

CONTINUITY AND CHANGE

Identity and rights protection among later generation Banabans

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Abstract

Identity and minority rights protection within migrant communities are not a new concern in Migration Studies. However, the issues assume poignancy if resettlement is not voluntary, as was the case with the Banaban community that relocated to Rabi Island, Fiji, in 1945. This article explores why later generation Banabans chose to retain core Banaban identity, notwithstanding evidence of acculturation into Fijian society. In the context of current environmental changes threatening to permanently displace low-lying island communities, the Banaban case demonstrates that not only is retention of collective identity possible among later generations but that ethnically distinct peoples need collective rights protection if they are to survive as a community. Despite laws providing land and establishing Banaban autonomy over Rabi Island pursuant to Banaban customary practices, Banaban minority protection is not as secure as it seems. The claims on Rabi Island by its original settlers are bolstered by Fiji's political instability and, arguably, by the 2013 Fijian Constitution, relative to ownership of Banaban lands. These social and legal developments not only cast doubt on Banaban land tenure but on Banaban minority rights protection generally. Ethnic or cultural minorities, including those displaced by environmental triggers, have distinct customs, traditions and histories requiring legal protection as well as physical and social space to thrive. The protection of cultural diversity, promoting a balance of cultural identity retention and acculturation as a by-product of a healthy interaction with the host society, constitutes a component of successful long-term resettlement.

Keywords

Banaba Island, Rabi Island, Fiji, cultural rights, resettlement, environmental migration

Introduction

As populations move due to environmental pressures, can cultural identity survive, and even flourish, among later generation migrants? To what extent may minority protection regimes aid in the protection and retention of cultural identity? The preservation of human cultures, like the preservation of biodiversity, has value not only for the individuals concerned but also for humankind. The preservation of cultures within migrant communities is not a new concern of Migration Studies (Portes and Zhou, 1993; United Nations Office of the High Commissioner for Human Rights, 1997). However, the issue has special poignancy if resettlement is not voluntary or if the sending society ceases to exist, as was the case with the Banabans. In 1945 the Banabans crossed international borders and relocated to Rabi Island, Fiji, as a result of the effects of

Tabucanon – Continuity and Change: Banabans on Rabi Island

phosphate mining on Banaba Island. After more than sixty years the Banabans are still on Rabi Island as a distinct community in Fiji. The Banaban resettlement presents a significant case study for the analysis of long-term effects of resettlement on identity, cultural continuity and change. In the context of environmental changes threatening Pacific states, the Banaban case provides valuable insights on identity formation amongst migrants' children and grandchildren, and its effect on political regimes, social relations and the community's sense of belonging. Although each case is unique, Banaba provides a springboard for reflection as it raises important issues that need to be addressed in circumstances affecting the future of Pacific environmental resettlement.

Based on archival research and fieldwork interviews among the Banabans in Fiji, this article explores how the later generation managed to preserve their cultural identity while at the same time forging new places and spaces of belonging in Fiji. Continuously referring to themselves as Banabans, at times Banaban-Fijians, the later generation defied assimilationist projections by maintaining a Banaban identity, albeit fluidly, and in a somewhat Fijianised way. This article examines the reasons why a distinct Banaban identity persists among the later generation settlers. Additionally, and perhaps more importantly, the article explores why, despite laws providing land and autonomy to Banabans on Rabi Island, Banaban minority protection is not as secure as it seems. The claims of indigenous Fijians, who originally settled on Rabi and were themselves relocated on another island to make way for Banaban resettlement in 1945, not only cast doubt on Banaban land tenure but on Banaban minority rights protection generally. Existing literature on the Banaban resettlement focuses on the social (Maude and Evans, 1994; Maude and Maude, 1932), anthropological (Karutake et al, 2004; Kempf, 2003; Silverman, 1977) and developmental (Collins, 2009; Kumar et al, 2006) aspects of resettlement. Most focus on the first- or early-generation settlers and the identity and minority rights of the later generation migrants are only tangentially mentioned, if at all. There is thus a gap in the literature on Banaban identity and collective legal protection as regards the later generations who, ironically, comprise most of the Banabans currently living on Rabi. This article addresses that gap.

Section I of this article gives the historical context of the resettlement and an overview of Banaban culture. Section II explores why Banaban identity persists among the later generation, and identifies three reasons why this is so:

- a) The development of a 'reactive' or 'resistance' identity among the Fiji-born in opposition to actual or perceived injustices;
- b) An unbroken attachment to Banaba, strengthened by kinship ties and memorialisation rituals; and
- c) Rabi's isolation, allowing for a Banaban enclave, and Fiji's multicultural political spaces.

Social and political developments, however (among them the continuing claims of indigenous Fijians over Rabi and the adoption of the 2013 Constitution of Fiji) send out disturbing signals that threaten to weaken existing protections traditionally dispensed towards the Banaban community. Section III considers how environmentally displaced societies maintain core identities while, simultaneously, remaining open and fluid to changes as new spaces of social and political belonging are created in the host states.

Tabucanon – Continuity and Change: Banabans on Rabi Island

As the Banaban experience in Fiji attests, conceptions of identity impact on the way legal and political regimes are framed towards minorities. The article concludes that identity correlates with group rights, and that the preservation of both identity and group rights is vital for the minority's cultural and ethnic survival as a people. While normal acculturation processes particularly among later generation migrants may be expected, processes of assimilation where their unique identity and cultural space ultimately vanish need not take place. Ethnic cultural minorities, among them peoples displaced by environmental triggers, have distinct customs, traditions and histories that need legal protection as well as physical and psychological space to thrive. A balance of cultural preservation and acculturation, where later generation migrants engage and are open to further interactions with the host society constitute a component of successful long-term resettlement.

The materials used in this study were derived from four principal sources: (i) documents on the Banaba resettlement held in the H.E. Maude Special Collection Section, Barr Smith Library, University of Adelaide; (ii) materials collected in the course of the legal actions that the Banabans brought against the United Kingdom Attorney General (1971) and the British Phosphate Commissioners (1973) in the Chancery Division of the British High Court of Justice; (iii) accounts from British and foreign newspapers, as well as other secondary sources; and (iv) interviews with Banabans during the author's field work in Suva and Rabi Island, Fiji, in Feb-March 2012.¹

I. Historical Context

Banaba, known in colonial times as Ocean Island, is the Banabans' place of origin. A tiny island in the Pacific with an area of 6.5 square kilometres, it is only a few kilometres south of the equator at latitude 0.53° S (see Figure 1). Banaba's nearest neighbours are Nauru, some 285 kilometres to the west, and the main islands of Kiribati, the country to which Banaba Island is currently politically attached, some 400 kilometres to the east. Banaba comprises the tip of an ocean mountain surrounded by a reef where migrating birds for thousands of years would rest and deposit guano to form one of the world's largest deposits of high-grade phosphate. Its interior features a plateau rising to 260-270 feet, where most of the phosphate was situated (Reed, 1903). When Albert Ellis, who would later become the British Phosphate Commissioner for New Zealand, discovered Banaba's deposits in 3 May 1900, the island was politically isolated and was not previously annexed. Within the same year, on 30 November 1900, Banaba was declared part of the Gilbert and Ellice Islands Protectorate, and the Gilbert and Ellice Islands Colony in 1916. Within the next 20 years from Ellis' discovery, British corporations extracted the island's phosphates: from 1900-1902 by Pacific Island Company and, between 1902-1920, by Pacific Island Phosphate Co. Inc., a subsidiary. In 1920 the governments of the United Kingdom, Australia and New Zealand constituted the British Phosphate Commission (BPC) for phosphate mining purposes in Nauru and Banaba in the following ratio: Australia 42%, United Kingdom 42% and New Zealand 10% (Viviani, 1970). From 1920, BPC acquired the undertakings of Pacific Island Phosphate Co. and mined Banaba's phosphates for over fifty years. Mining stopped for three years from 1942 when Japanese forces occupied Banaba and dispersed the Banaban population to various Micronesian islands.

It was also in 1942 that Rabi Island was purchased with money from the Banaban phosphate funds established for the purchase of the Banabans' 'future home'. The island, then a copra plantation, was bought from Lever's Pacific Plantations Pty Ltd, the

Tabucanon – Continuity and Change: Banabans on Rabi Island

Australian subsidiary of Lever Brothers (Hindmarsh, 2002: 22). It was envisioned that Banaba's phosphate reserve would eventually be depleted. After the War the Banabans dispersed in Nauru, Kosrae and other islands were gathered in Tarawa and were told their villages were devastated and uninhabitable. The Banabans agreed to an initial two-year resettlement on Rabi Island, 2,100 kilometres southeast of Banaba. On 14th December 1945, about 1,000 Banabans, together with some Gilbertese friends and relatives, arrived on Rabi on board the BPC-owned ship *Triuna*.

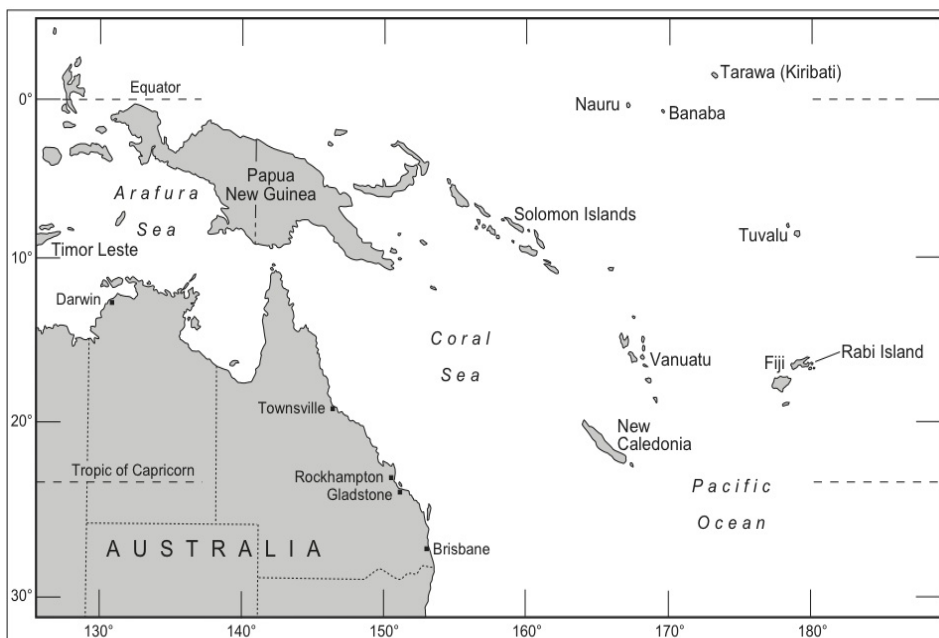


Figure 1: Banaba and the South Pacific (map by Judy Davis)

The settlement of the Banabans on Rabi Island, which began as a two-year experiment, was later extended permanently. In the initial years, lack of preparation and adequate facilities, coupled with the settlers having to adjust to a strange environment, contributed to unnecessary confusion and suffering, and resulted in death of at least forty new settlers. Yet, Rabi has the geographical amenities of soil and water that Banaba lacked. Fiji, in both colonial times and after its independence, was a willing host to the Banabans in more ways than one. In 1947, within two years of their stay on Rabi, the Banabans voted by referendum to make Rabi their permanent home. Today, after more than sixty years of resettlement, a thriving Gilbertese-speaking Banaban community exists on Rabi Island, preserving indigenous Banaban identity, replaying familiar Banaban narratives yet engaging the culture and ways of their Fijian hosts. As the plans of first generation Banabans to return to their home island fade, the later generation – now better educated with some settled in various parts of Fiji – increasingly look to Rabi as (effectively) ‘the new Banaba’ and as their home and social, political, cultural and spiritual enclave in Fiji. Paradoxically, Rabi is where members of later generations anchor their Banaban identity; Rabi represents their new source of Banaban identity.

Tabucanon – Continuity and Change: Banabans on Rabi Island

I. The Fiji-Born Banaban

The Banaban experience provides a precedent for consideration of an indigenous people's relocation that may prove necessary with climate and environmental change. One aspect would be the impact of long-term resettlement on the cultural identity formation among the settler's children and grandchildren. The Banaban resettlement provides such an opportunity. The classical or linear ('straight-line') assimilationist theory, which dominated migration view for much of the 20th Century, predicts that the longer later generation migrants are exposed to the dominant culture, the greater the likelihood of massive assimilation. Among descendants of original migrants a thinning of self-identities expectedly occurs as widespread assimilation happens through increased social intercourse and intermarriage (Alba, 1990). As ethnic boundaries become less salient, identity becomes optional, if perfunctory, even as connection to an original homeland fades (Waters, 1990). However, assimilation may be delayed. While normal acculturation processes occur as migrants adapt to their new country, complete assimilation does not always follow. Acculturation does not *ipso facto* lead to massive assimilation. Distinctive traditions, an indigenous language and/or availability of a geographic enclave within the host society may delay assimilation indefinitely (Zhou, 1997). I will argue that the Banabans' unique historical and resettlement experience deepened, rather than weakened, Banaban identity among later generation settlers. The experience in turn fostered a strong and unbroken attachment towards Banaba and, with Rabi's isolation from mainland Fiji, both physical and psychological space emerged on Rabi promoting identity preservation among the later generation.



Figure 2: Marker on Rabi Island, showing the spot where the Banabans first arrived in 1945 (author's photograph, 2012)

Tabucanon – Continuity and Change: Banabans on Rabi Island

a. Banaban Ethnicity

Resettlement produced a deep imprint on Banaban identity formation. The experience heightened the Banabans' "sense of belonging" not only to Banaba, but among themselves as a community in a new home (Hermann, 2004). For Banabans, the story of their struggle for survival to keep the memory of their home land, the integrity of their community and their culture intact in their new home runs through the generations. Older generations are obliged to pass on this experience to the next. Nei Tinau K, for instance, has stated that her recollection of the circumstances connected with the resettlement was for the benefit of her daughter (ibid: 201). Yet, the younger generations have their story as well; beyond resettlement, how can they continue to exist as a distinct people on Rabi. For later generation Banabans, their relationship with Fiji in both its social and political aspects is an additional chapter in the Banaban identity saga.

In the face of "perceived threats, persecution and discrimination," a kind of "reactive ethnicity" is forged among later generation migrants (2008: 1). Reactive ethnicity is a mode of identity formation developed out of the settlers' collective struggles and accounts for the "rise rather than the erosion of ethnicity" (ibid: 3). Resettlement and the hostile circumstances surrounding their emigration remind Banabans who they are and where they're from: it is said Banaba and resettlement are the only certainty Banabans have in Fiji. Variations of the theme are omnipresent in Banaban conversation. A later generation Banaban, when asked how to get to Rabi only did so by referring to the displacement: "It is an adventure to get here, but then again, it was not our choice to be placed here in the first instance" (Nei M.R, interview with the author, 2012). In the mid-1970s, a strong sense of solidarity arose amidst frustrations stemming from the unfavourable decision in the case the Banabans filed against the BPC and reluctance of the British government to grant Banaban independence from the Gilbert Islands Colony. As will be explained in more detail in the next section, Rabi-born Banabans reacted to the events by staging rallies, and protest actions. Many volunteered to go back to Banaba to strengthen their hold of Banaba.

Banaban identity is also expressed through performances. Dance troupes such as the Banaban Dancing Group re-enact significant events through song and dance: The *Rokon te Kambana*, for instance, depicts Albert Ellis's arrival in 1900; the *Te Katanoata*, the preparations for the resettlement in Fiji; and the *Tebwimanimaua n Ritemba* represents the Banabans' colonisation of Rabi (Hermann, 2004). A *meke* (Fijian dance accompanied by singing) emphasises repeated downward movements of right arms to re-enact the cutting of trees to make house for the newly arrived settlers. Collective trauma is memorialised and expressed through protest songs: 'Blotting Out Banaba', a prelude song for action, dances acts as a reminder of who was responsible for mining out Banaba: "It is said/That you will blot out Banaba; you are pretentious, but hunting for protection". The song depicts Banaba's devastation and portrays those responsible cowards fearing exposure and covering their tracks. 'Boundary Marking' pokes at BPC's acquisition of remaining phosphate lots on Banaba two years after the resettlement: "The boundary marking on Banaba; where is my land? This is my land. My grandparent says 'This is my land,' but I don't know. I am a child, and have just been born" (Silverman, 1977: 172, citing Kawate Maibintebure). The final part betrays a tone of cynicism, and resignation: "Where is the boundary? This is the boundary. I really don't know the boundary; but I hear that Miss What's-her-name and Mr. So-and-so are next to me". 'Pounds and Pence', a protest song and dance, was performed in Suva during Queen Elizabeth II's Silver Jubilee visit to Fiji in 1977. It depicts the gullibility of Banaban ancestors and was intended to shame the perpetrators: "During the year 1900,

Tabucanon – Continuity and Change: Banabans on Rabi Island

there came to Ocean Island, the company, the BPC. Oh look here and see, you people of the world!...To confuse the price of phosphate to our ancestors of long ago!... They gave its price, Oh the BPC. One pound, Oh-oh-oh! Or twenty-four pence! Our ancestors said ‘We’ll have the twenty-four pence, surely coins must be better than paper’”.²

b. Attachment to Banaba

Banaban connection to their home island is complex and has marked generational differences. For first-generation Banabans the link is direct: “Banaba is our mother, she brought us up” (Hermann, 2004: 196, citing Nei, M.K interview, 4 April 1998). For the Rabi-born Banabans, connection with Banaba is indirect and traced through kinship. To them, Banaba is “our ancestors’ home and, we love Banaba too” (ibid: 210, citing Nei K.K, interview, 7 October 1997). As the land of their ancestors, Banaba will always be their original home. As James Cameron, scriptwriter/narrator of *Go tell it to the Judge*, a BBC film on the Banaban resettlement, broadcast in early 1977, emphasised, “Among people like the Banabans there’s an overwhelming ancestral feeling about land, their own land, their fathers land but no longer their children’s land. Their children had never seen Ocean Island but the bond was born and built into them”.

In the 1970s three events occurred which strengthened Banaban identity among the Rabi-born, and brought Banaban concerns to international focus:

- a) The case filed before the British High Court against the BPC and the British government through its Attorney General;
- b) The Banaban demand for separation from the then Gilbert and Ellice Islands Colony, and ultimately for Banaba’s independence; and
- c) The decision to re-populate and re-colonise Banaba by Rabi residents.

While at Rabi, the Banabans were well aware of, and followed closely, Nauru’s fight for independence and control over their natural resources. By 1967 Nauru managed to secure an agreement for a managed transition of ownership and control culminating in its independence in 1968. From independence, Nauru exploited its natural resources for its own benefit and sustained phosphate production. Boosted by favourable world prices for phosphate between 1968 and 2002, Nauru’s phosphate exports (43 million tonnes) earned a total income of AUD\$3.6 billion (Hughes, 2004). The success of the Nauruans had not escaped the Banabans, and such awareness emboldened them seek legal and political solutions by way of filing a case and demanding for Banaban independence, including physically re-colonising Banaba. In 1971, some 300 Banaban landowners led by Council Chairman Rotan Tito sued, jointly and severally, the UK, Australian and New Zealand operated BPC for costs of restoring food-bearing trees in mined out areas estimated at \$21.4 million (Maiden, 1975), and against the British Government through the Attorney General for underpaid royalties. Although the royalties case was dismissed as something not enforceable in the courts and meagre damages were awarded in lieu of replanting due to the latter’s impracticability, the Banaban case generated international media attention, including the aforementioned BBC documentary on the Banabans’ plight.

The momentum generated from the case and from on-going negotiations for the decolonisation of the Gilbert and Ellice Islands caused the Banabans to demand an

Tabucanon – Continuity and Change: Banabans on Rabi Island

independent Banaba in free association with Fiji. A free association scheme would allow Banabans on Rabi, who were already Fijian citizens, to live and work in Fiji without work permits. Rabi-born Banabans volunteered, and re-occupied Banaba: in 1975 and again in 1979, boatloads of Banaban settlers from Fiji landed on Banaba for the purpose. The 1979 landing was tense and violence erupted between the Banabans and the iKiribati resulting in charges being filed against 55 Banabans. A second-generation Banaban who was 17 years when he left Rabi for Banaba in March 1979, said: “there were 450 of us (from Rabi), mostly young men who went back to Banaba. It was like going to war, and I was prepared to defend my country, even to die” (interview A.T. 2012). He said he stayed in Banaba for three years but went back to Fiji in 1982 for his maritime education (ibid). Ultimately, most of those who went back to Banaba – except for about 200 who decided to stay – went back to Rabi. Today third-generation Banabans see the need for a continuous presence on Banaba, but question its practicality:

There is a need for a permanent Banaban settlement on Banaba so that development could start on Banaba as soon as possible. Right now most of the skilled and educated Banabans on Rabi would rather stay in Fiji and work than to go to Banaba where there is no job for them there (R.K, personal correspondence, 2013).

Some regard claims for independence as irrelevant, and want a more pragmatic collaboration with Fiji or Kiribati, as the way to the future:

I really don't support the idea of gaining independence as I know for sure that we, Banabans, now are not ready for such an event. Gaining independence is a huge step forward if we do have the capability to look after ourselves. Being under Kiribati and Fiji for me I could see it as an advantage to us... Banabans on Rabi are classified as local in Fiji and Kiribati. And we are entitled to all the facilities and services provided by the two countries. If the Banabans could have made use of the opportunity a lot can be gained from it (ibid).

The later generation are increasingly turning their sights to Rabi as the new Banaba.

c. Rabi

For Fiji-born Banabans, Rabi is the only home they know. It is their physical, political and cultural territory within Fiji. To them Rabi is Banaba, or more precisely a reconfigured Banaba attached and dedicated in memory of the original homeland (Kempf and Hermann, 2005). The Rabi-born generation openly identify themselves as ‘Banabans’, not I-Kiribati even when one of their parents is I-Kiribati: “My mother’s grandfather is a true Banaban. My mother was born in Suva, my father is Banaban but Gilbertese” (interview J.W. 2012). Another interviewee, a lady involved in NGO projects on Rabi, considers herself Banaban although born in Kiribati of I-Kiribati father and Banaban mother, and having migrated with her parents to Rabi when she was 6 years old (interview T.T. 2012). Having arrived on Rabi as a child of Banaban blood, her situation is similar to that of a second-generation Banaban.

The later generation consider themselves political and social members of the Banaban community. They see Banaba on Rabi, or, as earlier stated, Rabi as Banaba: Rabian villages were named after Banaban villages: Tabwewa, Uma, Tabiang and Buakonikai, and residents generally chose to live in villages named after the locations where their

Tabucanon – Continuity and Change: Banabans on Rabi Island

ancestors are from. *Delai Rabi*, the island's highest peak was renamed *Maungani Banaba* or Mount Banaba (Kempf and Hermann, 2005: 371). On Rabi maps pictures of Banaba are everywhere, and lively and rhythmic indigenous Banaban songs and dances are regularly performed. Kempf and Hermann call the naming after Banaban places the "politics of spatial articulation" and elaborate that:

Spatial belonging and ethnic identity among the Banabans resettled on Rabi Island... are the product of historically and culturally specific articulations and transformations. Such reconfigurations of place and ethnicity, based on enmeshments between the Banabans' new island home, Rabi, and their island of origin... have let them position themselves as an autonomous community living out a diasporic existence. (2005: 1)

Rabi-Banabans "link locally created, contemporary music to the historical praxis of ongoing emplacement in their new Fijian island home" (Kempf 2003: 33). Through their music and performances they "anchor, preserve and communicate to others [their] history culture and identity" (ibid). Thus, although the song 'Love your homeland with your true heart', composed by a Rabi-born Banaban, M. Kokoria, refers to Rabi, the message includes Banaba.

The Banaban experience contrasts with the accounts of identity shifts among other later generation migrants. In the United States, for instance, descendants of European migrants experienced "widespread acculturation, social mobility and intermarriage" with the mainstream population such that original cultural identities fade or take a back seat (Rumbaut, 2008: 4). According to Nahirny and Fishman (1996: 266), for descendants of European migrants in North American, "the erosion of ethnicity experienced by most (but not all) American ethnic groups takes place in the course of three generations". Among the explanations offered for the assimilation are racial and cultural similarities and absence of discrimination in the core society as regards a particular group (Gordon, 1964). In the case of later generation Banabans, although they were born in Fiji and have acquired Fijian citizenship, widespread acculturation with the host culture has not happened. On one level, Banabans are conscious of racial differences: "We are different" from the Fijians (interview R.K. 2012). Yet it is also attachment to Banaba, and now Rabi, that holds Banaban identity together: "We love Banaba, [but] we [also] love Rabi because we are Fijian citizens... Rabi is our own, Banaba is our own" (ibid). This is not so say the Banabans did not acquire or learn Fijian ways. Kava drinking has become an important part of Banaban social gatherings, and "Rabi Kava" is one of Rabi's main products, sold in other parts of Fiji and Kiribati. The Fijian *sulo* (male skirt) is often used in Rabi, and a third-generation Banaban was proud to say that if a Fiji football team plays against Kiribati, "I will cheer for Fiji" (ibid).

In part due to generational gap, or miscommunication, the first-generation sometimes complain about the laxity and aimlessness of the younger generation:

We've got our problems here on Rambey (sic), it revolves around the young people. On Ocean Island I hear these things weren't there, these problems were non-existent but now that we are in Fiji (the) community is loose. Rambey is a lot bigger than Ocean Island. Our villages are not as organised as they used to be in Ocean Island... children are left loosely, so to speak, and you know have nothing to do. They involve themselves in all sorts of mischiefs and this is building up on Rambey right now. They'll get drunk, they'll destroy

Tabucanon – Continuity and Change: Banabans on Rabi Island

things, burn houses, these are the major problems that we are facing with the young people. (Cameron, 1977: np, citing Tebuke Rotan).

One observed a lack of interest by young people on Banaban history and culture: “They tend not to take interest in Banaban history, culture and all that stuff” (interview A.T. 2012). Instead, he observed a noticeable preference among younger Suva-based Banabans to maintain lighter skins tones, in effect negating the Banabans’ ethnic skin colour.

Even as priorities change among younger Banaban generations, one remains constant: the conception of Banaban identity. A third-generation descendant when asked if he considers himself Banaban said without hesitation: “Very much. My father and mother are Banabans, although both were born in Rabi” (interview R.K. 2012). When asked if younger Banabans living in other parts of Fiji consider themselves Banaban: “All of them consider themselves Banaban” (ibid). Today, many Rabi young people are getting university education in Suva and other Fijian cities courtesy of scholarships given by the Rabi Council of Leaders and by the government of Kiribati. Some are disappointed by the lack of opportunities available on Rabi: “The farmers have food, but they are not employed” (interview J.W. 2012). Another observed “many go to Suva for jobs, opportunities and education” (interview R.K. 2012). Yet, it is Rabi that Banabans feel as a home they can always go to, whichever part of Fiji they may find themselves in:

[Rabi] keeps the Banabans together as a close and neat group. They have a basis to come back to... They don't just sort of disappear into oblivion. And you know what-they don't become faceless either in this bigger Fiji. Rabi is always recognised as the Banabans' home. When you talk of Rabi, you talk of us. It's an identity in itself. It's our common identity in Fiji, one which relates us to Fiji. You talk of Banaba, you talk of the Banabans. In Fiji you talk of Rabi, you talk of the Banabans. (Kempf and Hermann, 2005: 372, citing Taomati Teai).

d. Legal Protections and Claims over Rabi Island from Indigenous Fijians

A feature that stands out with regard to Banaban cultural preservation is the role of the host country Fiji. During colonial times and after attaining independence in 1970 Fiji enacted legal frameworks promoting Banaban autonomy. These allowed Banabans to conduct their internal affairs with relatively little interference from Fiji. Two laws were established: the *Banaban Settlement Ordinance* (1945), which provided for Rabi Island’s self-government through the Rabi Council of Leaders, and the *Banaban Lands Act* (1965), which empowered the Rabi Council of Leaders to hold the freehold title of Rabi land under its name as trustee “for the benefit of all members of the Banaban Community.” The *Banaban Settlement Act* and *Banaban Lands Act* were among the specially protected statutes under the *Fijian Constitution* (1997). They may be amended only upon special majorities in Parliament, which includes the concurrence of “9 of the 14 members of the Senate appointed by the *Bose Levu Vakaturaga* (Great Council of Chiefs).” The special constitutional protections were, however, abolished following the abrogation of Fiji’s Constitution in 2009, the result of Fiji’s political upheavals (eg the coups that occurred in 1987-2006).

In September 2013, Fiji adopted a new Constitution, which, according to interim Prime Minister Frank Bainimarama “enshrines principles that are at the heart of all the great liberal democracies... an independent judiciary, a secular state and a wide range of civil,

Tabucanon – Continuity and Change: Banabans on Rabi Island

political and social-economic rights” (Unattributed, 2013: online). Under Chapter 2 (Bill of Rights), Section 26(1) of the 2013 Constitution, “Every person... has the right to equal protection, treatment and benefit under the law,” while Section 26(3) guarantees freedom from discrimination, including the right not to be unfairly discriminated, whether “directly or indirectly,” because of “race, culture, ethnic or social origin, colour [or] place of origin.” From the Bill of Rights the Banabans may invoke the freedom from direct or indirect discrimination on the grounds of their having a different ethnicity, culture or place of origin compared to the indigenous Fijians. The Banabans have after all, lived in Fiji for over 67 years, and they have already acquired Fijian citizenships.

Under Section 28(5) of the Bill of Rights, however, referring to the rights of ownership and protection of iTaukei, Rotuman and Banaban lands, an ambiguous provision emerges: “The ownership of all Banaban land shall remain with the customary owners of that land and Banaban land shall not be permanently alienated, whether by sale, grant, transfer or exchange, except to the State in accordance with section 27”. Since the Fijian Constitution has just been recently been adopted, it may be too early to speculate as to the meaning of “customary owners.” Nonetheless, the ambiguity of the phrase is a potential concern to the long-term protection of Banaban rights on Rabi Island, considering the former inhabitants of Rabi prior to the Banaban resettlement are also claiming rights over Rabi Island.

Among the issues raised in the case of BG (Fiji), a Banaban appellant before the Immigration and Protection tribunal of New Zealand confirms the uneasy relationship between the Banabans and the former occupants of Rabi Island now living on nearby Taveuni Island, the “chief of which held customary authority over Rabi Island” (Immigration and Protection Tribunal, 2012). The community was “settled on Taveuni to make way for the Banabans” and there has been a “simmering resentment ever since” (ibid: 12). There were instances when the Banabans were “prevented from fishing in the areas between Rabi and the other islands even though this was their main source of fishing” (ibid). In view of these claims and considering Fiji’s history of political upheavals, many Banabans felt vulnerable and “subject to the mercy or whim of ethnic Fijians” (Hindmarsh, 2002: 29). While indigenous Fijians have generally maintained good relationship with Banabans, some factions with ultra-nationalist leanings based on the concept of *iTaukei*, meaning the ‘owner/original dweller of the land’, cause concern. According to Kepler and Hermann (2005: 374), with this development the Banabans modified their “public profile as an ethnic group” in relation to the dominant group, and played the “politics of caution”. Following the 1987 coup, the Rabi based Banabans adopted the strategy of consolidating “their close relationships to the political and neo-traditional elite of the autochthonous Fijians” (Teaiwa, 1997: 142).

Keeping a low profile in Fiji at this time deflects attention away from the Banabans, and it helps that later generation Banabans generally avoid political discussions and activities. It remains to be seen whether the strategy of caution and non-ruffling of feathers will be beneficial to Banaban group rights formation in the long run. Taking their cue from older Banabans, the younger-generation simultaneously articulate their identity as residents and owners of Rabi, yet “never to the point of offending the Fijians” as the indigenous owners of Fijian land (Kempf and Hermann, 2005: 374).

II. Identity and Rights Protection among environmental migrants

Returning to a question raised earlier in this article: as populations move long-term due to environmental changes can cultural identity survive among later generations, and to what extent may legal regimes aid in the protection of minority rights and collective identity?

Permanent cross border resettlement is one of the projected impacts of climate change for some small island states among them Maldives, Tuvalu, Kiribati and the Marshall Islands (United Nations High Commissioner for Refugees, 2009). A question may be asked: how would these nations survive not only physically but as a people and culture? The Banaban resettlement on Rabi Island, now well over 67 years, offers an opportunity to look into aspects of identity preservation and change among an environmentally-displaced people. As earlier said, identity preservation assumes a special poignancy in environmental migration which, by its nature, displaces people from the land of their ancestors. A profound connection exists between indigenous peoples and their land, territories and resources (Daes, 2001). The relationship native cultures have with their land is a “necessary condition for their survival, social organisation, development and their individual and collective well-being” (ibid: 9).

Cross border migration presents a set of challenges, many of which are beyond the scope of this article to discuss. There are, for instance, the humanitarian challenges of physical survival, availability of resettlement sites, economic viability of the settlement, as well as migration and admission issues in a territorially bound, State-centred international system. Assuming humanitarian and migration requirements are met, migrants must still confront identity and autonomy issues: what and who they are as a people in their new home. According to Cernea (1997: 30), forced displacement “tears apart the existing social fabric: it disperses and fragments communities, dismantles patterns of social organisation and interpersonal ties”; family groups become scattered and community networks break down. That this has not happened to later generation Banabans is, I submit, proof of their resettlement’s success.

While the Banaban experience is unique, and was contingent on peculiar circumstances available at that time, it is also a good springboard for reflection as it raises important issues as regards identity preservation and formation among environmentally resettled populations. These are framed in three interrogatories as follows:

1. How may core culture and identity be preserved among migrant groups in the long term? What role does policy play in such preservation?

Island communities, much like indigenous societies broadly, occupy a unique place in countries they are in. They have social, cultural, artistic and political traditions distinct from other segments of society. Historically cohesive and self-governing, their ability to preserve their culture and determine the course of their future is a precondition for their freedom, justice and well-being (United Nations Office of the High Commissioner for Human Rights, 1997). In the context of global warming and climate change potentially displacing indigenous island populations the issue assumes poignancy and urgency, for both their physical and cultural survival are threatened. For Baumeister (1986), identity fulfils three major functions: a) helps the group make choices; b) gives its members strength and resilience; and c) makes possible relationships with others. The articulation of Banaban identity on Rabi among the later generation allowed the Banabans to maintain a semi-autonomous existence on Rabi, and is the source of the community’s

Tabucanon – Continuity and Change: Banabans on Rabi Island

cohesion. Preservation of identity became a defining character of the Banaban resettlement experience as Banabans replicated a similar type of social system and self-government to what they were used to in Banaba, albeit in modified form. The community not only retained its worldview and identity as Banabans – if with a bit of Fijian flavour – but a sense of continuity was established running throughout the succeeding generations. That this was aided by Fiji's beneficial multicultural policies points to the critical role host countries play in the cultural preservation of indigenous and minority ethnic groups within their territory.

Today, preservation of cultural identity remains a critical issue in long-term environmentally-induced resettlements, particularly among island states and communities. National identity preservation assumed a critical role in the failed resettlement negotiations between Nauru and Australia in the 1960's. The Nauruans made it clear at the outset they opposed assimilation into the territory of another state because they wanted to preserve their unique identity (Tabucanon and Opekin, 2011).

2. Identity formation among long-term environmental migrants. Are new identities emerging among the later generation migrants? Are these more fluid or less fluid?

Identity is constructed within the context of society. It implies being “cast in the shape of a social object by the acknowledgment of one's participation or membership in social relations” (Yardley and Honess, 1987: 121). Identity is formed through continuity over time and differentiation from others (Baumeister, 1986). The group is conceived as historically rooted through common experiences and meanings. The shared values, beliefs, habits and practices allow the members to imagine themselves as a community separate and distinct from others.

While migrants occupy a unique, if marginal, place in resettlement, they must also engage with the host society in an interaction that affects, changes and, at times, enriches both societies. This is so because as migrants try to answer questions of ethnic boundary and identity (Nagel 1994), boundaries are rarely fixed and are in fact porous. The taking-in of new meanings is discernible among the younger, Rabi-born Banabans who are now Fijian citizens and speak fluent Fijian. The multi-culturality of present day Banabans does not take away the fact that they are ‘first and foremost’ Banabans. As Hau'ofa (1993) notes, Pacific Islanders far from living out insular lives, have managed to settle in societies beyond the confines of their island homes. This generated consequences, some of which were deleterious to native cultural traditions. As immigrants' children born and raised away from traditional household are exposed to, educated in and intermarry among different cultures, original identities take a back seat. Bedford (2004: 240) observes that many second- and third-generation descendants of Pacific migrants in New Zealand have lost the ability to speak native languages and would have little direct contact with their home islands' customs.

That this has not happened among Fiji-born Banabans provides an interesting contrast for study of identity among later generation Pacific migrants. Although the current generation speak Fijian, particularly in dealing with mainstream society, they prefer using Gilbertese, the language spoken on Banaba, among themselves on Rabi; and maintain Banaban identity even for those of mixed blood:

I would like to say that my father is I-Kiribati, meaning he has no Banaban ancestry. Since my mother has Banaban blood I see myself more of a Banaban than I-Kiribati maybe because I grew up on Rabi. But that does

Tabucanon – Continuity and Change: Banabans on Rabi Island

not mean that I do not acknowledge my father's side. My personal belief is that there is no more pure Banaban alive, so to speak. (Ten Itinteang, 2009: online).

Banaban identity, though preserved and maintained, is not static. It evolves in unexpected if ambiguous ways. A third-generation, half-Banaban admits she is a product of a mix of cultures and foresees that cultural identity can, in fact, change, as it did for her: “Culture is not static and it is constantly evolving except in our memories. It is good to preserve up to a point – this is where history and anthropology majors can shine, preserve in the books, but what is lived will have to change with the times. It is inevitable” (Woodrow, 2012: online). While there is no guarantee what subsequent generations would choose for their identity, as it is the current generation – at least for the most part - has chosen to remain Banaban, or bi-culturally Banaban-Fijian.

3. How can we create new horizons in political, cultural and social relations among the ethnic communities and their hosts?

The Fiji-born generation's articulation of their Banaban identity on Rabi virtually re-packaging Rabi as the new Banaba constitutes a repositioning that signals to the dominant society the migrants' distinct origins as well as unambiguously replaces their claims on their enclave settlement. Positioning constitutes an indigenous “politics of identity,” and, in the case of the Banabans, their survival strategy as an “autonomous *ethos* on Rabi Island” (Kempf and Hermann, 2005: 369).

Compared to descendants of Solomon Islands indentured labourers who reside in forty different settlements (fifteen in greater Suva), the Banabans are better established spatially, if not politically, at least for the time being. The former's want of legal ownership over their settlements resulted in an inability to sustain livelihood and is among the reasons for the community's high incidence of poverty (Kumar et al, 2006). Land tenure insecurity also caused the community's frequent displacements (Halapua, 2001). Unlike the Banabans, who enjoy legislated protections over their stay on Rabi, no legal framework was enacted for the Solomon Islanders' self-government; or for a secure land tenure (ibid). The settlements provided by the Anglican church in the 1930's for the Solomon Islanders have become virtual “ghettos [of] social alienation, poverty, unemployment, industrial exploitation and crime” (Ewins, 2002: 501). Yet, the Banabans hold on Rabi is not as secure as it first appears. The claims of the former occupants of Rabi over certain rights over Rabi Island together with the adoption of the 2013 Fijian Constitution, with its ambiguous phrasing granting ownership of the Banaban Lands to its “customary owners”, cast a doubt on the protection of long-term rights of the Banabans. The Banaban experience attests that no matter how protracted the resettlement has been, and no matter how well the settlers had adjusted to their new home, issues of rights and identity protection remain important. Particularly in cases when the resettled group are a racial or ethnic minority in the host community, minority rights protection must be constantly considered.

An understanding of distinct cultural identities of minorities in the host state provides a context for respect and appreciation of these people's right to exist collectively, as well as contribute their share to their host country's goals. Cultural diversity does not run counter to national cohesion but actually reinforces it (United Nations Development Programme, 2004). States are increasingly recognising the contribution of ethnic and migrant communities in their territories. Several Latin American countries have written in their new constitutions both recognition and legal protection that ethnic and cultural

Tabucanon – Continuity and Change: Banabans on Rabi Island

minorities deserve. Article 32 of the 2009 Bolivian Constitution, for example, states: “The Afro-Bolivian people enjoy, in everything corresponding, the economic, social, political and cultural rights that are recognized in the Constitution for the nations and the rural native indigenous peoples” (Constitution of the Plurinational State of Bolivia, Art. 32, 2009). While Article 58 of the 2008 Ecuadorean Constitution states: “To strengthen their identity, culture, traditions and rights, the collective rights of the afro-Ecuadorian people are recognised as established in the Constitution, the law and the pacts, covenants, declarations and other international human rights instruments” (Constitution of the Republic of Ecuador, Art 58, 2008). Both constitutions recognise the distinctiveness of cultural identities and command states to safeguard and protect these as a matter of policy.

Banabans, as citizens of multicultural Fiji, deserve their distinct identity recognised, their voices heard and their right to exist as a minority people respected under fundamental laws of the land. We can only hope a framework protective of the Banabans’ distinct identity continues to be observed in Fiji. Resettlement of communities is a possibility among many Pacific Island nations today. While the Banaban case is unique it nonetheless continues to provide lessons and parameters on what or how resettlement should be or should not be. These insights will become even more urgent as the effects of global warming and climate change are increasingly felt in the Pacific.

End Notes:

¹ A note on three people who helped during my stay on Rabi: Peter Woodrow, Marlie Rota and Terikano Takesau. Peter, husband of the first Banaban born on Rabi (also named “Rabi”) brought me to the homes of the Banabans. It was in Peter’s house that I stayed. Although white and British-born, Peter, to me, is at home among Banabans, and since the late 1960s has lived on Rabi – by choice- longer than anywhere else. Marlie, executive director of the Rabi Council, offered transportation for my visit to Uma in southern Rabi where I saw a modern wharf under construction. The wharf – Rabi’s first – can accommodate ships, hence promises to further open Rabi to the rest of Fiji. Terikano, head of a women’s NGO, explained how the organisation helps Rabi women produce commercial quantities of virgin coconut oil in what could be a reliable source of income for coconut-producing Rabi.

² See Silverman (1997) for full texts of the song lyrics.

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