

**SUBMISSION TO THE
PROFESSOR YASH GHAI CONSTITUTION COMMISSION 2012**

BY

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ASSUMPTIONS

With respect, this submission is made with the following assumptions:

1. That the Bainimarama Government shall 'adhere to the Constitution' as stipulated to the writer in Commodore Bainimarama's letter dated 14 May 2007;
2. That the Constitution referred to in the letter of 14 May 2007 is the one officially known as the Constitution (Amendment) Act 1997 of the Republic of the Fiji Islands; and
3. The Peoples' Charter for Change, Peace & Progress is to be an integral character of the future governance for the Republic.

CONSTITUTIONAL HISTORY

4. Fiji has had three Constitutions, commonly referred to as the 1970, 1990 and 1997 Constitutions. All three have different 'conceptions', 'gestation periods', 'labour pains' and 'birth'.
5. But the journey to modern nationhood really started with the Deed of Cession in 1874 when some chiefs were forced to find a way to avoid forceful annexation by the United States to right the wrongs of a Rewan chief in the burning and looting of American properties at the time.

6. The Deed of Cession.

6.1 When Ratu Cakobau found himself served with the costs of the damaged US properties in Rewa after claiming to be the chief over all of Fiji, he had to find the money or cede his authority to another who would inherit his debt.

6.2 He negotiated and convinced twelve other chiefs to agree to cede their sovereignty and land and all their subjects to the Queen of Great Britain, and Sir Hercules Robinson, then Governor of New South Wales in Australia, accepted the Deed of Cession on behalf of the Queen.

6.3 The chiefs at the time were deemed to be the law of the land, although their authority over 'all' of Fiji was contested and resulted in some chiefs rebelling against the new order and had to be forcefully subjugated.

6.4 Cession was not the 'will of the people'; it was the decision of a few chiefs who backed up their decision with their inherent authority under power which was the 'customary law of the land.'

7. The 1970 Constitution.

7.1 While the 1970 Constitution can be regarded as one negotiated by the political leaders of Fiji and the United Kingdom, Fiji's Independence was more of a matter of course, because the world was then going through a general de-colonisation era and new ethno-political as well as geographic nations were being formed – either by agreement or by successful rebellion.

7.2 'Native Land and Sugar Cane' politics of Fiji seemed so far removed from the events that were forcing the former Colonial Powers of Europe to give

way to ethnic awakenings that resulted in the rejection of the colonisers by the colonised.

7.3 Together with the heavy colonial budgets for the United Kingdom and other European Colonial powers' considerations for maintaining credible and economically rewarding presences in the 'Middle East' and 'Far East', the timing of the movement towards Independence in Fiji must have been a welcome political development for the United Kingdom.

7.4 That Independence was thus inevitable, probably escaped the intelligent awareness of Indigenous Fijian chiefs and leaders of the time.

7.5 The dilemma for them was retaining the sentimental link forged by their forefathers at Cession in 1874 and moving with the times towards responsible independent nationhood.

7.6 While they might have been aware of the international movements towards the establishment of new independent ethno-political states, they could have been blinded by egocentric interests in political leadership of the new-order Fiji, totally unaware of, or choosing to ignore the possible repercussions of the very likely eclipsing of national control and influence by the indigenous people, whose numbers are dependent on natural growth rate by birth, by a population force that can be very rapidly increased by immigration from population bases of billions in the Americas, Europe, Africa, and Asia and its subcontinent of India.

7.7 Regardless of the means or combination of means by which Independence was granted to Fiji, the wordings of the Act which granted Independence to Fiji implied the 'return' of the authority that was ceded to Queen Victoria in 1874 by Cakobau and other chiefs of Fiji, to 'the people of Fiji'. *'BE IT*

ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled (The UK Parliament) and by the authority of the same, as follows:-

1. (1) *On and after the 10th October 1970 (in this Act referred to as "the appointed day") Her Majesty's Government in the United Kingdom shall have no responsibility for the government of Fiji.*

(2) No Act of Parliament of the United Kingdom passed on or after the appointed day shall extend, or deemed to extend, to Fiji as part of its law;....

and

The Fiji Independence Order 1970 begins thus:

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL

Her Majesty, in exercise of the powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:- etc. etc.

7.8 The 1970 Constitution then, was 'ordered' by the Queen after consultations between the political leaders of Colonial Fiji, the Parliament of the United Kingdom and deliberations of the Privy Council. Apart from the Indian (the correct identification of the group at the time) political leaders, none of the decision makers had a clear aim nor the mandate from their supporters for Independence for Fiji under a universal franchise based on 'one man, one vote'.

7.9 Similarly with the Deed of Cession, Independence was not the expressed will of 'the people of Fiji'.

8. The 1990 Constitution.

8.1 After the publication of the 1970 Constitution Revocation Decree and the Proclamation of the Republic of Fiji Decree in October 1987, former High Court of Fiji Judge Sir John Falvey was Commissioned to obtain the views of the people of Fiji in order that a new Constitution for the Republic may be written and promulgated. The Interim Government Cabinet considered the recommendations of the Falvey Commission and decided to commit it to a Review Committee chaired by Paul Manueli, a retired Colonel and former Commander of the (at his time) Royal Fiji Military Forces. The Report was drafted into Constitution format and presented to the Bose Levu Vakaturaga for advice. The 1990 Constitution was decreed into being by the then President, Ratu Sir Penaia Ganilau, who was ousted as Governor General in the military coup d' état of 25th September, 1987, on 25 July 1990.

8.2 Fiji was declared a Republic after the Governor General, Ratu Sir Penaia Ganilau advised the Queen in early October 1987 that her Majesty's position as Queen of Fiji was no longer tenable because the army had established effective control of the country, and that as Her Majesty's representative in Fiji, he offered to resign.

8.3 Once his resignation was accepted, and the Queen accepted his advice that her position in Fiji was no longer tenable, and there was no way in which Her Majesty could, or was willing to employ, in order to regain her position, the Commander of the RFMF and coup leader, Sitiveni Ligamamada Rabuka was free to declare Fiji a Republic, ending the power and authority ceded to

Queen Victoria by Ratu Seru Cakobau and other chiefs of Fiji on 10 October 1874, at Levuka, Ovalau.

8.4 Thus, on 7 October, 1987, almost 113 years to the day after becoming a Colony, Fiji effectively seceded from the union under the British monarchy it entered by the Deed of Cession of 1874.

8.5 With secession completed by the resignation of the monarchy (Governor General, Her Majesty's Government of Fiji, (Her Majesty's loyal opposition, Her Majesty's courts etc.) and Her Majesty's reign over Fiji ended, Rabuka and the Military and their supporters only had to secure pardon and amnesty from the people of Fiji. In the absence of parliament and the courts, in the power vacuum left, the only assembly available was the Bose Levu Vakaturaga to grant these. Once that was secured, immunity was assumed as treason was committed against Her Majesty's Government of Fiji and Her Majesty's subject in Fiji and a new political order was established – the People's Republic of Fiji.

8.6 The 'seat of authority' was then 'fully returned' or 'taken back into Fiji albeit only to the person of the Commander of the Republic of Fiji Military Forces as Head of the Military Government at the time, and leader of the two military coup d' état in May and September, 1987.

8.7 Rabuka and the Fiji Military Forces were only able to return the executive authority for Fiji to a Civilian President, when they were assured they would be granted immunity and a full pardon and that this immunity would be written into the new Constitution and safeguarded by the provision that "This Section (Chapter XIV, Section 164) shall not be reviewed or amended by Parliament."

8.8 Because the 1990 Constitution was not ‘the will of the people’, it was written in such a way as to allow for ‘the people of Fiji’ to review this autocratically imposed basic document of governance within a period of seven years and to have their will incorporated democratically into it.

8.9 Section 161 of that Constitution made it mandatory for it to be reviewed “before the end of seven years after the promulgation of this (1990) Constitution.

8.10 The Constitution (Amendment) Act 1997 was the result of that mandatory review by ‘the people of Fiji’s’ representatives in the House of Representatives, the Senate, and the Bose Levu Vakaturaga. It was enacted by the Parliament of Fiji and assented to by the President, Ratu Sir Kamisese Mara on 25 July 1997, exactly seven years to the date of the promulgation of the 1990 Constitution and fully satisfying the provisions of Section 161 thereof.

8.11 In enacting the Constitution (Amendment) Act 1997, ‘the people of Fiji’ respected the wishes of the Fiji Military Forces and their Commander in 1987, and the agreement of the first President of Fiji and the Bose Levu Vakaturaga to continue the immunity assurance and retain Chapter XIV of the 1990 Constitution which granted immunity to the persons who took part in the coups of 1987, in its tenor.

8.12 The enactment of and ascent of the 1997 constitution finally put “the People’s of Fiji seal” to the immunity granted to the perpetrators of the 1987 coup.

8.13 It was a Christ-like grace, then shown by ‘the people of Fiji’ to the very people who robbed them of their democratic rights in 1987, and

underlines the 'Customary Law' of the iTaukei – in its spirit of forgiveness for unity. The show of grace was even more magnanimous by the fact that it was agreed to by the representatives of the Indians who suffered the most as a result of the 1987 political events.

9. **The 1997 Constitution.**

9.1 Of all the Constitutional Documents including the Deed of Cession, the 1997 Constitution was the most democratically puritanical by nature, not necessarily procedurally, but by its product, because it was the one that 'We the People of Fiji *Gave* ourselves...'

9.2 The path and processes to get to the 1997 Constitution were not altogether constitutional, conventional, legal or normal; they essentially had to be pragmatic after constitutionality was broken by the two military coup d' état of 1987.

9.3 Fiji now finds itself in the situation of unconstitutionality.

9.4 The people of Fiji have not been able, or have been unwilling to try to regain their 'ownership' of their Government led by Qarase, and which was ousted by the Bainimarama-led military Putsch of December 2006. They have by this inability or unwillingness, effectively surrendered 'their government and its authority' to Bainimarama, in a similar predicament that the Queen found herself in in 1987.

9.5 The pragmatic way for 'the people of Fiji' to revert the 'seat of authority' back into their hands is to win the agreement and favour of Bainimarama to hand it back to them.

THE WAY FORWARD

10. **Immunity.**

- 10.1 The Government should consider recalling the old Bose Levu Vakaturaga to deliberate on the question of **forgiveness** as a pillar character of Customary Law of the land and a centuries-old nature of 'vakaturaga' of the iTaukei culture.
- 10.2 At the end of the meeting, the BLV should be able to resolve to **forgive** Bainimarama and all others involved in the 2006 Putsch.
- 10.3 The Government should also consider giving the Conference of the Methodist Church of Fiji and Rotuma an opportunity to consider the question of **forgiveness** for Bainimarama and all others involved in the Putsch of 2006, showing the Spirituality and Christ-like Grace preached by the Christian Church the world over.
- 10.4 At the end of the Special Conference Meeting, the Methodist Church should also be able to resolve to **forgive** all persons involved in the 2006 Putsch.
- 10.5 Once these two pillars of the iTaukei society of Fiji can agree to forgive, the government should put in place a truth and reconciliation commission similar to the one assembled in South Africa at the end of apartheid where people can come and air their grievances as well as those that want to confess their wrong doings in the Public Forum for truth and reconciliation. The truth and reconciliation commission should also consider restorative justice and recommend restitution, compensations etc. that the state may have to dare. The commission should also consider at the end of this deliberation, amnesty pardon etc.
- 10.6 The decision for granting amnesty or immunity can only be legitimate if it is the expressed view of the people of the country. In the absence of

agreement from the people of Fiji the only other option is for Bainimarama and the Military should continue and govern while the People of Fiji submit to perpetual denial.

10.7 No new provisions for Immunity should be written into the new constitution or amended constitution except for those already enacted by the People's Government of Fiji.

11. Christian or Secular State.

11.1 Section 5 of the 1997 Constitution clearly states that religion and the State are separate and that the people of Fiji acknowledge that worship and reverence of God are the source of good governance and leadership.

11.2 Sadly, both religion and the State have crossed the 'separation' line – religion represented by some Christian Denominations have tried to interfere in the functions of the State – and conversely the State has interfered in some functions of the Methodist Church.

11.3 While in the preamble of the Deed of Cession, Ratu Cakobau and some other high chiefs said they were 'desirous of securing the promotion of civilization and Christianity...', therefore ceded their land and authority unconditionally to Queen Victoria of Great Britain, Fiji has never been declared by any written law or Constitution to be a Christian State.

11.4 Declaring Fiji a 'Secular State' will have its disadvantages also, similar to declaring it a 'Christian State'. The Nation's emblem, national anthem, and some other naming and distinguishing nature in the Fiji society could be the subject of 'Class Actions' in the Courts as a result of the limiting effects of such a declaration.

11.5 It is better that the Constitutions and written laws declare Fiji a Christian state rather than declaring it a secular state. All major decision taken in our political evolution have been centred on the spirit of love, forgiveness and accommodation, Custom and Customary Law which respect and honour the God identified in Judeo-Christianity.

12. iTaukei Land and Interests.

12.1 The principle of Customary Law as the 'underlying law' in the country and that it was the prevailing law of the land before the Europeans arrived cannot be denied and was acknowledged in previous Constitutions of the country viz. S. 186 in Chapter 13 – Group Rights in the 1997 Constitution.

12.2 Once the principle and concept of Custom and Customary Law is accepted and codified, and such recent legal milestones as the 'Mubo Land Claim Judgement' in Queensland, Australia in 1992 are recognised, Group Rights including Land and Water (Fishing Grounds) Rights of the iTaukei can continue to be a part of legislative and governance decisions in Fiji. These can be adopted in a non-exclusive spirit and must be used as tools for a more united and inclusive way of promoting harmony by the elimination of

the bipolar nature of ‘land-grab’ and ‘dog in the manger’ perception that has persisted in Fiji since the colonial era.

12.3 The Wilkinson and Ratu Sir Lala Land Claims Tribunals of 1875 and 1920’s and 1940’s respectively observed iTaukei Customs and Customary Laws as well as British common law in classifying land into:

- Mataqali Land – (ikanakana) and Mataqali Reserve (for future use by the Mataqalis or others after formal de-reservation)
- Land that belonged to extinct Mataqalis and passed onto the stewardship of the Crown (now State) as ‘*ultimus haeres*’ (Cap 133 s. 22)
- ‘Vacant Land’ also declared to be such by the Native (iTaukei) Land Commission if it was found to be vacant on 10 October 1874 and has remained vacant until registration.

12.4 iTaukei Land Trust Board and its establishing Acts (Cap 133 and Cap 134) which place great emphasis on “Native lands shall be held by native Fijians according to native customs as evidenced by usage and tradition...” (Cap 133 s. 3.) should continue in their tenor and application in the new Constitution Documents in recognition of Customs and Customary Laws.

13. Bose Levu Vakaturaga.

13.1 The Bose Levu Vakaturaga has been a part of the Custom of the Land and preceded any codified Council or Consultative Assembly in Fiji. One of its very unique characters is its ability to operate in times of instability and power vacuum. Pre 1874 Cession, post-coup 1987, post-coup 2000 Fiji were good examples of the BLV deliberating on their own for the steady recovery and progress of the nation.

13.2 The assembly of chiefs prior to 1874 was made up of successful warriors who meritoriously held on to power through personal bravery, military prowess and strategic alliance development. Because of their ability to lead and retain the confidence of their subjects, the chiefs were natural choices for the Colonial administrators to use in leadership roles. They were also beneficiaries of Colonial leadership training which was virtually restricted for them, until the indentured labourers' leaders demanded and got equal access to education and also provided their own labour lines communities' schools. The Fijians also benefitted from the policy change.

13.3 Since the iTaukei started enjoying equal access to education, they have by weight of numbers, outshone many of their chiefs.

13.4 The Bose Levu Vakaturaga of contemporary Fiji must be more inclusive of non-traditional chiefs as well as other Fijians who have proved themselves in the professions and industry, and who can contribute greatly in national debates in an apolitical assembly.

13.5 It must strive to be non-partisan in national politics and inclusive in their national wellbeing role. The presence therein of a good spectrum of the Fijian citizenry, particularly high achievers and benevolent thinkers will effectively raise the profile and capability of the council so that they will enjoy the confidence of the people of this country.

13.6 For the iTaukei chiefs, it should be prudent that those appointed or selected or elected (where appropriate) are properly qualified academically, professionally as well as by exemplary character to be members of the council.

13.7 The establishment of the BLV and its roles, functions and membership qualifications and disqualifications should be included in the Constitution and not as a regulation under the Fijian Affairs act (cap 120)

14. iTaukei Communal Leadership.

14.1 Good iTaukei communal leadership is essential for national coherent growth and iTaukei participation in national development. Communal leaders must have the confidence of the communities they lead, and if the traditional holders of positions of leadership, they must be replaced by those who have the confidence of the community and can lead by example – past or present.

14.2 This will not be too difficult to introduce as many villages have Turaga ni Koros who are not traditional leaders, and many Tikina and Provincial Councils are chaired by meritorious persons who are not the Tikina, Yavusa or Matanitu-Vanua chiefs.

15. iTaukei Education.

15.1 General remarks on the Charter items on Education are included in the Attachment 1 titled ‘COMMENTS ON THE PEOPLE’S CHARTER’, as well as comments on the 1997 Constitution (Chapter 4 – Bill of Rights s. 39) in Attachment 2 titled ‘COMMENTS ON THE CONSTITUTION’

15.2 While it is acceptable that all education institutions should have no restricting rules governing entry apart from academic performance at ‘Entrance or Qualifying Examinations’ prescribed by the Department of Education, it is desirable that institutions and schools established to enhance iTaukei education and ‘bridge the education gap’ between ethnic

communities (all now called Fijians), be considered as ‘special cases’ in line with the spirit of s. 39 of the 1997 Constitution especially s. 39. (2).

15.3 Particular mention is made here about Adi Cakobau School, Queen Victoria School, Ratu Kadavulevu School and some others, which were specifically established to enhance iTaukei education and preserve their culture and allow it to evolve with the developing and widening of Fiji’s cultural base.

15.4 They should remain national institutions and be exempted from the concept of Education Zoning transport assistance recently introduced by the Ministry of Education, because as a Parent/Guardian are exercising their right of option .

15.5 They are the last bastion of iTaukei identity in a country that can have its indigenous community very rapidly marginalised in numbers in an environment of liberalised immigration-for-development policies.

15.6 Other ethnically established or religious organisation schools for the other ethnic communities e.g. Tilak High School in Lautoka, Swami Vivekanand School in Nadi, Jai Narayan (formerly Indian) High School, Marist Brothers Schools, must be allowed to continue in their organisational culture and role but without restrictions on non-adherents being admitted on satisfactorily meeting set on academic qualification.

THE CHARTER

16. General and point-by-point comments on the Charter for Change, Peace and Progress are contained in Attachment 1.

17. The Charter contains noble ideas for a better Fiji and, where not adequately covered in any existing Constitution, Law or Regulations should be

incorporated in them. Where there is great conflict, they should be properly resolved in the Consultative Assembly before adoption.

18. The National anthem (English words) and a National Pledge must be taught and recited/sung in schools, while the Constitution must be a compulsory but non-examinable subject in all Secondary Schools.

19. All persons wanting to become naturalised citizens of Fiji must learn the National Anthem and recite and understand the spirit of the National Pledge.

THE NEW CONSTITUTION

20. The Document issued by the Constitution Commission for 'Building the People's Constitution' is a very helpful one and the following points state the personal views of the writer, a former soldier, national rugby and athletics representative, United Nations Peace Keeping Unit Commander, Commander of the military forces of Fiji, coup d'état leader, Interim Government Minister, Constitution Commission member, Prime Minister, Chairman of the Bose Levu Vakaturaga, and now a pensioner and lay preacher in the Methodist Church in Fiji:

20.1 Fiji can once again 'the way the world should be' where the people have come through very difficult and ethnically divisive political events and have resolved, under very trying international pressure and undue pressure, to let their past be forgotten, forgiven each other, and moved on as a united nation armed with the common belief that each is there for each other; loving, caring and accepting responsibilities in accordance with God's gift to each; and growing together to be a powerful economic force in the Pacific Region and the world.

- 20.2 The biggest problem that faces the government that wants to help the people is its ability to help. Fiji must move towards great economic growth using its natural attributes in co-operation with development partners that are genuinely interested in Fiji's growth rather than developing neo-colonial domination over the country.
- 20.3 Fijians must commit themselves and pass on to future generations, the national code of honesty, industry, charity and selfless service.
- 20.4 The Constitution must contain provisions that enshrine cohesiveness in our diversity. It must recognise the richness of cultures in the country and, rather than trying to discourage these, should allow each to promote their preservation for the projection of a rich and variegated cultural nation.
- 20.5 The Constitution must be carefully drafted to eliminate the notion that women are the weaker and limited gender that has special and specific needs. It must, however, contain provisions that prohibit the use of gender as a limiting factor in public office occupation, labour laws etc. – laws that allow persons to be equally assessed without consideration of their gender. Fiji may even consider dropping the pre-nominal classifications of Mr, Mrs, Miss and pioneer the move for all persons to be known only by their names and such pre-nominal as Doctor, Professor, Colonel etc..
- 20.6 No community or group should be pre-classed as disadvantaged. The Compact Chapter of the 1997 Constitution should be revised so that all and any group assessed to be in need for specific attentions for specific areas are allowed for in Government's programmes and legislations.

20.7 The biggest problem facing the youth of Fiji is their perception of a hopeless future, and the country's inability to educate them that the perception is not factual. The education programme must address the nation's needs and capabilities, rather than continuing the emphasis on 'office employment' as the preferred and respectable career option. All other problems attributed, wrongly or rightly to the youth, like drug and alcohol abuse, pre-marital pregnancies, criminal activities etc. are results of poor self-image and the belief that the future holds very little for them, and can only be solved by the government putting into place programmes that will ensure gainful employment in the formal or informal labour sectors.

20.8 The land laws are adequately covered in the 1997 constitution, native land act (cap133), native land trust act (cap134) and the land act. The 1997 constitution also covers adequately the entrenching provisions for the Fijian land. Customs and Customary Law when properly provided for in the constitution will also adequately address the question of perpetual stewardship/ownership of Fijian land and protect it from alienation. However, provisions must be made to ensure optimum utilisation of all land and equitable return for the land lord. Ownership of land by the Fijian must be clearly stated as applying to land and mineral resources. Parliament however may make laws regarding the distribution of wealth realised from minerals and other underground water, gas, oil etc. The 1992 marble land claims judgement in Queensland Australia clearly ends the legal fiction of "Terra Nullius" which assumes vacant land.

20.9 The Republic of Fiji Military Forces is to be established under a provision of the Constitution for the defence and Internal Security of Fiji, in

concert with the Fiji Police, under Parliament. Both the RFMF and the Fiji Police should be governed under their respective Acts and their Subsidiary Legislations.

20.10 It is more important that members of Parliament are capable of presenting to the house the wishes and the will of the people they represent, than for the people to vote for a party that represents popular views. The past practice of, in some cases, electing unsuitable individuals just because they are the preferred party candidates for a constituency is unacceptable and belittles the image of the highest legislative assembly and court in the land.

20.11 The membership of the House is to be determined by a reasonable representation ratio based on the ability of the national economy to support the size of the parliament. As a start a house of 53 elected members would equate to an MP representing 15,000 people. There should be no limit to the length of time a politician can serve in parliament however service beyond the age of seventy five (75) can be more burdensome to the state than productive.

20.12 Corruption is a serious problem in Fiji however FICAC is not justified to be an independent body and should be placed for administrative purposes and professional control under the Commissioner of Police.

20.13 The human rights provisions of the 1997 Constitution are compatible with most constitutions of the world.

20.14 Social justice provisions of the Constitution enable parliament to legislate in favour of the marginalised and disadvantaged groups in order to reduce social disparities.

20.15 All local issues can be, and maybe more effectively dealt with, by elected representatives. Elections could be by a series of Electoral Colleges e.g. village governed by village communities/councils elected by Mataqalis as electoral colleges, Tikina council's membership elected by villages/settlements electoral colleges, and Provincial Council's members elected by Tikina and district advisory councils. Regional and Divisional councils can be made up of members elected by the Provincial and Town Councils plus ex-officio members from government.

20.16 The Constitution can be protected in the same way as provided for in s.190 of the 1990 constitution. Immunity for Bainimarama and his supporters must be arrived at by a nationally acceptable and noble process like the Truth and Reconciliation Commission after dealing with the concept of Restorative Justice and restitution and reconciliation.

CONCLUSION

21. This submission with its attachments has been made with an honest desire to help in the process of the restoration of peace, stability and responsible and responsive democratic governance by persons elected by the people of Fiji or appointed in accordance with the laws of the land.

22. It comes with earnest and sincere prayers and wishes that the deliberations of the Commission will have divine guidance and the Commissioners rewarded with humble satisfaction that they have arrived at their Conclusions and Recommendations without fear or favour with the help of God. **END**