Formalization of Traditional Rules and Governance in Fiji Coastal Communities: A case study of Veivatuloa village

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This article addresses multi-layer rules and its effectiveness at the micro level. Rules in the community have been followed and effective, as it has helped to govern people action for a long period of time in a community. We use a community in Namosi district to discuss the formalization of rules. The paper discusses the difference between the formal rules and informal rules at the community level. Rules are so important as it governs how a society behaves towards their utilization of resources over a period of time. The rules in community is basically a form of oral tradition that has exists in the community for thousands of years and has been changed and altered and some of the rules are formalized. The paper analyzes the importance of community governance, property rights and leadership, traditional rules, government rules and the case study of Veivatuloa village. This paper also discusses solutions for better usage and management of coastal resources through the use of rules.

Key words multi-layer rules, community governance, qoliqoli boundary, ikanakana boundary

1. Introduction

The Fijian people are coastal people and deeply connected culturally and physically to the environment with high dependency on the sea and land for survival. Fiji has 322 islands with land area of 18,333 square kilometers and the people live mainly on the two main islands of Viti Levu and Vanua Levu. Hand et al (2005) reports Fiji coastal resources are known to be declining from the increase in fishing pressure, over-fishing and the use of poor fishing techniques. The coastal areas in Fiji are becoming modernized as the result of the market system, fishing technologies and commercialization (Virdin, 2000). The rules of law and its effectiveness creates better environment for management and utilization of resources. There have been different leadership changes experienced in the last decades and also the changes in policies and law at the macro level. The fishing rights of utilization of coastal resources are shared between the indigenous Fijian and the government. Ruddle (1998) identify ten factors that causes changes in the traditional inshore fisheries management system that includes colonialism, national policy, replacement of traditional authority, demographic change, urbanization, changes in education systems, modernization and economic development, commercialization and commoditization of fisheries, technological change and development and management projects.
Rules and formalization of rules in communities in Fiji has a long history. Techera (2011) reports that governance exists way before formal system arrive into the islands and have many distinct periods from early prehistoric settlement, British Colonialism, migration of communities and post-independence. The British rule Fiji from 1874 and continue to rule Fiji for ninety-six years while the current government gain independence from 1970 and has been in leadership for forty-three years. The British brought with them plural legal system in which they recognize the traditional system as part of the government system. Pulea (1993) explains that the British common law was introduced in which to regulate fisheries and preserve fisheries for all. There have been many changes in the formal structure since the country gained independence. In regards to this changes villages in Fiji still have their own traditions and rules that is still governing the way of life in communities. The communities have chiefs and clans that have been in leadership for generations using rules to serve their communities.

This paper discusses the importance of community-governance in the communities in Fiji with different level of adaptation at the micro-level and macro level. It explains the importance of property rights and leaderships system in Fiji as property rights determines the type of rules and leadership in communities. It further explains on traditional rules and government rules and different types of rules in the different communities. Lastly is the discussion of the Veivatuloa case study on the importance of resource utilization and the dominant rules practiced in utilization of marine resources. To further support this findings Ostrom and Charles principles and concepts are used for more clarifications.
1. Community Governance

Governance in the communities has been functioning for thousand of years and in a Fijian community it has its leaders, rules and norms that allow its survival and structure. Adams and Hess (2011) describe that communities has many functions, as it is accountable, related to government, equitable, social capital, can plan and manage, and coordinate better and can be marketable. Florini et al (2010) also describe that governance has to be transparent and these are not uniform and different within each countries and communities. Governance in coastal areas in Fiji has a high diversity, as there are many leadership systems, government’s agencies and clans and tribes and different ecosystem and species diversity. The maintenance of governance structure in the micro-level in Fiji is strong as people have strong kinship ties and family units with strong believe and trusts and people in the community treat each other’s with great respects with specific set of traditional rules. These bonds and behavior have been the forefront that strengthens governance at this level. However during the last decades Fiji has many challengers as the results of many external forces and the developing economy.

![Diagram showing different governance levels](image)

Fig. 2. Shows the different levels

There so many changes occurring at the macro level in Fiji as the results of the changes in governments and political instability. The link between micro, meso and macro level (Fig. 2) vary within different communities as the lack of capacity and resources hinders better coordination and development. Hofmann (2008) explains that government involvement varies and inconsistent in the management of fisheries resources as few may have success cases compared to the others. Fiji has very rich community assets from physical resources such as land and coastal areas, culture, institutions and individuals. Governance in the community level is important as it helps in people to manage their resources effectively over the years. The overall governance isn’t effective and good governance of coastal areas at the micro-level will results in better management.
2. Property Rights and Leadership System

The ownership and leadership system at the micro-level in Fiji is important in the studies of rules, as people will respect the owner of the land and their clan leaders as they are the main decision makers and they will determine the type of rules applied in the society. In Fiji Crocombe (2001) suggested that the indigenous Fijian has 80 percent of property rights of the sea and land and this rights enable traditional leaders to make rules over their properties and people In this common case with comparison with other South Pacific countries Care et al (1999) argues that communities with property rights determines the type of rules and not by legal power. This is the same in Fijian communities in which government has limited power in decision making in the usage of properties such as land and sea resources.

A Fijian village mainly consists of a kinship system with extended family that have very strong ties called mataqali (Fig.3). This mataqali have ownership and full rights over the resources and with this control they are able to make decisions and make rules that shapes the way they use their resources. Fiji community varies as few may comprise of many sub-clans compared to others and few may have bigger properties compared to the others. The coastal resources are shared within province, district or villages adjacent from land. In a community the head of the clan exists and it consists of different mataqali. The majority of indigenous Yavusa has maintained the nature of self-sufficiency, food procurement, farmland and shared management of the fishery is very important in terms of cash income.

Fig 3. A characteristic setting of mataqali

Crocombe (2008) explains that property right is a sensitive issue and native Fijian has been claiming full property rights over their fishing grounds within 20 years. Fiji has experienced 4 coups that resulted in the overthrown of the government. This is a set back in trying to formalize rules and managing coastal resources as many communities have different leaders with different rules. There is a vacuum and good leadership at the government level and this can be a motivation for people in rural communities to have a good leadership role.
3. The shift from traditional subsistence towards a cash economy

The economy of Fiji evolves over a long period of time with different changes both traditional and modern Fig 4. In the 17th century and before this period Fiji was ruled by strong kinship system in which the community followed traditional leadership system. In this scenario subsistence was fully practiced and there were few people that resources was sufficient and was commonly utilize in the coastal areas. The people mostly live a community life that many were born and died in the community and the similar types of setting for all of their lives.

Fig 4: Changes in the conditions from past, current situation and future

In the current situation there is a mixture of subsistence and sale in the utilization of coastal resources. The kinship system has been rattled by external factors such as globalization and government system. Modernization and the money-based economy has been the main driving force that is changing the community and the perception of the people in the last centuries. Fiji is in a transformation period and leadership system in the community is unstable kinship system. The future of coastal fisheries is moving towards a commercialization era with very little subsistence fisheries will be less practiced.

4. Multi-layer rules of utilization of resources and management

There are two common types of rules in the community the formal and the informal rules (Table 1). The formal rules in this case are refers to rules that is documented and legalized whereas informal rules are those that are unwritten mainly oral tradition. The government owns the coastal resources and the seabed under the Fisheries Act communities have the rights to utilize these resources. Government national rules in Fiji are based from the Fisheries Act [158]. In the use of this legislation government make management rules to be followed in villages and this can be effective in some areas compared to others.
The government mapped *iqoliqoli*-fishing boundaries for management. The function of the Fisheries Act and *qoliqoli* boundary is for sale and subsistence. This management practices such as gear restrictions and limitation, seasonal, size, limited entry, species restrictions are practiced. In the informal system the *ikanakana* boundary that is defined by the The Native Lands and Fisheries Commission (NLFC) in the wildlife conservation society bulletin (2010) as an area that can be accessed by locals and residents of neighboring district for subsistence fishing. This boundary is for self–consumption on the other hand the *tabu* system that is fishing ban in a particular area usually use for self-consumption.

In recent years other external factors such as non-government organization that includes WCS (Wild Life Conservation Society Fiji) WWF (World Wild Fund), SPC (Secretariat of the Pacific Community), USP (The University of the South Pacific, Seaecology and FLAMMA (Fiji Locally Managed Marine Protected Area Network) has been effective in their approach in trying to merge and incorporate both the traditional and modern system rules for coastal resource management. Techera (2010) report that the Fijian Locally Managed Marine Areas (FLAMMA) has been dealing and successful in incorporating contemporary scientific knowledge with community-based traditional knowledge. NGOs function to educate and also ban community from fishing in affected areas. The purpose of this is for sale and subsistence.

### 5. The Traditional Rules

Rules in the community are in a form of oral tradition that is passed down from different generations and these rules are prone to changes. In the community the decision of making rules is basically conducted in a village meeting Fig. 6. The traditional rules include period closure, restriction of collection of certain species, religious taboos and totem restriction. In the village meeting all the family units (*tokatoka*) are gathered and their different views are discussed during this event. The village meetings provide the platform for discussion and understanding of many issues and the final decision is made from the head of the clans.
Fig. 5. Rules and problems are discussed during village meeting.

The Fijian community has high respect for their chiefs following their rules and decisions and the notion that they will lead them to success and to maintain a peaceful situation at the community-level. The *tabu* systems are common rules that restrict people from utilizing certain resources during a certain period. This system can be used in many situations and has been used by government to conduct this method of management in villages in Fiji. Fishers are not allowed to fish in areas that is referred to as *tabu* areas. A common practice in the past as chief dies 100 days are prohibited from fishing on no-take area.

6. The Case Study of Veivatuloa Village

5-1 Geographical Setting

Veivatuloa village is a typical Fijian village highly reliant on fishing and farming for survival. The village is one of the 26 villages in Namosi (Fig.7) province located on Latitude 18° South, Longitude 178° East with an increase in population of 238 people. The village has diverse ecosystem from mangroves, tidal, coral reefs and estuaries in which people utilize for both subsistence and commercial purposes. Diversity of different species of finfish, crustaceans and different other types of marine resources that are consumed by the people are found in the community. There are around 133 species that are caught by the community for both home consumption and commercial purposes. The community village of Veivatuloa belongs to the tribe (*Vanua o Namosi*), clan (*Nabukebuke*), five sub-clan or lineage and sub-lineage or extended family.
There are two current systems that focus on harvesting of resources from the coastal environment the *i-kanakana* and *goliqoli* fishing boundary system. The *i-kanakana* system boundary basically people can utilize resource for self-consumption (Fig. 7). The head of the province of Namosi declare orally (part of oral tradition) that his people under his leadership can utilize the Namosi fishing boundary for self-consumptions. The 26 villages (6,898 people) of the province of Namosi can fish from Namosi provincial boundary. This rule is still followed and strongly exists today in the province. On the other hand the *goliqoli* fishing boundary system that is recognized by the government for which the government maps out boundaries within different sub clan’s * mataqali* land for the villages to utilize. The rule is that the community should fish within this fishing boundary. This was basically for management purpose for other fishers from other areas not to fish within their fishing boundaries and this was established in 1989.
Fig. 7 Shows the qoliqoli boundary

The qoliqoli fishing boundary systems are mainly used for management purposes from outside fishers (Fig.8). The rules in Fig.9 shows the rules applied in Namosi that includes very important information’s as it highlights rules that has to be followed for effective resource management. This rules being effectively and disseminated is problematic as fisheries department lack resources. The rules includes the prohibitions of fishing gears, catching of few species such as turtles and humphead wrasse, restriction on time to fish and also reporting fish catch to the Ministry of fisheries. In regards to these rules many neglect this rules and conducting practices that is prohibited in the qoliqoli boundary.

1. Report catch every month
2. Mesh size not to be less than 3 inch
3. Net fishing within 200 meters from the shoreline
4. Fishing on Saturday from 12pm to Sunday 12pm is not allowed
5. Extraction of corals is not allowed
6. Harvesting of red rocks is not allowed
7. Use of gas and compressor is not allowed
8. Catch return to send to the fisheries department
9. A ban for catching turtle and humphead wrasse
10. Diving at night is prohibited only during the day is allowed

Fig. 8 Government rules that apply in Veivatulua qoliqoli
Fig. 9 Show the *kanakana* fishing boundary.

The people in the community are following their *i-kanakana* system in which they are fishing outside of their *qoliqoli* boundaries. In Fig.7 shows that 15 fishing sites are not part of the *qoliqoli* fishing boundary. Traditional rules and respect over the traditional system is still strong and effective and followed compared to the fishery boundary mapped by the government. The community is utilizing this area and the availability of different ecosystem to gather food for subsistence and sale. The resources ranges from fin fish, shellfish and also sea legumes and seaweeds that are harvested by the community.

7. Discussion

The result shows that there are multi-layer rules from government, traditional and other external rules that determine resource utilization in the community. This rules varies in its impacts and adoption at the micro-level in reality the communities heavily rely on their own rules and norms that have been followed overtime. In most case the elders reach primary level of education and this is a contributing factor that affects the types of decision-making. The new rules are not well understood in communities as the result of the lack of knowledge and community leaders to adapt to changes. The impact of the increase in population and the market base economy has attracted people to highly utilize their marine resources. This leads to more fishing boats, fishing efforts and competition at the community level.

The laxity of rules and governing system has resulted in people to follow rules that have been effective and followed for a period of time. Informal rules has been embedded in the way of life of the people and adopted at the micro-level. The British
have ruled Fiji for ninety-six years they incorporate the way of life of the communities in the government system. The independent government has been experiencing many changes after independent and in a developing stage resulting in communities to be more comfortable with the use of past rules and practices. This has also resulted in the birth of multi-layer rules in which there are many decision makers and agencies involved in trying to manage resources with different goals and ideology.

External forces in communities are influential towards fisheries management and the importance of incentive resulting in people to follow rules and manage coastal resources. Seaecology a non-profit organization funded a project for the village to protect an area of the marine and forest (tabu area) while implementing a project to supply electricity to the village. The influence of incentive by Seaecology has resulted for people in the community to manage their community with the use of tabu rules set of rules practiced in the past. This kind of incentive can be very effective that improves the life of communities and that there are willing to respect and manage resources.

Fig. 10 shows the importance of Incentive

To further support these findings it was compared with design principles of Ostrom principles (1990) and Charles concepts (2001) that is related to Fiji case (Table 2). It underlines the situations that lead to the adoption of rules and its ineffective at the micro-level. Ostrom has been influential in understanding common problems at community level. Charles concepts are also included for more clarification on situation at the community level. There are 5 principles and concepts that can be used for better understanding of situation at the micro-level. Community governance is very important and its leadership system and maintaining the kinship system in communities. Communities’ needs well-defined boundaries and identification of fisher’s rights and responsibilities. Traditional rules that consist of traditional environment knowledge such as tabu rules needs to be formalized, as this rules are practical rules. The solving of conflicts at the community level is vital, as violation of rules commonly exists when utilizing common resource. Nested rules that are part of larger system with many complexities needs better clarifications.
Ostrom and Charles (1990) also argue that rules for local institutional long survival can continue if there are small number of rules agreed and well regulated. Communities are robust and will adapt to changes for survival. There is a need for more specific rules to be well adopted in the communities. Formal rules from government such as the Fisheries Act and qoliqoli boundaries are difficult to change and will take a long period of time for its rectification. Practical rules that are followed such as informal rules are adopted and can change within the micro-level. The discrepancies in multi-layer rules are evident in its adoption and this could be rectified.

Veivatuloa communities are expanding and there are many people to utilize resources and rules need to be adjusted and be analyzed from a holistic perspective. The community is located near to the market with lots of economic activities and therefore more restrictions and enforcement on the use of resources. The ikanakana system, which was used to be a traditional norm for people to fish for their own consumption, has been used for the purpose of sale. This important rule needs to be rectified and the clan of Namosi to be stricter if the rule is to be followed in the future. This can be also formalized and recognized in the government system as rule and government could be included as a management body towards the utilization of resources. The positive case is that communities are still traditional and that the community structure is very important.

7. Conclusion

This paper analyzes multi-layer rules and the understanding of rules and its formalization can be influential towards economic development in developing countries. The current rules are very important such as managing of different species and ecosystems and is not sufficient and the government needs to be more effective in the formalization of rules and its disseminations in communities. The micro and macro rules are more effective and followed compared to the meso rules that is mainly top-down approach. The rapid increase in population in the villages requires better approach and smart actions to deal with problems so that resources can be maintained to support the growing population. The rules in the community are threatened by economic activities, globalization and the increase in population in communities. Having new strategies and robust community for better change towards
the utilization of resources is a positive step forward. If rules are not addressed and effective the opportunity for quick economic gains with large number of fishers and conflict interest will continue and communities that heavily rely on their coastal environment faces a difficult future.

The rules can be addressed through advocating of leaders in the community about the importance of managing resources. The need to train local experts and communities as local actors to be able to enforce rules both informal and formal rules. Capacity building is important and targeting young generations to understand rules at a young age. Incentive programs and projects practiced by the government and in return for communities to protect and manage their resources. Community governance to be strengthens for better bottom-up development and management. The principals and the concepts by Ostrom and Charles can be supportive information’s and concepts towards better resource management. The case study of Veivatuloa can be a model to the whole of Fiji and positive lessons adopted in other countries in the Pacific.

The opportunity for people to use common resource in the 21st century is more challenging for resource management compared to the last centuries, as there are many external factors to consider. Rules are very important and its effectiveness through well-established community governance is vital for future usage of resources. The community has to have good understanding about the impact of common resources usage and that it can be easily overexploited as the result of increase in fishing pressure and the lack of rules. Community’s needs to be well organized at the micro, meso and macro level and needs much better coordination and awareness about the current situation of rules and utilization of resources.
References


