for the

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<sup>1</sup> J A Ford, assistant under-secretary of state, FCO.

<sup>2</sup> Anthony Barber, chancellor of the Exchequer, 1970–1974.

<sup>3</sup> See 159, Annex A, and 160, para 9.

<sup>4</sup> Deputy under-secretary of state, FCO, and leader at official level of British delegation to negotiate UK entry into the EEC, 1969–1972. See *Britain's entry into the European Community: report on the negotiations of 1970–1972* by Sir Con O'Neill, ed, Sir David Hannay (London: 2000).

next Ministerial meeting which we expected towards the end of October. We did not know how negotiations would work out but hoped that putting forward factual problems at an early stage would enable us later, when we needed to find solutions to these problems, to be talking about the same facts with the Six. The timetable of negotiations was still unclear but they would probably last throughout 1971. If all went well we should be able to see a possible result by the end of July of that year and by the end of 1971 we might be ready for the process of ratification. This process might take nine months and so the earliest we might expect to enter the Community would be the beginning of 1973. The Chief Minister would have seen from statements by PMG that we considered the question of transitional periods to be one of the more important ones. We had suggested to the Community an initiation period of one year to enable preliminary legislation and other related matters to be carried out before we began to feel the effects of entry.

2. On sugar the position of HMG was clear from the statement of Mr. Brown, which Mr. Barber had later mentioned. The assurance given in 1967 by Lord Beswick still applied,<sup>5</sup> that we would use our best endeavours in negotiations to cover the interests of developing CSA member countries. It was still too early to say how things would go on sugar. We had not yet reached the point of negotiating on this particular question. We had merely agreed to study sugar and submitted our own paper. It would probably be a good many weeks before further progress was made.

3. *Ratu Mara* said that the purpose of his visit was to impress on HMG the vital nature of sugar and the guaranteed U.K. market to Fiji. The advent of independence increased the importance to Fiji of these factors. The country had been brought up on a sugar-based economy and shortly the Government would inherit the responsibility of running the country. Hitherto that responsibility had rested with HMG, but now it would rest with them. The whole of Fiji's future depended on sugar, as an economic base from which they might diversify into other industries.

4. They knew that the position until 1974 was guaranteed. But what they had heard had not assured them that the question of Fiji's quota on sugar would be a breaking point in the U.K. negotiations with the EEC. There was real anxiety about how they were to sell sugar outside the present arrangements.

5. Fiji recognised that Lord Beswick's assurance was the most they could hope for from HMG. However it would be utterly wrong for HMG to think that Fiji could continue to survive without sugar. Fiji was trying to diversify but still relied on sugar. Even a lower volume of sugar sales to the U.K. at CAP prices would not be a satisfactory solution. This would cause grave unemployment problems for Fiji. The Chief Minister expressed his anxiety about the future and his hope that Britain's 'best endeavours' would materialise into something more concrete.

6. *Mr. Koya* said Fiji was alarmed at apparent French insistence that no modifications could be made to the CAP; if the CSA were to collapse after 1974, the ISA would probably collapse also. He thought the whole question of sugar exports after that date should be considered in a world wide context.

7. *Mr. Ford* said this was one of the points which would be clearer when negotiations had progressed somewhat. The EEC countries were not happy about the present way in which the CAP was working. M. Mansholt<sup>6</sup> had referred to the need to

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<sup>5</sup> See 160, para 8.

<sup>6</sup> Dr Sicco Mansholt (Netherlands), vice-president of the European Commission from 1968.

consider the workings of the CAP. In July in the U.K. he had referred to the need to cut prices and hence production within the Six. However we should look at this with a certain amount of healthy scepticism since M. Mansholt was a member of the Commission while some of the Six had political pressures which made reducing sugar surpluses a difficult task. It was fair to say that the Six were beginnings to see the problems of costs and surpluses in the CAP; negotiations would provide them with an opportunity for a critical look at the policy.

8. Mr. Ford then said that the sort of problem raised by Mr. Koya could be discussed in the context of negotiations.

9. *Ratu Mara* referred to the exchange of information between Britain and the Six. He asked whether the paper we had tabled emphasised the vital nature of the sugar industry to Fiji. He mentioned that France boasted of the aid given to former colonies, but it was trade that Fiji wanted. *Mr. Ford* confirmed we had this point very much in mind.

10. In answer to a question from *Ratu Mara*, *Mr. Ford* confirmed, by reading out the assurance given by Mr. Brown, that the present CSA arrangements were guaranteed until the end of 1974. He said that it was difficult at present to see what arrangements would finally be reached in negotiations. In answer to a question from *Mr. Koya*, *Mr. Ford* said that the Six recognised that sugar was a special subject in negotiations. *Mr. Koya* referred to Fiji's concern that a package deal on the CAP might be worked out, and advocated that sugar should be withdrawn from a general discussion of the CAP. *Mr. Ford* said that the way in which sugar was being dealt with in negotiations showed that it was a subject in its own right.

11. In answer to a question from *Ratu Mara*, *Mr. Pettitt*<sup>7</sup> said that the present International Sugar Agreement was drafted in such a way that if the EEC joined it would be as a single member. Probably if Britain joined the EEC before the present Agreement expired her individual membership would be at risk; but the problem was academic as the present Agreement expired in 1973, and any successor agreement would be drafted to meet the needs of the EEC at that time. *Ratu Mara* commented that it was sad to see the prospect of the ISA collapsing after the great efforts that had gone into its creation. *Mr. Dowling*<sup>8</sup> explained Fiji's concern that the ISA quotas might fall through, if and when the CSA collapsed. This would lead to a complete disintegration of the present world structure for sugar exports. *Mr. Ford* said we were well aware of the importance of the U.K. Market to Fiji. We would try to get arrangements in negotiations which would not upset world sugar arrangements and would safeguard CSA interests. It was impossible to consider at this stage the nature of world sugar arrangements until the completion of our negotiations, since it was impossible to tell what we would get out of the Community to ensure that these arrangements would not collapse.

12. *Ratu Mara* commented on the problem of the U.K. as a member of EEC and no longer a member of the ISA. Where would Fiji's market for sugar be then? *Mr. Ford* said we did not see Fiji losing her market just like that. We hoped to reach agreement with the EEC on arrangements for sugar to take account of the position of CSA members. These arrangements would form part of a continuing process over

<sup>7</sup> R G Pettitt, first secretary, FCO.

<sup>8</sup> B Dowling, Colonial Sugar Refining Company.

a period of time. The arrangements we hoped to negotiate would be for the long term, but in the field of sugar as in other fields, whatever long term arrangements were negotiated would almost certainly not apply on 1 January 1975. There would be a transitional period between the CSA as it now existed and the long term arrangements. However, it was impossible to go into detail at the present time, when we were only at the stage of establishing facts as a basis for negotiation.

13. *Mr Pettitt* said we were not convinced that the international sugar market contained the stability for the future, which it had at present. We could not look forward with confidence to the free market for sugar being a major earner of foreign exchange for Fiji. *Ratu Mara* commented that Fiji looked to it in hope. *Mr. Koya* asked why we had no confidence in this. *Mr. Pettitt* said it depended upon the EEC reaching satisfactory arrangements on sugar. These the Community were certainly trying to reach. *Mr. Koya* commented that the future of the ISA therefore depended upon the Community. *Mr. Hadley*<sup>9</sup> commented that the future of the ISA was subject to future policies of all the big producers. We hoped that a new ISA would be negotiated to replace the present one when it expired in 1973. In this respect it was helpful that our negotiations with the EEC would probably be settled before this date, so that the re-negotiation of the ISA could be carried out in the knowledge of what had been done in our negotiations. It would therefore perhaps be possible to re-negotiate a meaningful ISA in 1973. *Mr. Dowling* commented that the ISA had not the stability of the CSA. There was cold comfort in an international commodity agreement to replace the CSA.

14. *Mr. Ford*, summing up, said we were going into negotiations to get the best terms we could. The commitment given by Lord Beswick still stood. It was not possible to predict what terms we would achieve, but there would be no abrupt cut-off in the CSA at the end of 1974. It was most probable that there would be a transitional period to long term arrangements, resulting from our best endeavours, and we should continue to bear in mind the importance for Fiji of the CSA. *Mr Dowling* said it was important that the question of the USA should not be left over to the review of the CAP for sugar in 1974/75. *Mr. Ford* confirmed that this question would be dealt with in negotiations. In answer to a question from *Mr. Koya*, *Mr. Ford* said that no transitional period would apply until 1974. Whatever period was negotiated would apply after that date. The length of the period would depend on negotiations.

15. *Mr. Ford* then raised the question of association with the enlarged Communities for Fiji. This had come up in the talks the Chief Minister had had with British officials in May 1969. The discussion then had taken place within the framework of two possibilities: that Fiji would either be independent or still dependent by the time we entered the EEC. These possibilities had now been clarified; Fiji would be independent before our negotiations were concluded. *Mr. Ford* pointed out that if we pressed for an offer of association from the Six for Fiji, Fiji would have to negotiate the actual terms of association herself. Last year we had received the impression that Fiji had had doubts about the desirability of association, in view of their close relations, involving preferences, with Australia. Fiji was developing tourism and, we thought, would be looking towards the Far East and the

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<sup>9</sup> D A Hadley, Ministry of Agriculture and Food.

United States for her markets rather than towards Europe. *Ratu Mara* commented at this point that association had nothing to do with sugar. *Mr. Ford* agreed.

16. *Ratu Mara* then said Fiji would wish to consider association when and not until they had settled the question of their sugar exports. There would certainly be difficulties for them in raising a tariff wall against their immediate neighbours. *Mr. Ford* said it would be useful to know if Fiji wished us to press for an offer of association from the Six. *Ratu Mara* said that they would like such an offer but, in answer to a question from *Mr. Ford*, *Ratu Mara* said they had not yet decided whether they really wanted association.

17. In answer to a question from *Mr. Ford*, *Ratu Mara* said that Fiji considered the CET on coconut oil a considerable barrier, which it would be difficult to surmount. They already had a disadvantage so far as freight was involved, and a further disadvantage of a tariff would rule out European markets for Fiji's oil products. He confirmed that Fiji's interest lay in edible oils.

18. In answer to another question from *Mr. Ford*, *Ratu Mara* said that Fiji was not eager to seek new markets in Japan, since the Japanese proved hard bargainers when it came to primary products. *Mr. Koya* commented that Japan was 'the France of the Pacific'.

19. *Mr. Ford* asked whether Australia would be a useful market for oil products. *Ratu Mara* said it would not. It was probably easier for Fiji to diversify her coconut and copra industries than her sugar industry. He foresaw an expanding market in these products. At the same time this was a long-term prospect, since coconut trees required up to ten years to mature. Future timber and pulp industries might be developed, but this would take 10 to 15 years.

20. *Mr. Ford* said he was most grateful to the Chief Minister and leader of the Opposition for having spared time from their very full programme to come to the FCO for this discussion. This sort of meeting was of very great value. It was all too easy for those charged with the responsibility for negotiations on great issues to forget the implications of their negotiations for individuals. The Chief Minister and *Mr. Koya* had eloquently described what sugar meant to our Fijian friends and what the CSA meant in human terms. This was something that was of great importance and that we should not forget. *Ratu Mara* commented that he and *Mr. Koya* understood the problems for the U.K. in entering the EEC. They wished us luck in our negotiations.

## 179 FCO 32/612, no 16

14 Aug 1970

### [EEC]: FCO record of a conversation between Mr Rippon<sup>1</sup> and Ratu Sir K Mara and Mr Koya on the implications for Fiji of Britain's negotiations to join the EEC

*The Chief Minister* began by saying that Fiji had for some time had anxieties about our entry into the E.E.C., going back to Mr. George Brown's statement.<sup>2</sup> The

<sup>1</sup> Geoffrey Rippon, chancellor of the Duchy of Lancaster, 1970–1972, head of the government delegation negotiating Britain's entry to the EEC.

<sup>2</sup> See 159, Annex A, and 160, para 9.

question was what would happen after 1974. They knew that we expected a transitional period, but transitional to what? *Mr. Rippon* said that two of the main problems for us in our negotiations were New Zealand and Sugar. The Six were themselves well aware of these problems. Fiji was of course changing now from a dependency to an independent state. There would then be the possibility of association with the E.E.C. We could not give any firm assurances at this stage but the problem of Fiji was well understood and would be taken care of in the negotiations. It was a similar problem to that of Mauritius and the Caribbean countries. *The Chief Minister* remarked that the size of Fiji's problem should not be such as to worry the E.E.C. *Mr. Koya* expressed some doubt whether association would help Fiji. *Mr. Rippon* said that this was something that would have to be considered. There could be no certainty at this stage.

2. In answer to a question *Mr Rippon* outlined the future programme of the negotiations. We would start by seeking agreement with the Community on the facts of our case. *Mr. Koya* asked whether we would deal with the case of each of the countries affected by our negotiations separately or all together. *Mr. Rippon* said that some would be dealt with separately and others, for instance the Caribbean countries, probably all together. *Mr. Rippon* remarked that in the Community, even with majority voting, no country could really be forced to do something which they did not accept. The Community would be bound to have regard for our existing arrangements including our treaty agreements. *The Chief Minister* said that one of Fiji's main worries was that we would not allow the question of sugar to be a breaking point in our negotiations. It was important for them that we should reach an agreement on sugar before our entry into the E.E.C. *Mr. Rippon* said that this was why we were now seeking the E.E.C's views on the sugar question and why sugar would be a part of our negotiations. *The Chief Minister* said that there was a danger of the Commonwealth Sugar Agreement collapsing without the United Kingdom's continued support.

3. *The Chief Minister* asked whether it would be possible for *Mr. Rippon* to visit Fiji on his visit to the Far East. It would be very difficult for him to explain to his people why it was not possible for *Mr. Rippon* to visit Fiji even for a day when he was already going to Australia and New Zealand. *Mr. Rippon* said that he regretted that owing to his time-table it was simply not possible for him to visit Fiji. There were many other places too such as Malaysia which he would like to have visited but simply did not have time. However, *Mr. Godber*<sup>3</sup> would be going shortly after, for the Independence Celebrations, and he could just as well as *Mr. Rippon* talk about Fiji's problem *vis à vis* our E.E.C. negotiations. It might be possible for him to go in the New Year. Otherwise there were the normal contacts through the High Commission and there was also the idea put up by the Government of Mauritius for a Conference of the C.S.A. countries. We were not in favour of having such a conference at the moment but it might be a good idea to have one later when we had a better idea how negotiations were going. While it might be true to say that sugar would not be a breaking point for us in our negotiations, neither would the Six wish it to be a breaking point on their side. *Mr. Koya* said that there was considerable apprehension in Fiji about the very far-reaching effects on the general position of the United

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<sup>3</sup> Joseph Godber, minister of state, FCO, 1970–1972.

Kingdom if she joined the E.E.C.. They were afraid that Fiji might be the victim of a package deal. It was for this reason that they wished to press *Mr. Rippon* to visit Fiji. *Mr. Rippon* again regretted that he would not be able to go but explained that all his colleagues were equally concerned with the question of our negotiations and could speak with the same voice.

4. *Mr. Rippon* said that it was important for countries such as Fiji to realise the benefit to them of having Britain as a strong trading partner and therefore of our succeeding in our application to join the E.E.C. Apart from anything else the Six had a better record of aiding the developing countries than the U.K., and there was no question of our breaking the guarantees which we had given to countries such as Fiji. *The Chief Minister* said it seemed to him that the message was that we were not going to help them, even though we were really responsible for the difficult economic position that they were now in. *Mr. Rippon* said that if the Chief Minister thought that that was the message we were trying to give him he had got it entirely wrong. We were well aware of Fiji's problems and would do what we could to help but we could not say now what formula would be arrived at on sugar.

*Mr. Statham*<sup>4</sup> said that we were well aware of the need to make provision for sugar in our negotiations. *Mr. Rippon* said that he hoped that the Chief Minister would now have got the message from him and from the talks he had had in London with other Minister and officials, that Fiji's problems were not forgotten or abandoned. *The Chief Minister* said that the best thing for them would be to keep very close watch on the situation through their High Commission.<sup>5</sup>

<sup>4</sup> N Statham, counsellor, head of European Economic Integration, Dept, FCO, 1965–1968, 1970–1971.

<sup>5</sup> Britain, Denmark and the Irish Republic joined the original six members of the EEC in Jan 1973. In order to ensure that the full quantities of sugar cane from Commonwealth countries could continue to be refined and marketed in Britain, in acceding to the Common Agricultural Policy the UK secured a higher refining margin than had been applicable to the original members. The British subsidy on sugar was phased out in July 1973

## 180 FCO 32/69, no 9

26 Aug 1970

### 'Project "Clear Sky"': minute by G T P Marshall on a US nuclear test monitoring facility in Fiji

Over the last four years we have been negotiating with the Americans to arrive at a formal agreement on the United States project 'Clear Sky' in Fiji. This is a nuclear test monitoring station, one of a world wide network. There have been difficulties. The first was to obtain American agreement to the disclosure of the true purpose of the United States base (ostensibly an ionospheric research station) in Fiji to selected unofficial ministers. After two years of protracted correspondence and meetings we succeeded in persuading the Americans to our way of thinking in June 1968. Thereafter a draft formal agreement between HMG and the United States Government was prepared and has since been under consideration in Washington, Suva and London.

2. Towards the end of 1968, following the disclosure of the true purpose of the Station to unofficial ministers, it became clear that they were very unhappy about certain proposals in the draft Agreement then being considered. Fiji ministers judged



it would be difficult for them to defend publicly granting a wide variety of privileges and concessions to the Americans in Fiji if they were unable to give a convincing explanation of the value of the work being done. The Americans then agreed to send a team of experts to visit the territory and explain why Fiji had been chosen for this particular project, how important it is and to explore on the ground how best the case might be presented for granting the concessions and privileges sought. A team visited Fiji in this connection at the end of 1968.

3. Following the departure of the team it soon emerged that some difficulties still remained to be ironed out. Three possible solutions were then put forward by Fiji for consideration by ourselves and the Americans. They were:—

- (a) to continue the project as hitherto without any covering agreement;
- (b) to have a classified (and therefore unpublished agreement) securing the American right for the project in Fiji but not providing for the usual privileges and concessions, and
- (c) to lease land required for the project to a body nominated by the American Government, thus ensuring security of tenure coupled with an agreement which omitted the provisions causing Fiji difficulty.

(c) appeared to be a starter and by mid-1969 the Americans came up with a draft 'special lease' and a large number of comments on the draft unclassified agreement which had for so long been under consideration. They indicated that if a lease on the terms they suggested could not be concluded they would wish to proceed solely on the basis of a United States/United Kingdom classified agreement. After further consideration in London and in Fiji we arrived at the position set out in Mr. Lloyd's letter of 24 December 1969 (1/1 on HPF 10/8) and that position was given an airing in the minutes at /2–5 below.

4. The position now is that with Fiji so close to independence we are willy nilly at a stage where all the arguments point heavily in favour of disengaging ourselves as soon as possible and leaving it to the Americans and Fijians to hammer out details between themselves. The best course would be to make it gently but firmly clear that while an agreement has our blessing it is one that should properly be negotiated between the Americans and the Fijians and formally concluded after independence.

**181** FCO 32/606, no 1

8 Oct 1970

'Fiji: final despatch before independence': despatch from Sir R Foster to Sir A Douglas-Home<sup>1</sup>

It is hard to believe that in two days' time Fiji's new flag will rise slowly to the top of the mast in the presence of His Royal Highness The Prince of Wales and distinguished representatives of foreign powers. For seldom can a country have prepared for independence with such aplomb; there has been an air of quiet satisfaction and polite interest during the last few months, but no sign of the nationalistic braggadocio which one has grown to expect. This is not to say that the

<sup>1</sup> S of S for foreign and Commonwealth affairs, 1970–1974.

prospect is not widely welcomed. It most certainly is. But the diverse people of these islands do not yet seem to think of themselves as a nation, and reserve their fervour for the rugby and soccer fields.

2. Ten years ago Mr. Julian Amery wrote:—

‘The Fijians and Indians are more distinct as communities than Jews and Arabs in Palestine, Greeks and Turks in Cyprus, or Europeans and Bantu in South and Central Africa. Inter-marriage, business associations, even personal friendships are rare.’<sup>2</sup>

3. There remains some truth in his judgment. But whereas in the past relations were dominated by a mixture of fear and suspicion, today this has been replaced by a frank acknowledgment that potentially dangerous differences exist and a widespread acceptance that only by playing it cool can Fiji avoid following Malaysia to the very edge of the pit.

4. No one appreciates this better than the leaders of the two major political parties, Ratu Sir Kamisese Mara (Alliance) and Mr. S.M. Koya (National Federation), who themselves could hardly be more different in character or appearance. Mara is a six foot four aristocrat, the *Tui Nayau*, paramount chief of Lau, the eastern group of Fiji’s islands; a dignified and most impressive figure. Koya is a plump little lawyer, full of intrigue and calculation, who wears a mask of amiable geniality which occasionally slips to reveal the hatchet man beneath.

5. Mara, however, is very far from being a typical Fijian. He was the first of his race ever to become an MA and prior to this completed five years medical training in New Zealand. He also has a diploma in economics from the LSE. He is a man of vision who sincerely believes that, with tolerance and understanding, each community can retain its own identity whilst at the same time contributing to make Fiji into a nation; and he is not afraid to pursue policies to this end, even if they entail sacrifices not popular with his people. But he also believes (without being anti-Indian) that Fijian paramountcy is proper and natural, if only because his race would not tolerate any alternative so that an attempt to impose one would inevitably provoke violence. Personally a moody, shy and solitary man who inspires awe rather than confidence, he nevertheless has a keen sense of humour and is capable of exercising very great charm when in a relaxed mood. But unfortunately he reverts under pressure to a dictatorial arrogance which does not make him easy to work with. One result of this is that his Ministers are frightened of him, so that too little authority has been delegated and decisions are often slow in coming. Some of the younger members of his party have fretted against the bit in the past, but since the London Conference there have been no signs of the upsets in the party which had previously given rise to cause for concern.

6. Nor is Koya a typical Indian. For a start he is a Muslim in a predominately Hindu party, of which he became the leader about a year ago on the death of Mr. A.D. Patel who had led it since its formation. He is a very different man to his predecessor: Patel was born in India, learned his politics there and came to Fiji as a mature adult with beliefs already hardened. He never shook off (or grew out of) many of the attitudes of the Congress leaders of the early nineteen twenties, although most of

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<sup>2</sup> See 13.

these have long been outmoded. He was an intellectual, sincere and dedicated, but misguided. His opponents respected some of his qualities no matter how bitterly they disliked his views, but they never trusted him very far. Koya on the other hand was born in Fiji and is very much a man of this country. Unlike Patel he has a distinctly murky past, having over a number of years been closely involved with a well known bunch of murderers and thugs whom he defended in court whenever they slipped up and secretly advised outside. Before he became leader of the party he had not been noted for his moderation and had never missed an opportunity to exploit anti-European feeling. But he has never shared Patel's main fault as a politician—a complete inability to compromise. A wheeler-dealer if ever there was one, he probably has no basic principles.

7. These then are the two men who have presided over the two major parties during the last year. They share an interest in power and a distaste for colonialism, being sufficiently political animals to operate on the same wavelength. More indeed than that, they have achieved a remarkable degree of mutual trust and accord which has facilitated inter-party agreement and even led some to speculate about the chances of a coalition Government. Although sure that Koya would dearly like to become a Minister, I doubt whether this is a serious possibility for several years. But before hazarding guesses as to what the future may hold, I should perhaps turn to what has happened since my predecessor's despatch of the 11th January 1968,<sup>3</sup> written when the Opposition was boycotting the Legislative Council and by-elections in the nine Indian communal constituencies seemed likely to result: for during this period Fiji has, politically speaking, been turned upside down and will never be the same again.

8. By-elections duly became necessary after the Opposition did not appear at two consecutive meetings. They took place in the autumn of 1968 and were preceded by a bitter campaign vigorously conducted by both parties. The Alliance by then had over 30,000 Indian members on their books and had convinced themselves that they stood a real chance of winning a large measure of Indian support. They thus confidently expected to reduce the majorities in most, if not all, constituencies and even to win one or two seats.

9. This was not however to be. The results were little short of a landslide.<sup>4</sup> All nine National Federation Party candidates were successful and most received an increased share of the poll. Despite the earlier assurances which they had received, the Alliance only managed to attract a total of 12,000 votes: (this was nevertheless 20% of the poll and proof of not unsubstantial Indian support—far more than the NFP would obtain from Fijians).

10. Fijians then felt that their leaders had extended the hand of friendship to the Indians only to have it brushed aside, and that promises had not been kept. Moreover they were angry that during the campaign abuse had been heaped upon Mara, and indirectly on his fellow chiefs. The outcome was a highly emotional reaction. There ensued a round of Fijian Association meetings held in all the main centres at which were passed some extreme resolutions, often verging on the seditious. One group of warriors marched through the streets daubed in war paint. Another processed with a

<sup>3</sup> See 111.

<sup>4</sup> See 123, 125.

banner saying 'Kill the Indians'. For a couple of months there was an ugly atmosphere almost throughout the country. Mara and his colleagues, every bit as disappointed and bitter as their supporters at what, with some justification, they regarded as a cynical rejection of their very genuine and sincere overtures, at first made no effort to restrain their people. It was only after repeated stone-throwing incidents and assaults by Fijians on Indians that he was prevailed upon to produce a very lukewarm statement, calling the hounds off. Although he was at once obeyed, he had by then allowed the Fijian back-lash to progress almost to the brink: there could easily have been widespread and potentially serious disorder.

11. As a result of all this, the politically situation changed fundamentally. On the one hand the Alliance, hitherto disinclined to consider early constitutional changes, started to do some hard thinking. Mara appointed a research group of well educated young Fijians for the purpose. Both they and he himself soon concluded that the best policy would be to go for early independence whilst the country was still under Fijian leadership. At about this time Ratu Penaia Ganilau, then Minister for Fijian Affairs and Local Government as a civil servant and now shortly to be appointed a Senator and to become Deputy Prime Minister and Minister for Defence, observed with unaccustomed vehemence at a Fijian Intelligence Committee meeting that the Fijians had now come to see clearly where they stood and had realised that they must take the initiative if they were to remain masters in their own house.<sup>5</sup>

12. On the other hand the Opposition was thoroughly alarmed. Ordinary Indian country folk were apprehensive about their own and their families' safety, whilst businessmen foresaw damage to property and looting. The party's triumph at the polls was therefore so short-lived that it could really be called still-born. They immediately dropped all activities which Fijians might consider provocative. In addition they became extremely cooperative in Legislative Council, doing all in their power to heal the breach. And they began to say they wanted to hold private talks with the Alliance about constitutional change, with a view to there being another conference if these succeeded. Mara soon responded, if at first with some suspicion and only because it suited what by then had become his book as well as theirs. After some initial sparring and many delays, one caused by the illness and death of Patel which in fact opened the way for progress, the two parties eventually got down to serious discussion. Early last November they announced their wish that the next move should be to what they then called 'Dominion status'. A month later Mara informed me that they had reached agreement that Fiji should proceed to this stage without further elections and as quickly as possible.<sup>6</sup>

13. From then on events have moved at what has often seemed a bewildering pace. In January this year Lord Shepherd visited Fiji.<sup>7</sup> He formed the opinion that, despite continuing differences of view over the key question of electoral arrangements, accord might be reached before or during a Constitutional Conference. One was duly held in London during April.<sup>8</sup> It was a success, and very

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<sup>5</sup> See 124, 126.

<sup>6</sup> See 150.

<sup>7</sup> See 155, 156.

<sup>8</sup> See 159–173.

shortly, on the 10th October, the ninety-sixth anniversary of Cession, Fiji will become an independent member of the Commonwealth.<sup>9</sup>

14. That so much has been achieved can be a matter of satisfaction for all concerned. To achieve it, however, the electoral issue had to be fluffed. For 'having regard to the national good and for peace, order and good government of independent Fiji' the Conference settled on an interim composition for the new House of Representatives. It went on to record agreement

'that at some time after the next general election and before the second election the Prime Minister, after consultation with the Leader of the Opposition, should arrange that a Royal Commission should be set up to study and make recommendations for the most appropriate method of election and representation for Fiji and that the terms of reference should be agreed by the Prime Minister with the Leader of the Opposition . . . . Parliament would, after considering the Royal Commission Report, provide through Legislation for the composition and method of election of a new House of Representatives, and . . . such legislation so passed would be regarded as an entrenched part of the Constitution.'

15. A calm search for a just solution to the problem of representation has in the past proved virtually impossible: feelings ran too deep. One is therefore bound to regret that in effect a time bomb will lie buried in the new Constitution, and to pray it may be defused before exploding. The two parties have however publicly committed themselves to an act of faith which must give reasonable ground for hope.

16. There are other grounds for this too: the new nation will start with many advantages. The economy is healthy. As developing countries go it is not badly off. There are few really poor people in Fiji, nor are there many millionaires. The average *per capita* income is about £150.0.0. Food is plentiful and, by and large, so is water. Much of the land could be more intensively farmed. An enlightened family planning programme, unopposed by any religious group, has succeeded in reducing the birthrate from 40.88 per thousand in 1961 to 28.97 per thousand in 1969. The standard of medical services is relatively high. 95% of children of primary school age attend school. There are admirable traditions of voluntary public service and of self-help.

17. The Civil Service is efficient, remarkably free from corruption and generally apolitical. The Independence Constitution contains the standard provisions to safeguard, against patronage, and although there are already signs that Mara and Koya may find these irksome I am hopeful that the worst abuses of a spoils system will be avoided. Localization has proceeded at what some regard as a dangerously rapid pace, but is not likely to result in the traumatic experiences from which many countries have suffered. For one thing, there is a widespread recognition that an important handful of top administrators and key professional officers will be needed

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<sup>9</sup> It was customary for the UK government to provide an independence gift to a newly independent country. London decided to make £3,000 available. When asked what sort of gift would be appreciated, the Fiji government replied it wanted simultaneous translation equipment for the Fiji parliament. The FCO had in mind a more durable gift but arrangements were made to provide the translation equipment (FCO 68/374).

for some time: it is indicative of this that Mara has told the present expatriate Secretary to the Council of Ministers, who will be the first Secretary to the Cabinet, that he can look forward to staying here for at least five years. For another, almost three quarters of the overseas officers in Fiji are on contract or on secondment, so that there is no question of their being compensated and retiring prematurely. And finally, the country is fortunate enough to possess a substantial number of senior local officers with good qualifications and reasonable ability.

18. Industrial relations have been remarkably stable during the last couple of years. The Trade Union movement is led by moderate, sensible men; and employers, by and large, have behaved in a reasonable fashion. The two Union leaders who caused serious trouble in the past have been away in Australia for some time. Both are ostensibly studying, one at the Australian National University for a PhD and the other no one knows quite what, under the tutelage of Dr. Cairns, the leading figure on the left wing of the Australian Labour Party.

19. The country's isolated position in the middle of the enormous Pacific is in one sense an asset: it is shielded to a very great extent from the influence of external ideologies and events. Although a few individuals have been exposed to communist parties and individuals overseas there is no present likelihood of the ideology itself being introduced. There are no incipient revolutionary bodies nor are there any primitive cults. There is no history of serious riots and civil commotion and there is no present subversion. Even slogans like 'Black Power', 'Student Power', 'the New Left', etc. are virtually unknown, although the recent foundation of the University of the South Pacific may change this. Some of the lecturers there certainly appear anxious to encourage dissent.

20. The Fiji Military Forces and the Police are efficient, and their morale is high. But the loss of U.K. backup in the event of serious disorder will leave a yawning gap. Plans have accordingly been made to create a Police Mobile Force, especially trained in riot duties, and to enlarge the F.M.F., giving them more modern I.S. training and equipment. Implementing these may however cost more than the country can readily afford, and it is to be hoped that generous assistance will be forthcoming.

21. This is not to say that there are no serious problems: indeed the most immediate one concerns the future of the sugar industry, which still forms the backbone of Fiji's economy and provides a livelihood for 15,000 peasant growers.

22. Late last year Lord Denning, the Master of the Rolls, arbitrated in a dispute between these growers and the sugar millers, South Pacific Sugar Mills Ltd., an almost wholly-owned subsidiary of the Australian Colonial Sugar Refining Company Ltd.<sup>10</sup> Rightly judging that the Company had done well over a substantial period, he decided to tip the scales in the growers' favour. Whether he tipped them too far is a matter of opinion. The Company obviously thought so, After a long silence it pressed Government privately to decide at once to buy its assets on terms to be settled, saying it would then be prepared to continue running the mills and marketing sugar for a period, on a fee basis.

23. The pressure proved counterproductive. Even had Ministers thought that its offer was attractive, they could not for political reasons have afforded to give the

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<sup>10</sup> See 157.

appearance of being the Company's puppets. On the contrary, they were determined to show the public that it would be obliged to dance to their tune. For it has long been regarded by local people as at best paternalistic and all too often a bully, browbeating the Fiji Government into helping it make assured profits at the growers' expense and not above a bit of trickery in the process. As a result both the Alliance and the NFP had engaged counsel to support the growers against it during the arbitration. Both had subsequently claimed credit for the favourable decision, being thus committed to making the Company accept this.

24. Having realized it must adjust its tactics the Company then published a critique of the award, purporting to prove that it could not operate profitably under the proposed new contract. The following day it announced that it would nevertheless sign this, but, more in sorrow than in anger, would give notice in accordance with the law to withdraw from operation in Fiji after the next three seasons.

25. It may secretly have been glad of a good excuse to disengage. Accustomed to count on Government support, it was plainly going to face suspicion and perhaps hostility: a position long privileged had of a sudden become uncomfortably vulnerable. In Australia it has anyway been busily diversifying out of sugar, which is not a good long term prospect. Moreover almost half the sugar which Fiji produces has hitherto been sold to the United Kingdom at favourable prices under the Commonwealth Sugar Agreement. But for this assured market the industry would not have been viable; and the market is now at risk as a result of the U.K.'s application to join the E.E.C.<sup>11</sup>

26. However all that may be, Government was obliged to declare its firm intention that the mills would continue to operate after 1972 and that S.P.S.M. might have to be purchased 'for the people of Fiji'. Having done so, it had to face complex questions about future ownership, management and marketing. Advice on possible answers to some of these has already been provided by a U.K. firm of Chartered Accountants, one of whose senior partners visited here under Technical Assistance arrangements. And a Select Committee of Legislative Council has opened discussions with C.S.R. It includes members of both parties, for this is rightly regarded as a national issue. The discussions are certain to be protracted and tough, but there seems a reasonable chance that they can be successfully concluded, without bitterness.

27. From the country's point of view their timing is nevertheless unfortunate. For if its biggest overseas investor is seen to be pulling out on independence, hazarding the future of its most important industry, the appearance must be given that there may be good cause for anxiety about political instability, or about nationalization. There is not yet any sign of a consequential loss of business confidence, though the risk must be obvious.

28. Though sugar poses the most immediate problem, race relations may prove the most perplexing. I do not imply that the atmosphere is ordinarily tense: far from it. Despite the fundamental and abiding differences between them, the two major communities here co-exist in a quite surprisingly relaxed manner. There are nevertheless many sensitive subjects. Each needs to be handled with particular care,

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<sup>11</sup> But see 179, note 5.

for fear of arousing the sort of angry passions which can drive men to senseless violence.

29. One such subject is land. Of this there is not by the standards of many other countries a real shortage. But a lot of people here think there is, and this colours their attitudes. Moreover most of the parts which are suited to intensive agriculture have of course already been developed; and Indians occupy a large proportion of them and prosper accordingly, although Fijians own 83% of the country's land area. So the Fijians, not by nature hard-working peasant farmers and not in the past anxious to change their ways, now feel they have somehow been cheated of opportunities they would like. They are in consequence increasingly determined to recover the use of the better agricultural areas. Meanwhile the Indians feel with some justice that in the national interest all land should be properly used, and they look covetously at Fijian Reserves which too often appear neglected.

30. The Agricultural Landlord and Tenant Ordinance was enacted in 1966 and brought into force the following year in the hope of containing the situation equitably enough to satisfy all concerned. It provided tenants with a right to renew their leases if they could prove greater hardship than their landlords, and with an entitlement to compensation for improvements if dispossessed. As a *quid pro quo* it also made provision for landlords to revise rents upwards, to 6% of the market value of their land. Revision took some time to arrange however, so the Fijians were slow to appreciate the potential value of the Ordinance and it came under heavy fire after the 1968 by-elections. Its repeal was only averted by some skilful manoeuvring by Mara himself, which involved setting up a Committee to consider amendments to it. During the past year or so many Fijians appear to have realised that its basic principles are fairer than they had at first thought. With the apparent concurrence of both sides of the House, the Committee has therefore avoided reaching any conclusions yet. As a result the Ordinance will now be enshrined in the new Constitution—so amendments will require the approval of two-thirds of both Houses of Parliament.

31. Further time has been bought in this way. But a solution to the land problem is no nearer. I doubt whether the problem will ever be solved without far more radical changes in the system of land tenure than Fijians have hitherto been prepared to contemplate. Any attempt to impose such changes would provoke a thoroughly hostile reaction: unless they commanded popular confidence they would stand no chance of success. There are however now some signs that people are at least beginning to question the present paternalistic arrangements. These vest control of Fijian land in the Native Land Trust Board, a body which is hopelessly inefficient and probably corrupt. It has the power to negotiate leases without consulting the landowners, and it deducts 25% of all rents for its services. Once a sacred cow, it is fast becoming an Aunt Sally. An increasing number of Fijians favour drastic reform. They feel, with justification, that they are no longer children, that land is their only capital (of which they are chronically short) and that they ought to be permitted greater powers of decision. Few may yet be prepared to contemplate any substantial lifting of the restrictions on the alienation of their land; but it is significant that a question long taboo can now be discussed.

32. Another sensitive subject is the racial composition of the Civil Service. Fijians still outnumber Indians in it, though the better qualifications and greater



diligence of the latter win them more of the senior positions. Hitherto, as a generalization, the Service has in consequence been officered by expatriates, and has had Indian n.c.os. and Fijian privates. If rapid localization were to result in Indian officers as well as n.c.os. much bitterness might result. Except for lawyers the most outstanding locals are by chance a mixed bunch, so the top managerial posts are likely to be equitably distributed. Moreover it has proved possible to distinguish the areas (like the Administration) where undue imbalance might result in a public outcry, and to ensure that particular attention is paid to the staffing of these. However the Judicial and Legal Departments are vulnerable areas and will continue to be so for a few years.

33. Yet another sensitive subject is that of employment generally. When jobs are scarce, members of each community are always liable to resent losing an opportunity of work to someone of another race. Fijians also now realize how much they have missed by failing to start businesses of their own. Their reaction is to blame everyone else for their lack of the necessary capital and training, and to ignore the fact that with greater effort and resolution they could have done much to help themselves. A reconstituted and (hopefully) revitalized Ministry of Fijian Affairs is to be charged with particular responsibility for securing for them a fairer slice of the economic cake, probably by providing them with special assistance.

34. The Government recognizes that this alone will not suffice: the essential is that Fijians' dismal performance in school examinations should be improved, so they become better qualified to compete on equal terms in an aggressive world. An Education Advisory Committee reported last year, making recommendations designed to give them preferential treatment with this object in view. Perhaps more important still is the recognition by Fijian leaders that success must ultimately depend on the efforts made by children of their own race. If they can get this message across to parents, the effect may be dramatic.

35. Many of the measures I have mentioned must seem to be designed to accord Fijians privileges which others will be denied. They are; and are probably necessary. For racial inequalities are at the root of all the problems under discussion. The Fijian people have a growing awareness of the present differences between their wealth and opportunity and that of other races. They may as a result become embittered, and embitterment may lead them to lash out wildly. This is the more likely to happen at a time when the whole Third World is in the throes of a revolution of rising expectations, and it may happen the more quickly if many hold high hopes of independence, but find these are disappointed. Both political parties recognize the danger. Both are thus committed to a policy of improving the Fijians' position: any argument will be about the means rather than the end.

36. Whether the policy will succeed is another matter. Doubts must assail even the warmest admirer of the Fijian people, and they have never lacked admirers. This may indeed have been their undoing. Big, genial men with huge smiles, ready courtesy and natural dignity, they are physically courageous and captivate most who meet them. But they have at the same time a deep pride in their own culture, an appreciation of the value of leisure and a childlike trust in others, all of which has tended to arouse protective instincts. Some have thus felt that they should be comfortably wrapped in a cocoon: treatment they have welcomed. So they remain, and have perhaps been encouraged to remain, accustomed to look for leadership to others, particularly to their Chiefs (whose authority is still immense), rather than

to exercise much individual initiative. Changes in attitude will not come easily to them.

37. This need not be a cause for dismay: traditional societies are often stable and cohesive. But it probably means that much will depend upon whether the economy expands particularly fast. If it does, the Fijians may be swept along rapidly enough to allow possible discontent even though they do not catch up much on other races.

38. The prospects of its doing so look hopeful. Tourism is booming at a phenomenal rate, almost doubling in size every three years. Moreover it is labour-intensive; it attracts large-scale capital investment; and it provides many fringe benefits. It will of course bring its own problems. Fortunately the dangers are appreciated, in particular by Mara, and there is every sign that development will be controlled in a sensible manner. Mineral exploration during the last year or so has shown promising results and mining developments may well provide a substantial increase in job opportunities and in much-needed infrastructure in the interior of the main islands. And forestry continues to show great long-term promise; a pulp industry now seems a likely starter.

39. A recent World Bank Mission to Fiji reached a similar conclusion about prospects. It recorded a view that the country 'will enter Independence on a firmer economic base than many new countries. Balance of payment problems have been avoided, and equilibrium should not be difficult to maintain. Minimal foreign borrowing has kept public debt service ratios low and debt service on private account is not significant. Debt service ratios in 1975 are estimated at 3% of commodity exports and 1.3% of non-factory export receipts for goods and services, the difference indicating the importance of tourism. Fiji can be considered creditworthy for Bank lending on its own account, following Independence.'

40. Moreover the strategy contained in Development Plan VI (to cover 1971–75) appears sound. For the economy as a whole the projected growth in domestic produce is 6.9% a year. This compares with 5% annually over the last five years, during which there was a much higher rate in 1968–70 than in 1966–67. Tourism is expected to be the leading sector with an annual growth rate of 25%, and emphasis is also to be placed on export growth and import substitution. Investment is projected to grow at more than 10% per annum, exceeding 32% of Gross National Product in 1975.

41. Emphasis is also rightly to be placed on rural development—on bringing the income of the population in the country areas, where incidentally most Fijians live, closer to that of town dwellers, and on providing those areas with better services so that they will be an attractive place to live. It is hoped thus to stop the drift to the towns and the consequent growth of a large urban unemployed class, many of them Fijians in a strange environment, cut off from their village roots: the increase in crime by young Fijians is already causing concern.

42. The plan is ambitious. The growth rate may prove a little beyond the country's capacity when viewed in the perspective of past performance. Furthermore the present high rate of private investment will be difficult to maintain. The construction sector in particular appears to have been reaching capacity in the last two years, so that further expansion will be difficult in the short run.

43. Whether the plan can be implemented in full will partly depend on what outside assistance is available. So I end with a brief look at an independent Fiji's

likely international interests, hopes and attitudes. As an isolated archipelago, she will not be troubled by defence problems. Her immediate concern will be with neighbouring South Pacific islands. Mara would undoubtedly like to be regarded as their leader, but is very conscious that others are jealous of Fiji and that he must be careful. He will probably continue to work for regional co-operation wherever possible, offering help where he can (for instance in training), hoping to increase trade and perhaps trying to coordinate some economic activities. I am sure he has no present ideas of any political confederation, however loose; nor should I regard one as a starter in the foreseeable future.

44. He will enjoy playing a part on a wider stage too, when Fiji joins the United Nations and the Commonwealth. But I expect it to be a cautious part. He has already shown that he would prefer to avoid taking sides—between Israel and the Arab States, between the two Chinas, and so on. Caution comes naturally to him: it is symptomatic that rather than inherit all Treaties unexamined on independence ('signing a blank cheque', he said) he has arranged for advice from an Australian Professor of International Law, so that an effective exercise can be done. Moreover he is unlikely to wish to be permanently aligned with any group, and Fiji is more likely than most new Commonwealth nations to be open to argument about, and prepared to take a line helpful to the U.K. on, colonial issues at New York.

45. Partly as the result of encouragement from India, he has become involved with bodies like ECAFE and the Asian Bank, and has shown interest in the Colombo Plan. Links with India seem certain to be developed, even though there is not yet to be a Fiji High Commissioner in New Delhi. London and Canberra alone have been chosen, probably because most is expected of the U.K. and of Australia by way of trade and aid. For the U.K. there is a great store of goodwill. This will not prevent Mara from the occasional display of bad temper when denied his way, but it should generally ensure a lasting and valued relationship.

46. Relations with Australia may be more difficult.<sup>12</sup> Many here consider that the Australian Government has a large debt to repay, because Fiji has been exploited by big business from there; and that official Australian attitudes are too often overbearing when they are not indifferent. These attitudes are in fact gradually changing, as is the Fiji view of Australia. But it is to be hoped that change will come rapid and radical enough to ensure much greater mutual understanding: Fiji certainly needs Australian interest and support.

47. From New Zealand she can look forward to getting both, although she will have no High Commission in Wellington. For there has long been close sympathy between the two countries, and this should continue to survive the occasional difference of view.

48. All in all, therefore the outlook is bright. There are certainly problems, but everyone is united in a genuine desire to solve them. There is not yet any real feeling of nationhood, but there is a solid core of goodwill and genuine tolerance which is a sounder basis than many emerging countries have had at the start of the journey. Above all Fiji is a country of commonsense, and that is no small asset. Those of us

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<sup>12</sup> cf 117, 120.

here who have seen other countries at the same stage are at one in believing that things should go well.

49. It is perhaps not without significance that, with the willing agreement of all concerned, the Union Flag will be lowered for the last time not as part of the Independence Parade on the 10th but, with the dignity which befits the departure of an old and respected friend, at a special Retreat ceremony on the evening before. In addition the new flag to be raised on the 10th incorporates the Union Flag.

## Biographical Notes

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### **Amery, Julian, 1919–1966**

Summerfields, Eton and Balliol, Oxford; war service; MP (Con) for Preston North, 1950–1966; married Catherine Macmillan, 1950; member of Round Table Conference on Malta, 1955; parliamentary under-secretary of state and financial secretary, War Office, 1957–1958; parliamentary under-secretary of state, CO, 1958–1960; S of S for air, Oct 1960–July 1962; minister of aviation, 1962–1964; minister for housing and construction, Dept of Environment, 1970–1972; minister of state, FO, 1972–1974

### **Cakobau, Ratu Edward Tuivanuavou Tugi, 1908–1973**

Knighted 1971; educated Fiji, Wanganui Technical College, New Zealand, and at Wadham, Oxford; Military Cross and an OBE for outstanding leadership in war of 1939–1945; served between 1931 and 1962 as native affairs officer, native assistant commissioner, district commissioner and economic development officer; member of Council of Chiefs, 1938–1973, and of Legislative Council, 1942–1970; deputy independent chairman of Sugar Advisory Board, 1962; member for commerce, industry and tourism; 1966, minister for commerce, industry and tourism/commerce, industry and labour, 1967–1970

### **Cakobau, Ratu George Kadavavulevu, 1911–1989**

Great grandson of Ratu Seru Epenisa

Cakobau, self-styled Tui Viti or King of Fiji, Vunivalu (war lord) of Bau, highest ranking chief in Fiji; educated in Fiji, Newington College, New South Wales, and Wanganui Technical College, New Zealand; entered civil service as clerk, 1936; served as economic development officer and in senior positions in Fijian Administration, including Roko Tui Tailevu, Roko Tui Ba and native land commissioner; member of Council of Chiefs from 1938; member of Legislative Council, 1951–1971; secretary of Fijian affairs, 1968–1969; minister for Fijian affairs and local government, 1970; minister without portfolio, 1971; governor-general, Fiji, 1972

### **Emery, Eleanor Jean, 1918–**

Western Canada High School, Calgary, Alberta, and Glasgow University; Dominions Office, 1941–1945; UK High Commission, Ottawa, 1945–1948; CRO, 1948–1952; first secretary, UK High Commission, New Delhi, 1952–1955; CRO, 1955–1958; first secretary, UK High Commission, Pretoria/Cape Town, 1958–1962; head of South Asia Dept, CRO, 1962–1964; counsellor, UK High Commission, Ottawa, 1964–1968; head of Pacific & Indian Ocean Dept/Pacific Dependent Territories Dept, FCO, 1969–1973; high commissioner, Botswana, 1973–1977

### **Falvey, John (Neil), 1918–1990**

Barrister; born in New Zealand; educated at Whangarei College, Otago

University, and University of Auckland (law degree); colonial administrative service (including military service, Fiji and Gilbert and Ellice Islands Colony), 1940–1948; private legal practice, 1949–1970; legal advisor to Fijian Affairs Board from 1950; member of Legislative and Executive Councils from 1953; part-time member for communications and works, 1964–1966; minister without portfolio, 1967; attorney-general, 1970–1977; senator and leader of government business, 1972–1979

**Fairclough, Anthony John, 1924–**

St Philip's Grammar School, Birmingham, and St Catharine's, Cambridge; Ministry of Aircraft Production and Ministry of Supply, 1944–1948; CO, 1948–1965; secretary, Nyasaland Commission of Inquiry, 1959; assistant secretary and head of Pacific & Indian Ocean Dept, CO/CRO, 1964–1968; head of West Indian Dept, FCO, 1968–1970; Dept of Environment, 1970–1978, under-secretary, 1973; Dept of Transport, 1978–1981

**Fisher, Nigel (Thomas Loveridge), 1913–1966**

Knighted 1974; served in war of 1939–1945 (wounded, Military Cross, 1943); MP (Con) Herts, Hitchin, 1950–1955, Surbiton, 1955–1974, Kingston-upon-Thames, 1974–1983; parliamentary private secretary to minister of food, 1951–1954, to home secretary, 1954–1957; parliamentary under-secretary of state, CO, 1962–1963, for Commonwealth relations and colonies, 1963–1964; opposition spokesman for Commonwealth affairs, 1964–1966

**Foster, Robert (Sidney), 1913–**

Knighted 1964; Eastbourne College, and Peterhouse, Cambridge; admini-

strative service, Northern Rhodesia, 1936, district officer, 1938, provincial commissioner, 1957, secretary, Ministry of Native Affairs, 1960; chief secretary, Nyasaland, 1961–1963, deputy governor, 1963–1964; high commissioner, Western Pacific, 1964–1968; governor, Fiji, 1968–1970, governor-general, 1970–1973

**Galsworthy, Arthur (Norman), 1916–1986**

Knighted 1967; Emanuel School, and Corpus Christi, Cambridge; entered CO, 1938; on active service, 1939–1945; assistant secretary, head of International Relations Dept, CO, 1947–1951; chief secretary, West African Inter-Territorial Secretariat, Gold Coast, 1951–1954; assistant secretary, head of Finance Dept, CO, 1954–1956; assistant under-secretary of state, 1956–1965; deputy under-secretary of state, CO, 1965–1966, Commonwealth Office, 1966–1968; FCO, 1968–1969; high commissioner, New Zealand, 1969–1972, and Tonga and Western Samoa (non-resident), 1970–1973; governor of Pitcairn, 1970–1973; ambassador to Republic of Ireland, 1973–1976

**Ganilau, Ratu Penaia Kanatabatu, 1918–1993**

Knighted 1974; high chief of Ai Sokula clan in Fijian province of Cakaudrove of which he was the paramount leader (Tui Cakau); educated in Fiji and at Wadham, Oxford; colonial administrative service, Fiji, 1947; district officer, 1948–1953; Fiji Military Forces, 1953–1956 (discharged with rank of lieutenant-colonel and awarded DSO); deputy secretary for Fijian affairs, 1961; member of Legislative Council, 1963; secretary for Fijian affairs and local government, 1965; leader of

government business and minister for home affairs, lands and mineral resources, 1970; minister for communications, works and tourism, 1972

**Garvey, Ronald Herbert, 1903–1991**

Knighted 1950; Trent College and Emmanuel, Cambridge; colonial service from 1926, attached to Western Pacific High Commission, Suva; district officer, British Solomon Islands, 1927–1932; assistant secretary, Western Pacific High Commission, 1932–1940; acted as resident commissioner on various occasions for Gilbert and Ellice Islands Colony; assistant to resident commissioner, New Hebrides Condominium, 1940–1941; acted as resident commissioner on various occasions for New Hebrides Condominium; district officer, Nyasaland, 1942–1944; administrator, St Vincent, Windward Islands, 1944–1948; acted as governor, Windward Islands, 1946, 1948; governor, Fiji, and senior commissioner for UK on South Pacific Commission, 1952–1958; ambassador plenipotentiary, Tonga, 1958; lieutenant-governor, Isle of Man, 1959–1966

**Hall, Harold Percival, 1913–**

Portsmouth Grammar School and Royal Military College, Sandhurst; commissioned Indian Army, 1933; Indian Political Service, 1937–1947; principal, CO, 1947; assistant secretary and head of Pacific & Indian Ocean Dept, CO, 1955–1962; seconded to Office of UK Commissioner for SE Asia, 1962–1963; UK deputy high commissioner for Eastern Malaysia, Kuching, Sarawak, 1963–1964; assistant secretary, CO, 1965–1966; assistant under-secretary of state, Commonwealth Office, 1966–1968;

Ministry of Defence, 1968–1973

**Jakeway, (Francis) Derek, 1915–1993**

Knighted 1963; Hele's School, Exeter and Exeter, Oxford; administrative service, Nigeria, 1937–1954; seconded to Seychelles, 1946–1949, to CO, 1949–1951; chief secretary, British Guiana, 1954–1959; chief secretary, Sarawak, 1959–1963; governor, Fiji, 1964–1968

**Koya, Siddiq Moidin, 1923–1993**

Educated Fiji, Auckland and Tasmania where he obtained his LLB; returned to Fiji, 1955; involved in private practice as legal adviser to several sugar growers unions; elected to Legislative Council, 1963; co-founder of Federation Party; instrumental in persuading Apisai Tora to affiliate his National Democratic Party with Federation, leading to formation of National Federation Party, 1969; prominent as political leader and deputy to A D Patel; leader of Opposition, 1969; played a key role in negotiations leading to independence

**Lloyd, (George) Peter, 1926–**

Stowe School and King's, Cambridge; lieutenant, King's Royal Rifle Corps, 1945–1948; district officer, Kenya, 1951–1960; principal, CO, 1960–1961; colonial secretary, Seychelles, 1961–1966; chief secretary, Fiji, 1966–1970; defence secretary, Hong Kong, 1971–1974; deputy governor, Bermuda, 1974–1981

**Lloyd, Thomas Ingram Kynaston, 1896–1968**

Knighted 1947; Rossall and Gonville and Caius, Cambridge; CO from 1921 (from Ministry of Health); secretary, Palestine Commission, 1929–1930; secretary, West Indies Royal Com-

mission, 1938–1939; assistant secretary, CO, 1939; assistant under-secretary of state, 1943; permanent under-secretary of state, 1947–1956

**Macdonald, Patrick Donald, 1909–1987**

Marlborough College and St John's, Cambridge; cadet officer, Gilbert and Ellice Islands Colony, 1932, administrative officer, 1936, secretary to government, 1935–1936, 1938–1939; assistant secretary, Western Pacific High Commission, 1940–1942; assistant colonial secretary, Trinidad, 1942–1945; Fiji administrative officer, 1946; assistant colonial secretary, 1946–1949; colonial secretary, governor's deputy, acting governor, Leeward Islands, 1950–1957; colonial secretary and acting governor, Fiji, 1957–1966

**Maddocks, Kenneth (Phipson), 1907–2001**

Knighted 1958; Bromsgrove School and Wadham, Oxford; administrative service, Nigeria, 1929; civil secretary, Northern Region, Nigeria, 1955–1957; deputy governor, 1957–1958; governor, Fiji, 1958–1963

**Mara, Ratu Kamisese Kapaiwai Tuimacilai, 1920–2004**

Knighted 1969; hereditary high chief in the Lauan archipelago of eastern Fiji; University of Otago and Wadham, Oxford; colonial administrative service, Fiji, 1950; member of Legislative Council, 1953, and Executive Council, 1959; member for natural resources, 1964, and leader of government business, 1966; founder member of Alliance Party, 1966; chief minister, 1967–1970; prime minister, 1970–1990 (with brief interruption in 1987, when his party lost to the Fiji Labour Party)

**Marnham, John Ewart, 1916–1985**

Mill Hill and Jesus, Cambridge; principal, CO, 1946; assistant secretary, 1948 and head of Pacific & Indian Ocean Dept, 1962–1964; Imperial Defence College, 1961; assistant under-secretary of state, CO, 1964; FO, 1966–1967; consul-general, Johannesburg, 1967–1970; UK govt representative, West Indian Associated States, 1970–1973; ambassador, Tunisia, 1973–1975; clerk in Committee Office, House of Commons, 1977–1981

**Monson, William Bonnar Leslie, 1912–1993**

Knighted 1965; Edinburgh Academy and Hertford, Oxford; Dominions Office, 1935; transferred to CO, 1939; principal, Eastern Dept, 1939–1944; assistant secretary, 1944; seconded as chief secretary to West African Council, 1947–1951; assistant under-secretary of state, CO, 1951; high commissioner, Zambia, 1964–1966; deputy under-secretary of state, Commonwealth Office/FCO, 1967–1972

**Morgan, James Conwy, 1910–1977**

Malvern College and Brasenose, Oxford; colonial service, Tanganyika, 1934; principal, CO, 1947, assistant secretary, 1955; CRO from 1962; assistant under-secretary of state, 1965; deputy UK high commissioner, Canberra, 1966–1967; assistant under-secretary of state, Dependent Territories Division, Commonwealth Office, 1967–1968; FCO, 1967–1970

**Patel, Ambalal Dahyabhai, 1905–1969**

Born Gujarat and educated at Gujarat College and Middle Temple (bar-at-law); came to Fiji, 1928; elected to Legislative Council, 1944–1950 and member of Executive Council, 1948–



1950; served on National Service Tribunal during World War II; elected again to Legislative Council, 1963–1969; principal leader of cane growers in their strikes against the CSR company in 1943 and 1960, and represented growers before the Denning Arbitration, 1969; founding president of Federation Party, 1963, major leader of the Indian community in the 1960s; member for Social Services, 1964; leader of the Opposition, 1966–1969

**Poynton, (Arthur) Hilton, 1905–1998**

Knighted 1949; Marlborough and Brasenose, Oxford; entered CO, 1929; seconded as private secretary to minister of supply and minister of production, 1941–1943; CO assistant secretary, 1943–1946; assistant under-secretary of state, 1946–1948; joint deputy under-secretary of state, 1948–1959; permanent under-secretary of state, 1959–1966

**Rogers, Philip, 1914–1994**

Knighted 1970; William Hulme's Grammar School, Manchester and Emmanuel, Cambridge; CO from 1936; seconded as private secretary to governor of Jamaica, 1939; assistant under-secretary of state, 1953–1961; under-secretary, Dept of Technical Co-operation, 1961–1964; permanent secretary, Dept of Health and Social Security, 1970–1975

**Sandys, Duncan Edwin (Lord Duncan-Sandys), 1908–1987**

Life peer cr 1974 (Baron); Eton and Magdalen, Oxford; Diplomatic Service, 1930; married Diana Churchill, 1935 (until 1960); MP (Con) 1935–1945, 1950–1974 for Wandsworth Streatham; parliamentary secretary, Ministry of Supply, 1943–1944; minister of works, 1944–1945; founded

European Movement, 1947; minister of supply, 1951–1954; minister of housing and local government, 1954–1957; minister of defence, Jan 1957–Oct 1959; minister of aviation, 1959–1960; S of S for Commonwealth relations, July 1960–Oct 1964 and S of S for colonies, July 1962–Oct 1964

**Shepherd, Malcolm Newton (2nd Baron Shepherd of Spalding life peer cr 1946) 1918–2000**

Government chief whip, 1964–1967; minister of state, FO, 1967–1970; lord privy seal and leader of House of Lords, 1974–1976

**Singh, Vijay Raghubar, 1931–**

Knighted 1976 (first Fiji Indian to be so honoured); educated Fiji and UK, admitted as barrister of High Court in England, 1954; active in private practice with farmers groups, such as the Kisan Sangh, opposed to A D Patel; co-founder of Alliance Party, 1966, and founding president of Indian Alliance, a constituent wing of the larger organisation; elected to Legislative Council on cross-voting seat in 1966 elections and appointed member for social services; active participant in private constitutional negotiations which led to independence

**Smith, Trafford, 1912–1975**

City of Leicester School and Trinity, Cambridge; CO from 1935; seconded to Fiji, 1938; assistant UK resident commissioner, New Hebrides, 1940; served in British Solomon Islands, 1940, and Gilbert and Ellice Islands Colony, 1941; secretary, Soulbury Commission on Constitutional Reform, Ceylon, 1944–1945; assistant secretary, CO, 1945; lieutenant-governor, Malta, 1953–1959; assistant under-secretary of state, CO/Commonwealth Office, 1959–1967; ambassador, Burma, 1967–1970

**Thomas, Amber Reginald, 1913–1996**

Gresham's School, Holt and Corpus Christi, Cambridge; home civil service from 1935; CO from 1936; principal, 1939; assistant secretary, 1946; chief secretary, Aden, 1947–1949; assistant under-secretary of state, CO, 1952–1964; under-secretary, Ministry of Overseas Development/Overseas Development Administration, 1964–1975

**White, Eirene Lloyd (Baroness White of Rhymney, Monmouth, life peer cr 1970) 1909–1970**

MP (Lab) for Flintshire, 1945, East Flint, 1950–1970; parliamentary under-secretary of state, CO, 1964–1966; minister of state, FO, 1966–1967; minister of state, Welsh Office, 1967–1970

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- A — appendix or annex
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