

PROOF OF PROFESSOR H E MAUDE AND MR P D MACDONALD RELATING TO THEIR VISIT TO
RABI IN MAY 1947

The object of our visit was to present to the Banaban people on Rabi the "statement of intentions of government with regard to the future of the Banaban community", to discuss this statement with the Banabans and to ascertain their views and wishes.

I, Maude was at the time Resident Commissioner for the G & E I Colony; I, Macdonald, was Assistant Colonial Secretary of the Fiji Government.

The events concerned took place almost 29 years ago and our recollection of these events and of the discussions must necessarily be limited so far as details are concerned, but we are satisfied that what follows represents a fair account and that we are unlikely to be able substantially to enlarge on the minutiae of the discussions.

Discussions were held on 6th May 1947 in Suva between ourselves and Sir Alexander Grantham (Governor of Fiji and H.C. for the Western Pacific). As a result, the Attorney General of Fiji and Macdonald amended the draft document originally prepared by Maude in Tarawa, producing the final form of the document which ultimately comprised the statement of intentions.

We travelled to Rabi on 7th May, arriving in the evening. During 8th, 9th and 10th May there were lengthy discussions with the whole Banaban community (subsequently referred to as "the general discussions") lasting from morning to night, with short breaks for meals. As well as the interpreter (Bawo Ratieta), Major Holland, the Banaban Adviser, was present throughout.

I, Macdonald, recall that, on 12th and 13th May, there were informal discussions with Banabans in explanation of the consequences of their decision and about the Banaban accounts and other allied matters.

The general discussions were conducted wholly in Gilbertese, through the interpreter. To the best of my (Macdonald's) recollection, a number of copies of

the Gilbertese version of the statement of intentions was distributed to the Banabans at the opening of the general discussions. The Gilbertese version was translated by Mr Ratieta.

I, Maude, opened the general discussions with a speech of introduction, indicating how pleased we were to be in Rabi and the reasons for our visit. I believe that there was a welcoming speech in reply, probably (although I am not certain) by Rotan. It is our recollection that, in Maude's opening speech and repeatedly throughout the subsequent general discussions he emphasised that the Banabans would not "lose" Ocean Island if they chose to stay on Rabi - nor "lose" Rabi if they chose to visit O.I. temporarily or indeed to remain there until the phosphate deposits were exhausted. This second point was further emphasised in the statement of intentions.

After the opening speeches, each clause of the statement of intentions was read out in Gilbertese by Ratieta who translated the ensuing questions and discussion.

All the clauses of the statement of intentions were discussed exhaustively in detail and we can if necessary supply very limited details if considered to be relevant to our evidence in the royalty action.^x

^{x, i.e}
[As in paras. 14-30 of Mr Macdonald's Note headed "Statement of Intentions"]

We must, however, refer to one matter which we understand to have been alleged by Rotan: that, at these meetings, I, Maude, made a statement containing an overt or covert threat that, if the Banabans declined to remain on Rabi, then Rabi would be sold. We can both categorically state that no such threat was made. At some time during the general discussions, Maude made a remark to the effect that, if the Banabans did not wish to remain on Rabi, there were others who would be interested in buying it. It is suggested that, if such a remark was made, it constituted, and was intended to constitute, proper and accurate information valuable to the Banabans in deciding what course to take and evidence that Rabi was "a good buy". We have no recollection that anything was said at the time to suggest that the Banabans regarded the remark as a threat. Had they so regarded

it, one or more would almost certainly have raised it or would have asked for further explanations - and we cannot even recall any question being asked whether, if the Banabans' decision was to choose to live on Ocean Island, Rabi would be sold.

It may be pertinent to remark that any such threat would have been completely contrary to our instructions, to the clear intention of the statement of intentions and to the recommendation in paragraph 68 of my (Maude's) memorandum. To have made such a threat would therefore have been a breach of duty and one likely to attract the censure of our superior officers.

I (Maude) took the opportunity to warn the Banabans of the imprudence of spending money from Banaban funds on facilities on Rabi (e.g. roads and housing) unless they decided to live permanently on Rabi.

When the general discussions appeared finally to have run their course ^{as Mr. Peter says in his evidence (10/16) 'all the discussions are completed'} with the clear approval of the Banabans we conducted a secret ballot by which the Banabans could indicate their preference for or against making Rabi the Banaban homeland. In the event, a considerable majority, 270, voted to remain on Rabi, 48 voting to return to Ocean Island.

On this result being declared, I (Maude) thereupon informed the Banabans that those so wishing would be returned to Ocean Island at government expense if they would inform me of their names (which I had no means of knowing) - and that we would remain for two days on Rabi for the purpose. We did so - but no one came forward.

We left Rabi on 13th May.

It is pleasant to recall that, during this visit the Banabans appeared to be in generally good health - indeed in normal health - and, as regards their mental state, appeared in discussion to be vigorously alert, voluble and pertinacious. This was a happy contrast to our recollection of their state during a visit which we had paid to Rabi at the end of June 1946 for 2 days, when they had seemed (especially the older people) dispirited and apathetic.

Prior to our visit to Rabi in May 1947, part of our instructions from Sir Alexander Grantham was not to participate in our meetings in any discussion of the negotiations between BPC and the Banabans which had taken place shortly before on land and royalty matters. In the event we have no recollection of the subject being raised. However, it is fair to say that, during the intensive general discussions, numerous issues of past or recent history were raised by Rotan and others and neither of us can say dogmatically that no reference was made to those negotiations.