



Institute on Religion and Public Policy

Report on Religious Freedom in Fiji

Executive Summary

(1) Contrary to its name, The Republic of the Fiji Islands is not a true republic. In fact, Fiji's military has either governed or heavily influenced the government since the country's first coup in 1987. The fourth and most recent coup of 2006 resulted in an interim government led by Prime Minister Frank Bainimarama. Mr. Bainimarama is a Commodore and the Commander of the Fijian Military Forces. He promised that democracy would be restored by 2014 but the international community has been calling for elections to occur by 2010, their failure to comply with this has caused Fiji's suspension from the Commonwealth of Nations. Furthermore, Fiji's has been operating without a constitution since April 2009 when an appellate court declared the 2006 coup unlawful. In response, the ruling military leaders suspended the constitution, dismissed judges, and hurled the country into a serious human rights crisis.

The Institute on Religion and Public Policy

(2) Twice nominated for the Nobel Peace Prize, the Institute on Religion and Public Policy is an international, inter-religious non-profit organization dedicated to ensuring freedom of religion as the foundation for security, stability, and democracy. The Institute works globally to promote fundamental rights, and religious freedom in particular, with government policy-makers, religious leaders, business executives, academics, non-governmental organizations and others. The Institute encourages and assists in the effective and cooperative advancement of religious freedom throughout the world.

Historical Background

(3) Fiji was originally settled by traders and merchants from the surrounding islands. These settlers, the Lapita people, were closely related to the Polynesian and Melanesian cultures, giving them a rich mythological background. However, when European explorers settled on the islands, they brought with them their Christian religious traditions. Furthermore, when the British establish the Fiji Islands as a colonial outpost they began importing Indian laborers. Thus, Fiji's current religious landscape includes a majority Christian population made up of mostly native Fijians (slightly over half the population). The Indo-Fijians, descendents of the laborers brought over from India by the British, are predominantly Hindu and constitute approximately 37% of the

population. However, about one fifth of the Indo-Fijian population is Muslim. Fiji is home to a number of other very small religious minorities, but the Christian-Hindu divide is the greatest source of religious tension.

(4) The separation between Hindus and Christians is as much an ethnic and racial problem as it is a religious one. Until the late 1980s Indo-Fijians actually constituted a majority of the population. However, the 1987 coup brought more native Fijians to power who implemented discriminatory laws and policies prompting mass emigration of ethnic Indians from Fiji. As a result, the Indo-Fijian population continues to shrink and discord between the two populations is perpetuated.

Legal Background

(5) When Fiji first gained independence from the British in 1970, they enacted a constitution designed to provide the new country with a solid legal foundation. However, subsequent military coups in 1987 caused the country to denounce the 1970 constitution. Fiji's second constitution was highly discriminatory against the Indo-Fijian minority, and the government agreed that it should be rewritten. The third constitution was enacted in 1997 and was in effect until April of 2009. The most recent coup, which occurred in 2006, was ruled unconstitutional by Fiji's high court last April. This angered the military government who reacted quickly by suspending the 1997 constitution, dismissing the judges, and plunging the country into what may become a black period in the country's history. Some of the judges have been reappointed, but firing judges for upholding the rule of law only leads to creating an environment where judges will no longer be Independent.

(6) All of Fiji's previous constitutions contained provisions to protect religious freedom, but with the suspension of the most recent constitution the interim government has not indicated what its intent to protect this most critical human right will be. Additionally, the fact that religious affiliation closely follows ethnic lines may prove problematic because of the tensions surrounding cultural differences. The current military regime, led by Frank Bainimarama, claims that it took power in 2006 because the existing government was too weak and ineffective to effectuate change. Ethnic Indians have been discriminated against in laws and government policies, the previous two coups took place during a period in which the government was attempting to expand rights for Indo-Fijians. However, Bainimarama that "radical change," meaning a coup, was the only way to protect the rights of all Fijians. "No one can bring those changes into being except the military here, now. ... We are not elected. We don't have to please the indigenous community. ... We do what is good for the nation irrespective of your color, irrespective of your religion, irrespective of your creed," Bainimarama told a reporter from Christian Today magazine.

Official and Societal Abuse and Discrimination

(7) The freely elected governments in power prior to the 1987 and 2000 coups were friendlier to the Indo-Fijian population. These coups represent the tensions that lie at the heart of dispute between native Fijians and the ethnic Indian population in the country. Each of these coups, led by pro-native Fiji groups, resulted in laws discriminating against ethnic Indians. In 1987, ethnic Indians were banned from holding the office of Prime Minister and were restricted in the number of seats in parliament they could hold. These events in particular and societal discrimination in general have been the largest contributing factors to the decline of the Indo-Fiji population. Moreover, proposals from church members and politicians to officially establish the country as a Christian nation have only served to further encourage emigration.

(8) Christianity, and particularly the Methodist Church, wields significant influence in Fijian society and politics. The leaders of the church are often the loudest advocates and critics of the government. For instance, the Methodist Church indirectly supported discrimination against the Hindu population by supporting the first three coups. Leaders in the Methodist Church have also spoken out against the actual practice of Hinduism, including the General Secretary of the Methodist Church who said “[o]ne thing other religions should be thankful for is that they are tolerated in Fiji as it’s naturally a peaceful place but their right of worship should never be made into law.”

(9) However, the Methodist Church has recently voiced its opposition to the most recent coup. This may be a result of Mr. Bainimarama’s policies. As the interim Prime Minister, Bainimarama must begin the process of creating and adopting a new constitution, but there is little evidence of any progress being made. He claims to be working towards a Fiji where politics are blind to ethnicity and religion, but his actions belie his lofty rhetoric. Among other infringements, Mr. Bainimarama has silenced critics by limiting civil liberties and censoring the media.

(10) As an indication of Bainimarama's tendency to silence and discriminate against his opponents, he and the government banned the Methodist annual conference and choir festival in July. This conference is a national event that brings together tens of thousands of church members, but the government revoked their permits. Some members of the Methodist Church attempted to establish local conferences and festivals, but the local governments banned the smaller meetings as well.

(11) When the Methodist Church refused to support the interim military led government, Bainimarama's administration moved to support a rival church group called the New Methodist Church (NMC). The New Methodist Church is now essentially being sponsored by the government in an attempt to remove the Methodist Church from the hearts and minds of the Fijian people. Sister organizations of the Methodist Church believe the "government is out to cripple the Methodist church in Fiji." As an example of the blatant preference the government is giving to the NMC, the government provided permits and allowed the NMC to host a crusade for a crowd of up to 20,000 people. Although the Methodist Church's annual conference would have been quite similar in

size and substance, the government did not allow the Methodist Church to hold any of its regular yearly events.

(12) Furthermore, several leaders from the Methodist Church were arrested in early August for meeting to discuss church matters. The government claims they violated a public emergency regulation that prohibits this type of gathering. All of the accused church leaders have pled not guilty and are awaiting a pre-trial hearing on September 24 with the full trial scheduled to start November 19.

(13) The paranoia currently permeating the Fijian government is not limited to the Methodist or Hindu groups. On July 16, 2009, a group of freemasons were arrested while conducting a ceremony in their home and were accused of practicing sorcery. They were held in jail overnight by the local police. They allegedly acted under the authority of the same emergency regulations the government was acting on when they arrested the Methodist Church leaders.

(14) There are few reports recently of overt government sponsored discrimination against the Hindu minority in Fiji. This is most likely a result of Bainimarama's intention to create a government that operates independent of religion. However, societal discrimination is, and has been, rampant against Hindus. In 2008 there were a series of arson attacks in Fiji against Hindu temples. On October 17 2008 the oldest Hindu temple in Fiji, the Shiu Hindu Temple near Nadi, was intentionally burned down. There were no direct links between these acts of violence and the native Fijian population, but there was speculation that these incidents were related to the unhappiness of the native Fijian population with the growing power Indo-Fijians had. In recent months reports have surfaced that these temples are being rebuilt.

(15) If Fiji continues on its current course Bainimarama is positioned to take over as a full fledged dictator. Despite his rhetoric of promoting a country that treats all citizens equally, his rule will most likely result in severe human rights violations. Fiji must hold elections as soon as possible. The Commonwealth of Nations has taken appropriate action by suspending Fiji from their activities. Other nations must take similarly appropriate actions to encourage the current regime to allow the people of Fiji to direct their own political future.

Conclusion

(16) While Mr. Bainimarama's stated goals are admirable, the idea that Fiji can be governed without regard to race is fanciful. As is stated in his government's *People's Charter for Change, Peace and Progress*, Fiji should be "a non-racial, culturally-vibrant and united, well-governed, truly democratic nation." Nevertheless, it is the Fijian people who must learn to share power amongst themselves, regardless of whether ethnic and religious blocs are involved.

(17) The Republic of the Fiji Islands must hold elections for legislators and a new constitution. The continuation of Public Emergency Regulations and other civil rights infringements cannot be tolerated until 2014. A new constitution will likely require some form of guarantee for the political participation of ethnic and religious minorities; such an agreement will take significant work to assuage the needs and desires of all Fiji's ethnic groups, but other countries with deeper divides than Fiji's have made this type of change. Ultimately, the interim government needs to allow Fijians to elect a new government based on a new constitution. Otherwise, civil freedoms will continue to erode and ethnic divides will continue to widen.