



LAND IN FIJI

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The Fiji Group consisting of some 300 islands lies mainly between the 16th and 20th parallels of southern latitude. It is confined between meridians 177E and 178W; the 180th meridian passing through the islands of Vanua Levu and Taveuni. The group covers an area of approximately 60,000 square miles and its own land mass is 7,055 square miles in extent. The two main islands, Viti Levu and Vanua Levu cover 4,011 square miles and 2,137 square miles respectively. Suva the capital city and center of Government is situated on the south east coast of Viti Levu and is 1969 miles from Sydney, and 3163 miles from Honolulu.

Viti Levu, Vanua Levu and islands near their shores are mainly of geologically recent volcanic origin. The hinterlands are of a broken nature with rugged mountain ranges rising in the centre. In the case of Viti Levu the highest point is over 4,300 feet. The islands of the Lau Group, some 200 miles east of Suva, provide a marked contrast being of limestone formation and of low relief.

To the east of the 180th meridian is Polynesia, to the west Melanesia. Fiji stands at the ethnic and geographic cross roads and the present day customs and characteristics of the indigenous Fijian reflect influences from both origins. One of the problems of the Administration today is to bring about a climate of opinion amongst Fijians to allow for greater freedom for individual action in terms of a materialistic twentieth century cash economy.

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Because of the conditions prevailing in the early 1870's Fijian Chiefs appealed to Great Britain to bring order out of chaos. On 10th October 1874 an unconditional Deed of Cession was signed and Fiji proclaimed a British possession. The unconditional vesting in the Crown of all land not the bona fide property of Europeans and not in actual use or occupation by Fijians at the time of execution of the "Deed" has been argued from that day hence. However, British policy over the years has given prescriptive validity to the principle of the inviolability of Fijian Lands.

Claims to ownership of land by Europeans and others who had entered into dealings with Fijians prior to cession were decided by a Land Claims Commission which operated between 1875 and 1900. The findings of this Commission established the bulk of present day freehold land.

The Real Property Ordinance of 1876 was enacted to control freehold land dealings. In it were provisions precluding the acceptance of any plan of land by the Registrar of Titles or by any court in the Colony if such were not endorsed by a registered surveyor. In 1877 an Ordinance to provide for the registration of Surveyors was passed. These Ordinances had far reaching effects and have been primarily responsible for the excellence of the Colony's map and plan coverage - said to be superior to that of most other countries in a comparable stage of development.

In 1880 a Native Lands Commission was set up to ascertain and define 'Mataqali' boundaries; the Mataqali being the recognized Fijian landholding unit. It is a division of a larger social unit, the Yavusa, which in turn approximates to something between a tribe and a clan claiming descent from a common ancestor. The work of the Commission has

continued to the present time and now nearly all Mataqali ownerships have been surveyed and recorded. In late years the work of the Commission has been mainly directed to investigating and making recommendations in respect of Native land to be reserved within Mataqali holdings for exclusive Fijian use.

There are some 5,127 Mataqali (average membership 29 persons) in Fiji and they own 3,776,000 acres or 83.6% of the land in the Colony. Unalienated Fijian land is used according to custom and agricultural activity (mainly for subsistence purposes) is usually on a shifting cultivation basis. However, it must be borne in mind that nearly half of the Colony is considered unsuited for agriculture, orchard crops, grazing or productive forest.

The Colonial Office policy of preserving the customary Fijian way of life in the early days led to a shortage of paid labour and brought about the introduction of imported labour to work the plantations. Labour was firstly imported from Melanesia and secondly when that source dried up, from India. In 1879 the first shipload of Indian indentured labour arrived in Fiji. Indian labour continued to arrive in Fiji until 1916 when the indenture system ceased. Few Indians took advantage of repatriation at the termination of their contracts. These labourers were followed by Indian shopkeepers and merchants. All have multiplied accordingly and so it is today that Indians form the greatest percentage of the population.

Fiji is a multi-racial agricultural Colony whose economy is largely dependent on the production of copra, sugar and gold. In 1956 agriculture was the main occupation of 58.9% of the total occupied population.

Fiji's population at 1961 is estimated at 410,263 (171,248 Fijians, 206,819 Indians, 32,196 others - Europeans, part Europeans, Rotumans and other Pacific Islanders) and is expected to increase to 583,859 by 1971. Of the total land area of the Colony, i.e. 4,514,438 acres, Fijians hold 83.6% in customary terms and .2% in registered freehold ownership. Other freeholders are Indians 1.7%, Europeans and part Europeans 5.5%, Colonial Sugar Refining Company 1.7%, Chinese and other .7%, whilst Rotumans hold .2% in customary tenure. The balance of 6.4% is in Crown ownership.

Indian holdings are increased by way of leasing 230,000 acres from Fijians, 40,000 acres from the Crown, 50,000 acres from the Colonial Sugar Refining Co. and 30,000 acres from other freeholders. It should be noted that some 63% of the leased land is situated in the fertile and financially rewarding cane growing areas.

Equating the 1961 population figures with the following land use categories

- (i) Agricultural land
- (ii) Agricultural land requiring modest improvement
- (iii) Land requiring major improvements
- (iv) Land unsuited for permanent agriculture

we find that the acreage per capita works out at 1.76, 0.95, 2.90, 3.4 acres respectively. This is somewhat of an over simplification as it disregards, amongst other matters, Fijian ownership of 83.6% of the land in the Colony.

Whilst I have no figures with which to make similar comparisons with other Pacific territories, the following population/density figures are interesting:

Population

Fiji (1958)	-	374,284	-	53 persons per sq. mile)	very
New Caledonia (1957)	-	70,747	-	10.1 " " " ")	approx-
New Hebrides (1956)	-	48,725	-	8.5 " " " ")	mately
Kingdom of Tonga (1956)	-	58,000	-	232 " " " ")	the same
						area.

Freehold land comprising as it does some 10% of the Colony is held by registered proprietors in fee simple. It can be bought, sold, mortgaged, pledged and subdivided (subject to subdivision of land and town planning considerations). There are no moral or customary restrictions on its use other than those placed on it by the individual owner himself. The Colonial Sugar Refining Co. is the largest single freehold owner and it leases out most of its lands.

Crown land is divided broadly into 4 categories:-

- (a) Crownland with or without title. This is land which has come to the Crown by way of Native Grant, purchase or acquisition and totals some 85,424 acres.
- (b) Crown Schedule 'A' land is that which falls to the Crown as 'ultimus haeres' on the extinction of a Mataqali and amounts to 120,000 acres.
- (c) Crown Schedule 'B' land is that for which no claim was made to the 1880 Native Land Commission and accounts for approximately 88,000 acres of the poorer lands.
- (d) Large areas of Crown foreshore covered in mangrove which is potentially reclaimable.

Rents from Crown land in categories (a), (b), and (d) are paid into the Colony's general revenue. Rents from Crown Schedule 'B' lands less 10% are paid to a special fund controlled by the Fijian Affairs Board for the benefit of Fijians.

Only in exceptional cases is it possible to dispose of the freehold of Crown land. Practically all alienation of Crown land is done by way of lease.

Crown leases are exceptionally popular and in many cases seem to be preferred to freehold tenure. This is hard to understand as these leases are circumscribed by numerous conditions and failure to honour them can lead to cancellation. However, rentals are modest, seldom exceeding 4% of the unimproved capital value of the land.

The Crown undertakes the provision of basic survey work for all lands in the Colony and every lot whether surveyed for residential, agricultural or any other purpose is itself connected to the basic survey system.

Most urban development has been undertaken by the Crown and nearly all towns and townships in the Colony (especially Suva) have been laid out as a result of Crown initiative. However, Crown land available for development in both urban and rural areas is now limited.

No Fijian land may be sold except to the Crown. The leasing of Fijian lands outside Reserves is controlled by the Native Lands Trust Board - a body set up under a special Ordinance with a Fijian majority divorced from Central Government agency. The leases issued by the Board contain clauses similar to the covenants of Crown leases. Finance to operate the Board's activities is obtained by diverting 25% of all rents and royalties received to the Board's revenue. Of the balance some 30% is distributed to high ranking members of the social units involved, leaving some 45% for distribution to the rank and file of the Mataqali.

In 1959 a Commission under the Chairmanship of Sir Alan Burns was appointed to enquire into the natural resources and population trends of the Colony. The Commission carried out an exhaustive investigation and

published its findings and recommendations in a comprehensive report.^{1/} The Commission emphasized the impossibility of ignoring the Fijians' right to the ownership of all land other than Crown and freehold and re-affirmed that the Mataqali should continue to be the land owning unit. It also recommended that Mataqalis should be registered as corporate bodies to enable them to pledge their lands as security for loan purposes. This recommendation was not accepted by the Legislature nor was the recommendation to tax inadequately used land.

However, the Legislature has now indicated its acceptance of recommendations to implement landlord and tenant legislation, to increase the terms of agricultural leases to 60 and 99 years and to accelerate the demarcation of Native Reserves.

There is a growing awareness amongst Fijians of the advantages to be gained by the independent farmer and Government has supported the Burns Commission recommendation that this type of farmer should be encouraged. Despite the difficulties both practical and psychological, numbers of Fijians have made the break and are established as individual farmers on their own land. In these cases subsistence shifting cultivation has given way to up-to-date methods of husbandry and there are successful Fijian cane and dairy farmers in different parts of the Colony.

With the settlement of Fijian Reserve claims in sight it is hoped that land not so claimed will become more readily available for settlement. With new avenues for obtaining finance soon to be available in the Colony, it is expected that Fiji's agricultural economy will develop on a diversified farming basis and that more land to accommodate an expanding population will be made available on reasonable terms.

^{1/} Fiji, Legislative Council. Report of the Commission of Enquiry into the Natural Resources and Population Trends of the Colony of Fiji, 1959. [Suva], 1960. 154 pages, Maps. (Council paper no. 1 of 1960).