

CEDAW Smokescreens: Gender Politics in Contemporary Tonga

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Tonga remains one of only six countries that have not ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which was adopted in 1979 by the United Nations General Assembly. In March 2015, the Tongan government made a commitment to the United Nations that it would finally ratify CEDAW, albeit with some reservations. The prime minister, 'Akilisi Pōhiva, called it “a historic day for all Tongans . . . in support of our endeavour to eliminate all forms of discrimination against women and girls” (*Matangi Tonga* 2015e).¹ However, the decision to ratify was met with public protests and petitions, and in June, the Privy Council, headed by the king, announced that the proposed ratification was unconstitutional (P Fonua 2015), claiming that under clause 39 of Tonga's 1875 Constitution, “only the King can lawfully make treaties with foreign states” (Radio New Zealand 2015b). This article asks why so many Tongans, both male and female, are against ratifying CEDAW. I argue that their protests conceal much deeper anxieties about gender equality and, more broadly, about democracy and Tonga's future. In order to understand this resistance to CEDAW's ratification, I explore key issues in Tonga's contemporary gender politics, including women's roles in leadership, the economy, and the family, as well as government policies addressing gender equality.

CEDAW IN TONGA

Most Pacific nations have ratified or acceded to CEDAW,² beginning with New Zealand in 1985 and Sāmoa in 1992. The only remaining Pacific countries are Palau, which signed the convention in 2011 but has not formally ratified or acceded to it,³ and Tonga, which has not even signed the

convention (United Nations 2016). It took many years for the government of Tonga to consider ratifying CEDAW, with the first serious discussions beginning a little more than a decade ago. A breakthrough came in 2005 when Tongan parliamentarians attended a workshop on democracy and gender equality organized by the Commonwealth Parliamentary Association and the UN Development Fund for Women, commonly known as UNIFEM. The first of the resulting eight recommendations was the immediate ratification of CEDAW (Guttenbeil-Likiliki 2006, 149). A move to begin the ratification process followed in 2006, but the process was suspended, and debate continued sporadically until 2009 when the issue was raised again in Parliament. Tonga's Legislative Assembly voted not to ratify CEDAW, arguing the need to reserve the right to maintain male succession to the throne, to noble titles, and to registered land. Such reservations about the relevant articles in CEDAW were assumed to be "impermissible," given that they would be "incompatible with the object and purpose of the present Convention" (Ministry of Finance and National Planning 2010, 29). However, many governments have recorded reservations on specific articles of the convention. For example, when the Cook Islands became party to the convention through New Zealand's ratification process in 1985, part of the text regarding its reservations was that it "reserves the right not to apply Article 2 (f) and Article 5 (a) to the extent that the customs governing the inheritance of certain Cook Islands chiefly titles may be inconsistent with those provisions" (United Nations 2016). This reservation was withdrawn in July 2007, a year after the Cook Islands acceded in its own right and following its first dialogue with the CEDAW committee (Cook Islands Government 2009).

Feleti Sevele, who was Tonga's prime minister in 2009, wrote to the editor of the online news magazine *Matangi Tonga* during the 2015 CEDAW controversy and reported:

We and the Government I led were opposed to ratifying CEDAW as its main provisions, especially Articles 2 and 16—the core provisions of the Convention—are in direct conflict with:

- a) some of the main provisions of our Constitution and laws;
- b) some of our traditional customs and traditions; and
- c) some of our basic Christian doctrines (Sevele 2015)

In 2011, CEDAW was revisited by the government led by Lord Tu'ivakanō, but again it was shelved due to concerns the United Nations would not accept Tonga's reservations (Moala 2015). After various consultation pro-

cesses, the government elected in November 2014 decided to push ahead, and Tonga's statement on ratification was presented to the UN Commission on the Status of Women on 9 March 2015 (*Matangi Tonga* 2015e). Although the prime minister proclaimed it "a historic day," he quickly added that Tonga would only ratify with reservations, which would enable Tonga to retain its laws preventing same-sex marriage and abortion as well as its constitutional provisions for succession to the throne and noble titles (M Fonua 2015; Moala 2015). Despite making these reservations clear, the announcement was met with public protests and petitions submitted to the government and the king.

The most vocal public protests were from church groups, and in May about five hundred people, including church leaders and some nobles, marched to present four petitions at the palace office. Rev Dr Ma'afu Palu of the Free Wesleyan Church of Tonga claimed that the petitions had "around 15,000 signatures combined" and described the march as including "citizens of Tonga, members of Christian churches from the Free Wesleyan Church, Catholic, Pentecostal, Tokaikolo Church, Mo'ui Fo'ou denominations and the Church of Tonga" (*Matangi Tonga* 2015a). Protesters waved banners stating things like "CEDAW is a secret agent of Satan." The Tonga Catholic Women's League also organized a public march, supported by the Catholic cardinal of Tonga, Soane Mafi, and the deputy president of the league, Lady 'Ainise Sevele, who is the wife of former Prime Minister (now Lord) Feleti Sevele.⁴ Lady Sevele joined the marches and told the media: "We know our place in our society. Women have a big voice in the running of the family, but the man has to make the final decision. In any other country they will challenge that, but in Tonga we don't. We were born into it and we know the benefits of just having one master in the household" (Munro 2015).

The king responded to the issue through the Privy Council in June 2015, claiming the government's plans were unconstitutional (Radio New Zealand 2015b). This can be seen as the first of the "smokescreens" created by the CEDAW controversy, as it masked the tension between the Privy Council and 'Akilisi Pōhiva, the first people's representative to become prime minister. Pōhiva, a longtime pro-democracy activist, personifies the concerns held by traditional leaders about the democratic reforms that are transforming Tonga's political landscape and weakening their power (Powles 2014). Democracy activism in the Tongan context has focused on reducing the power of the nobility by having more members of Parliament elected by the people. As much as it was a response to the issues of

CEDAW and gender equality, the Privy Council's intervention on CEDAW can therefore be seen as a means to destabilize the Pōhiva government and reassert traditional leadership. In this article, however, I focus on what the CEDAW controversy reveals about gender politics in Tonga, rather than on the tensions around democratic reform, although of course the two issues are inherently interrelated. For many Tongans they represent a broader anxiety about Tonga's engagements with modernity (Besnier 2011) and the country's future—an anxiety fueled in recent years by events such as the riots of November 2006 that destroyed a large part of Nuku'alofa and contributed to the increasing fragility of the country's economy.⁵

The protests against ratification and the Privy Council's actions caused serious discord within the government, and the prime minister announced on 31 August 2015 that Tonga would not ratify CEDAW at that time because it had divided the country (P Fonua 2015; Radio New Zealand 2015c). He suggested the issue be the subject of a referendum, following a public consultation period to ensure people were aware of what CEDAW actually means (Radio New Zealand 2015a). Such a referendum would be the first to occur in the kingdom, and public consultation and education about CEDAW is certainly needed. In addition to initial uncertainty about whether the United Nations had accepted Tonga's ratification (*Matangi Tonga* 2015b) and who had the right under the constitution to actually approve the ratification, there was widespread confusion in Tonga about what kinds of changes CEDAW might actually require of Tongan law and culture. For example, CEDAW says nothing specifically about same-sex marriage or abortion, yet these two issues quickly became the focus of the public protests. This effectively diverted attention away from issues around land and inheritance. As one woman in a prominent civil society organization (CSO) commented wryly to me, it also ensured these sensitive issues would “make the whole thing a drama.”⁶ This “drama” did not occur in the other Pacific nations prior to their ratification of CEDAW and has not led to the legalization of same-sex marriage, or abortion, or challenges to land laws in those countries ratifying it (Moala 2015).

A vocal pro-CEDAW activist, social worker Vanessa Heleta, told journalist Peter Munro that Tongan women are holding themselves back by deferring to traditional male power structures (Munro 2015). Pointing to stark differences in Tongan women's views on equality, she explained, “Whatever the church leaders say they go along with it. We're very far from a world of equality, because of women ourselves. I think if women come together, we could do major works. But it's only the handful of

women who are pushing women's issues." Heleta further argued that parliamentarians fear that supporting CEDAW will lose them votes; she claimed, "They don't have guts. I feel like we are living in 1775. I think it's just fear about giving us too much power. They think we are going to take over" (Munro 2015).

Rather than just a "handful" of women "pushing women's issues," there are numerous nongovernmental and civil society organizations supporting gender equality in Tonga. Collectively, they submitted a pro-CEDAW petition to the government during the protests (*Matangi Tonga* 2015c). However, the extent to which they represent Tongan women more generally is impossible to gauge, and I was told by several CSO representatives that a culture of fear had developed, making some women too scared to talk about CEDAW lest it have a negative impact on their families. The powerful influence of the churches in Tonga even led to divisions between women working for some of the organizations that are striving for gender equality and human rights, with some joining the protests against CEDAW while others pushed for ratification. Between these opposing positions, Tongan women are likely to have a wide range of opinions on gender issues, reflecting their diversity in other respects, such as age, rank, and education. Yet most of their views will not be heard, given that even professional, educated women have few arenas in which they are able to freely express their opinions. There are also deep divisions between the genders in Tonga to take into account; as one of the CEDAW supporters commented to me, "Unfortunately we're just women. None of the men are willing to join us."

THE MYTH OF FEMALE PRIVILEGE IN TONGA

In the years leading up to events in 2015, arguments that Tonga should ratify CEDAW were often dismissed by political and religious leaders on the grounds that Tongan women already have high status in Tongan society. It is worth examining that claim, which is raised in many contexts and has long been taken for granted within the discursive spaces in which gender is discussed, even though it is far more ideology than reality. Garth Rogers noted of the historical literature on Tonga, "All observers have recognized the privileged status of Tongan women" (1977, 157); however, this "privilege" was in relation to their position as sisters, not as women more generally. Early research on gender in Tonga focused primarily on chiefly women, but also acknowledged that for all women, their status as wives

and as sisters differed significantly (Gailey 1987; James 1983). Even the earliest accounts of Tongan society described the particular relationship between brothers and sisters (extending to cousins) in which brothers were expected to accord their sisters respect (*faka'apa'apa*) and protect their honor (see, eg, Gifford 1929). Rogers summarized this as sisters holding a higher status than brothers, but he added that their relationship is based on “respect and honour, not secular power” (1977, 162). So, while sisters may ask their brothers for goods and services, and more generally expect their support, their authority is limited. *Faka'apa'apa* also entails avoidance behavior between brothers and sisters, which constrains their interactions once they are past early childhood (Morton 1996, 132–136). However, even by the 1970s Rogers observed that the avoidance relationship was weakening (1977, 161). Today the extent to which it is maintained varies between families but it is typically far less stringent than the “taboo” described in early accounts.

The position of sisters is often described even in contemporary discussions of gender as “the *fahu* system.” “According to this tradition the sister (particularly the eldest sister) of a male Tongan is revered as the most highly ranked in the family structure and can only be superseded by her aunt (sister of her father)” (Guttenbeil-Likiliki 2006, 160). The role of the *mehekitanga*, or father’s eldest sister, is particularly important at life-crisis events such as funerals and weddings (Rogers 1977; Taumoevalu 1991). In the historical and anthropological literature of the 1980s, there were efforts to emphasize the importance of Tongan women as sisters, focusing on the *fahu* and *mehekitanga* relationships and linking them to issues of rank and status in Tongan politics (for a summary of this work, see James 1992). The “mystical” and “sacred” power of women as sisters was highlighted, and much was made of the fact that in chiefly families the female line was important due to the higher status of sisters, who as mothers passed on “the *eiki* [chiefly] quality itself” (James 1992, 91). However, there was also a pattern of “patrilineally favoured title succession” (Herda 1987, 196), so although there are some historical examples of women wielding political power, chiefly titles were almost always held by men. The primacy of patrilineal descent was reinforced in Tonga’s Constitution of 1875, which established, from the existing chiefly system, a set of noble titles that are inherited through patrilineal primogeniture. Since then, chiefly women have been excluded from formal political power, apart from Queen Sālote, who came to power in 1918 when there were no males in line for the throne.

The idea of female privilege is thus founded primarily on the role of sisters, particularly chiefly women. As Kerry James pointed out, “In the literature, women in Tonga have always been accredited with having a position of unique ceremonial pre-eminence in their society” (1983, 233). Although there are fairly limited spheres in which this “pre-eminence” is evident even in the historical record, there has been a tendency both in the academic literature and in Tongans’ representations of their culture to generalize about women’s high status. There has also been a tendency to conflate Tongan women’s status with power, with the associated assumption that the high status of women as sisters somehow protects them from gender inequality. Discussions of women’s roles as sisters seldom mention that despite the respect and avoidance relationship, brothers can behave punitively—even violently—toward sisters if they fear they have sullied the family’s honor (as can fathers). Within Tongan families women were, and still are, ultimately under the power of men, whatever their kinship position. This is reflected in the low status of wives in relation to husbands and the fact that, for any individual, their father’s kin have higher status than their mother’s. In addition, “gender interacts with kinship-based rank to produce very different outcomes for women at opposite ends of the social scale” (Emberson-Bain 1998, x). Commoner women, the vast majority of the female population, experience far less “female privilege” than higher-ranked women, and today this is further complicated by new forms of status such as education, occupation, and wealth.

Even by 1850, women’s influence as sisters had been affected by European Christian values that emphasize patriarchal family values and the role of women as wives. Christianity had also changed attitudes to “the potency of the sacred realm” (Herda 1987, 207). Women were further disadvantaged by the Constitution of 1875 through its emphasis on male inheritance of titles and the establishment of land rights only for males. As ‘Atu Emberson-Bain observed, “Unlike the Constitutions of other Pacific Island countries like Fiji, the Solomon Islands and Vanuatu, the Tongan Constitution carries no general affirmative action provision that could be invoked for women” (1998, 37). The eroding of women’s status and rights has continued, as shown in the following section, yet the myth of female privilege and high status has continued to dominate discourse around gender in Tonga. For example, an overview of gender in Tonga published by the Japan International Cooperation Agency in 2010 states: “Most government officials interviewed for this study claim that there are no gender

issues in Tonga, citing that women are traditionally respected and well off in the country” (2010, 8). This reflects the arguments that continue to be made in relation to CEDAW, which deny that significant gender inequalities exist in Tonga today. Emberson-Bain’s observation still holds true: “The ideology of the *fahu* also retains its influence, underpinning the acceptance by many women of the existing social order (notably the superior political status of men and their privileged land rights) and generally discouraging advocacy on women’s rights” (1998, 89).

GENDER IN CONTEMPORARY TONGA

Despite Tonga’s small and ethnically homogenous population,⁷ any discussion of gender there today must take into account the internal diversity created by geographic location, socioeconomic status, education, rank, and other forms of difference. Well-educated, salaried women living in the capital, Nuku’alofa, live lives quite different from those of poorly educated women in remote rural areas, particularly those outside the main island, Tongatapu, who have limited access to paid employment. Nevertheless, there are also remarkable similarities in fundamental aspects of gender relations that affect all Tongan women. Gender inequalities continue to be reproduced in all areas of society, including key institutions such as the churches and government. Debates about CEDAW and more broadly about gender equality and women’s rights are largely about this shared experience and thus about aspects of Tongan culture that underpin women’s position. In the following discussion, differences between women are acknowledged, but the focus is primarily on issues affecting all women and the inequalities that continue to shape their daily lives. Some key aspects of Tongan society in which there are stark gender inequalities are examined in order to reveal the wider issues underlying the widespread resistance to CEDAW and the principles it embodies.

Women in Leadership

Tonga’s 1875 Constitution established the ranked social order of royalty, nobility, and commoners, and the parliamentary system that continue today. The country remains a constitutional monarchy, and its rulers have all been male, apart from Queen Sālote. The constitution ensures that only males can hold noble titles, effectively excluding women from formal political power unless they are among what was—until reforms in 2010—the parliamentary minority of elected people’s representatives (Powles

2014).⁸ Political reform has been a very slow process; a pro-democracy movement emerged in the late 1980s, but there were no significant moves toward democracy until the rule of the late King Tupou V and the appointment of the first commoner prime minister, Feleti Sevele, in 2006. In the November 2010 elections, the majority of seats in Parliament (17 of 26) were for the first time held by people's representatives. Yet no women were among those elected in this or the next election in 2014, when 16 female candidates stood as people's representatives but received only 7 percent of the vote (International IDEA 2015, 6).⁹ Indeed, throughout the history of Tonga's Parliament, only 5 women have ever been elected, and only 3 have been appointed to ministerial positions.

Despite attempts since the early 2000s to increase women's political participation, social and cultural barriers have remained, including women's reluctance to challenge patriarchal cultural norms.¹⁰ As has been argued in relation to the low rate of women's political participation across the Pacific, there is a "dynamic interplay between traditional cultures, the influence of modernity and gender relations" (Zetlin 2014, 264). This also helps to explain many Tongan women's reluctance to support CEDAW, which they see as a direct threat to "traditional culture."

Since its establishment in 2010, the Tonga National Leadership Development Forum (TNLDF) has been encouraging women's involvement in local political leadership, such as village and district councils, with the aim of building women's participation in national government. Some progress is being made and, in July 2016, Sisifa Fili became the first female district officer ever elected and Vika Kaufusi became a town officer (Radio New Zealand 2016b), followed shortly thereafter by 'Akosita Lavulavu winning a by-election in Vava'u and becoming the only female member of Tonga's Parliament (Radio New Zealand 2016a). Other women already hold leadership positions in some spheres, such as civil society organizations and even government departments (see next section); however, women are notably absent from other areas, such as within the leadership of most of Tonga's churches and, with or without CEDAW, they seem unlikely ever to hold noble titles.

Women in the Economy

International measures of gender equality consistently show that Tonga ranks poorly. For example, the United Nations Development Programme (UNDP) gender equality index for 2014 ranks Tonga at 148 out of 155 countries, measured on reproductive health, empowerment, and economic

activity (UNDP 2015).¹¹ Tongan government reports also show there has been little improvement over the past couple of decades in women's level of participation in economic activities; in fact, the gap between male and female workforce participation is widening (Ministry of Finance and National Planning 2010). However, women's involvement in the informal economy is not reflected in official employment statistics, and many women continue to generate some income by producing traditional wealth (*koloa*), primarily decorated bark cloth (*ngatu*) and woven pandanus mats (*kie*). At present, this income is boosted by the continuing importance of these wealth items in gift exchanges at events such as weddings and funerals, including throughout the Tongan diaspora (Addo 2013; Addo and Besnier 2008). However, women who rely on this income are vulnerable to changing demand for *koloa*, and little is being done to establish alternative sources of income, particularly in rural areas.

Women also have been involved in agriculture since the precontact era, although they are often seen as "helping" the men, and their labor is usually controlled by husbands and in-laws (Fleming and Tukuafu 1986, 51). Land laws and patrilineal inheritance mean that women have no independent land rights. Under Tonga's 1875 Constitution there is no freehold land; most land is divided into nobles' estates (*tofi'a*), and males inherit land-use rights, leasing land from their noble or the Crown. A widow can use her husband's allotment but cannot pass it on to her children, and if she enters another relationship, she loses access.

Women's exclusion from land rights is one of the bigger issues being masked by the CEDAW protests that focus attention on abortion and same-sex marriage. Land has been a contentious issue in Tonga for many years, yet the only concession given to women has been a 2010 amendment to land laws "to allow the oldest female child in situations where there is no male heir to register the family allotment and to pass that on to her oldest male child when he comes of age" (Ministry of Finance and National Planning 2010, 30). Despite a Royal Commission of Inquiry in 2012, which recommended amendments to the law to give women equal inheritance rights, there has been no further change. Women can legally acquire leases to land in order to sidestep the inheritance issue; however, it is very difficult for them to do this in their own name and without the help of male kin.

In a 1998 briefing paper on women in Tonga, Emberson-Bain observed that "discrimination in the area of land law poses one of the most conspicuous transgressions of CEDAW"; she further noted that change is unlikely

due to “the political sensitivities surrounding land and the broader social implications of land reform” (1998, 37). There are also other reasons for widespread resistance to changing the land laws, including the limited land available for division, the growing population, and ongoing rural-to-urban migration, which puts significant pressure on land in some areas, particularly on Tongatapu. Migrants often maintain their leaseholds, sometimes leaving the land unused for many years, further reducing land availability.

Concerns around access to land are linked to Tonga’s economic problems, particularly since the global financial crisis of 2008–2009 when the remittances on which Tonga relies so heavily declined dramatically. Reliance on remittances and foreign aid continues, with the latter accounting for 59 percent of the 2014–2015 national budget (P Fonua 2014). Living costs have also risen in recent years, placing strain on household economies. In rural villages, especially those beyond Tongatapu, it is remarkable how little improvement there has been in people’s lives. A survey of rural women’s roles in 1982 by Meleseini Faletau describes a range of problems that persist more than three decades later, including “insufficient family income, inadequate ‘good food’, poor water supply, heavy work-load, poor housing conditions and home environment, and absence of vegetable gardens for self-sufficiency”; further, for these women, “participation in productive activities implies long hours of hard and physically demanding work” (Faletau 1982, 47, 45).

In Tonga, there have always been limited options for paid employment and income generation, especially for women. However, women are well represented in professions such as nursing and teaching, in civil society organizations, and in the public service, with some women in high positions such as CEO and deputy CEO of government departments. Particularly within the educated and relatively wealthy elite, which crosscuts the usual social divisions by rank, women have also begun to establish themselves in the private sector, holding high executive positions in banks and prominent companies (Guttenbeil-Likiliki 2006, 147). Some have even established their own businesses, although in addition to their kinship obligations (discussed in the next section) they face a number of obstacles, including difficulties navigating the licensing regimes, with male officials often making it difficult for women to obtain permits and licenses, and gendered exclusion from the necessary knowledge and networks (Hed-ditch and Manuel 2010). Women also find it difficult to access credit or manage high-interest loan repayments (Nakao 2010). Even for loans for

other purposes such as household improvements, women usually need male kin as signatories.

Women in the Family

Tongan society is shaped by two interrelated forms of hierarchy: the broad social-ranking system of royalty, nobility, and commoners, and the complex relationships between members of extended kinship groups. As discussed previously, women are largely excluded from political power in the formal ranking system; it is primarily their roles within kinship hierarchies that enable them to claim any other forms of power. Kinship networks also provide crucial forms of social protection for women (and by women) in the absence of any formal social welfare system, child or family allowance scheme, or subsidies for child care (Jolly and others 2015). Informal social protection is particularly important for the increasing number of women who are household heads. In Nuku'alofa, where about a quarter of Tonga's population now lives, females headed nearly 30 percent of households in 2009 (Ministry of Finance and National Planning 2010).

A significant contributing factor to the number of female-headed households is the steadily rising involvement of Tongans, mainly men, in seasonal-worker schemes and other forms of labor migration to Australia, New Zealand, and the United States, leaving women to manage households alone. Previously, men who migrated to find work, particularly in the 1960s and 1970s, tended to settle overseas and sponsor other family members to join them. This led to the establishment of a Tongan diaspora with a population now exceeding that remaining in Tonga (Lee 2003). Remittances from the diaspora have supported Tonga's economy for many years, but as the earlier migrants age and their contributions diminish, and their overseas-born children and grandchildren contribute at far lower levels (Lee 2011), the new waves of migration for seasonal work will be increasingly important.

Women's strategic interests and identities are closely tied to kinship networks rather than individual gain, which helps explain their ambivalence toward "the feminist claim of the home as a space of women's subordination" (Liki 2015, 137). However, it must also be acknowledged that kinship responsibilities contribute to women's much lower rate of participation in the workforce. Faletau's description of Tongan women's roles in 1982 is still apt today: "Women have a duty to gain an awareness of their moral and social responsibility towards their families" (1982, 45).

Women hold primary responsibility for household management, child

care, and care of the sick, disabled, and elderly. Those responsibilities have continued to increase in the absence of formal child care (except a few private centers only recently opened in Nuku'alofa), little formal support for the disabled or elderly, and reduced government spending on health care. Transnational ties provide remittances that help to support households, but they can also add to women's burden, as there is a flow of children and youth from the diaspora being cared for in Tongan households (Lee 2009; Lee in preparation). Women also do most of the volunteer work and other forms of community support, particularly in the churches. Those who do enter paid employment have to juggle this with their many other responsibilities, as well as being expected to divert part of their income to meet their obligations to kin and the church. Doing this not only demonstrates their adherence to cultural values such as generosity, it also ensures women remain within kin and community support networks.

The higher status of sisters does continue to be acknowledged, despite the weakening of the *faka'apa'apa* relationship between brothers and sisters in many families. For older women this can mean playing significant roles during life-crisis events such as weddings and funerals, particularly in relation to the associated gift exchanges, which involve *koloa* produced by women. The role of *mehekitanga* is still widely respected and gives women a certain degree of authority over their brothers' children, particularly as women get older and gain the additional status and respect accorded them as senior members of their extended family (*kāinga*). Yet for younger women, their position as sisters can be experienced primarily as behavioral restraints and lack of freedom of movement. In my recent research focusing on overseas-born Tongan youth attending high schools in Tonga, the female participants all found gendered expectations one of the most challenging aspects of life in Tonga (Lee 2016; Lee in preparation). As sisters upholding their family's honor, they found that every aspect of their behavior was scrutinized and judged, which they experienced as restrictive and sometimes punitive rather than as an indication of higher status.

Gender Equity in Policy

The various forms of gender inequality that have been discussed thus far have received recognition in government policy for some time, but there has been little change to the status quo due to a lack of both funding and political will. Tonga was signatory to the Beijing Platform for Action in 1995, and since then has committed to a number of national and international plans and agreements concerning gender equality. Tonga's own

National Policy on Gender and Development, first introduced in 2001, aimed for gender equity by 2025, to ensure “all men, women, children, and the family as a whole achieve equal access to economic, social, political, and religious opportunities and benefits” (Hedditch and Manuel 2010, 14). This same ambition is reiterated in the revised policy developed in 2014 (Ministry of Information and Communications 2014). Implementation of the action plan for this policy is the responsibility of the Women’s Affairs Division (WAD) within the Ministry of Internal Affairs. However, the WAD is reliant on donor funding to provide financial and human resource capabilities to ensure implementation, and it received only 0.007 percent of the total government budget in 2009–2010 (Braun 2012, 11). Until 2014, the WAD and its predecessor government departments lacked specific gender policies and programs (Hedditch and Manuel 2010; Japan International Cooperation Agency 2010). The Australian government has since provided A\$2.6 million (approximately US\$2 million) through the Pacific Women Shaping Pacific Development program to support initiatives around women’s empowerment from 2014 through 2017 (Government of Australia 2014, 2015). As the debates around CEDAW continue in Tonga, it will be interesting to see what impact this program has on measures to improve gender equality.

Programs such as Pacific Women, foreign donor agencies, and women’s rights activists within Tonga are placing Tonga’s government under growing pressure to address gender inequality. Yet even if CEDAW is ratified it will take a considerable time to implement any serious changes. Gender issues have been a very low priority for the government, so most ministries have no gender policies, and there has been only limited collaboration and consultation with Tonga’s nongovernmental and civil society organizations (Government of Tonga 2010). The National Strategic Planning Framework, which extends from 2010 to 2020, reveals this ongoing inertia, with no mention of gender in its key outcome objectives and targets; it includes a single paragraph claiming to support gender equity through economic opportunities (Ministry of Finance and National Planning 2010). The Tonga Strategic Development Framework (TSDF) 2015–2025, released in May 2015, pays more attention to gender issues, and one of its seven national outcomes is “a more inclusive, sustainable and empowering human development with gender equality” (Government of Tonga 2015, 18). However, the associated “organisational outcomes” do not mention gender at all, focusing instead on broad aims such as improving health care and education (Government of Tonga 2015, 90). Overall,

gender is not a central focus; in annex 14, which lists priorities “outside the coverage of the TSDP,” there is a return to the myth of female privilege discussed earlier: “While recognizing the high status of women in Tongan culture, ensure that improved gender balance is built into all policies, plans, laws and initiatives” (Government of Tonga 2015, 118).

One of the issues that has become a prominent focus of CEDAW protests is same-sex marriage, which, like abortion, was among the reservations the government indicated it would request as part of the ratification process. Same-sex marriage is likely to be out of consideration in Tonga for the foreseeable future, given the deeply conservative attitudes toward homosexuality within the main Tongan churches, especially the Wesleyan and Catholic churches. However, a related area of gender equality that is being completely ignored in CEDAW discussions is the considerable discrimination experienced by Tonga’s *leiti* (transgender males) (Besnier 2011). Protests around same-sex marriage may be targeted more generally at homosexuality, which is still criminalized in Tonga, but, as Niko Besnier’s research has shown, this is a complex and hidden issue, given that consensual sex between straight men and *leiti* is not uncommon (1997).

Leiti are vulnerable to gender violence but also have been largely excluded from the discussions of family violence in Tonga in recent years. Along with discrimination against women and government corruption, domestic violence was identified by the US Department of State in 2013 as one of Tonga’s worst human rights problems (US Department of State 2013, 1). Domestic and gender violence have been acknowledged issues in Tonga for many years, but it was not until a National Study on Domestic Violence was produced by the women’s advocacy group Ma’a Fafine mo e Famili in 2012, from data collected in 2009, that momentum really started to gather toward any policy initiatives (Jansen and others 2012). Finally, in 2014 the Family Protection Act came into effect, although the extent to which it can effectively be implemented remains to be seen. To support implementation, and as an indication of the seriousness of the issue, approximately half of the Australian government funding for Tonga through the Pacific Women program is directed toward reducing violence against women (Government of Australia 2015). Interestingly, discussions of CEDAW have largely ignored the potential for ratification to lead to further changes in addressing gender violence, which continues to permeate all levels of Tongan society.

The other major issue in the CEDAW protests is abortion, which is illegal in Tonga except to save the life of the mother. The protests ignore the

government's intention to require a reservation to its CEDAW ratification that would maintain current abortion laws—although CEDAW does not actually refer specifically to this issue. So perhaps the protests actually mask wider concern about reproductive freedom, which is currently limited, and there are significant cultural, religious, and even legal barriers to contraception. For example, according to Ministry of Health policy, a man can obtain a vasectomy without his wife's consent, but she requires his consent if she wants to be sterilized (Braun 2012). This reflects the inequality in marital relationships, which tends to be ignored in representations of Tongan women's "high status" and "privileged position."

Both same sex-marriage and abortion, the key issues on which CEDAW protesters have focused, can thus be seen as smokescreens hiding layers of issues with which most Tongans are unwilling to grapple. At one level, there are the complications underlying the idea of same-sex relationships and the issues around reproductive freedom as symbolized by abortion, but there are much deeper concerns around gender and sexuality that are not being confronted. This is clear in the arguments that successive Tongan governments have made against ratifying CEDAW in the past, in which the desire to protect the laws of male succession to hereditary titles and land rights has been repeatedly cited along with other aspects of Tonga's "cultural and social heritage" (Japan International Cooperation Agency 2010, 9).

It is these deeper issues that underlie protests against CEDAW, and as they are highly contested, even the women's groups that have worked so hard for many years on issues like domestic violence are now divided in their views on ratification. Civil society groups working on women's issues, such as Langa Fonua 'a Fafine Tonga, the National Centre for Women and Children, Women and Children Crisis Centre Tonga, Ma'a Fafine mo e Famili, and the Catholic Women's League, are often unable to work together to push for gender equality because of their conflicting perspectives on culture in relation to women's roles and status. Also, within each of these groups there are diverging opinions about what should constitute gender equality and how this could accord with the maintenance of Tongan culture. Even if they could agree, without women in positions of political power, such groups will continue to work without strong support from within the government. Issues of gender equality are not priorities for either the government or Tonga's traditional elite, so the work of civil society organizations and the provision of foreign aid for gender programs will continue to merely chip away at the edges of the issues. As argued in

an analysis of the 2014 elections: “Attempts to improve the opportunities and conditions for women’s participation need to be directed at all levels of decision-making in the private and public sectors in order to erode social and cultural barriers” (International IDEA 2015, 6).

CONCLUSION

Tonga is experiencing a period of considerable flux, and gender has become a key issue linked into anxieties around the shift to democratic government, the fragile economy, and the very future of Tongan society. The focus on CEDAW and the specific issues of same-sex marriage and abortion, has—at least temporarily—sidelined more generalized fears about the future that include a range of other issues such as the threat of climate change, concerns around youth, and the impact of the digital age that this article has not had the scope to address. There is profound unrest about the issue of gender equality because it challenges both traditional hierarchies that predate European contact and the patriarchal values embedded within Tongan’s indigenized form of Christianity. At a fundamental level, gender equality is perceived as threatening Tongan culture and “tradition,” which most Tongans are deeply committed to retaining even as they engage with modernity on various levels. This helps to explain why many of those protesting against CEDAW are women, since the convention has been positioned discursively in Tonga as undermining deep-seated cultural values and Tongan identity and thus potentially changing Tongan society in ways that for many are simply unimaginable. The ideas of gender equality symbolized by CEDAW are thus dismissed both in terms of assumptions of Tongan women’s already privileged status and, paradoxically, as a foreign concept threatening Tongan culture by increasing women’s status.

The debates around CEDAW will continue, especially as the United Nations is pushing for Tonga to ratify without any reservations (Radio New Zealand 2015d). However, as is evident across the globe, ratifying CEDAW does not immediately lead to significant changes to gender inequalities anyway; it is just one step in that direction. In Tonga, the extraordinary reaction to the government’s attempt to ratify CEDAW reveals just how difficult it will be to take that step. The “smokescreens” described in this article have largely obscured the real issues that need to be addressed. If they somehow clear, there could be some open debate about those issues in ways that have not been possible in the past, from land laws and inheri-

tance rules, to lack of political representation, through to the pervasive forms of inequality that all Tongan women continue to deal with in their daily lives.

* * *

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Notes

1 Article 1 of CEDAW defines discrimination against women as “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field” (UN Women 1979).

2 Accession has the same legal effect as ratification (United Nations 2015).

3 A Pacific Islands Forum Secretariat report on Palau notes, “The lack of action on CEDAW has been attributed to the underlying issue of Palauan women not speaking with a unified voice in favor of ratification” (2016, 3). However, there have not been any strong protests against signing or ratification in Palau (Poso 2010). Although both countries share the issue of divergent women’s opinions, in Tonga it is the traditional leaders and some churches that are most strongly opposed to CEDAW.

4 Sevele was given a life peerage in 2010 by King Tupou V, who conferred on him the title Lord of Vailahi, which gives Sevele the privileges of a lord of the realm (Ministry of Information and Communications 2010).

5 The riots were partly due to the public’s frustration over the slow pace of democratic reform, but they were more generally an expression of people’s despair about the country’s economic situation.

6 I was in Tonga in May and June 2015 working on a project for the Pacific Leadership Program, with the Tonga National Leadership Development Forum (TNLDF). During that time the CEDAW controversy was still unfolding, and I was particularly interested in its implications for women and leadership, a key concern of TNLDF. This article is also informed by my many years of research with

Tongans on childhood and youth, migration, and transnationalism, much of which has focused on issues of gender and Tonga's social and political hierarchies.

7 Tonga's population in the 2011 census was 103,252, and 100,710 were Tongan or part Tongan (Tonga Department of Statistics 2011). The population is scattered across the archipelago, although 73 percent now live on the main island of Tongatapu (Ministry of Finance and National Planning 2010).

8 Before 2010, Parliament comprised 9 members elected by the people, 9 nobles (elected by the nobles), and a prime minister, with up to 12 members appointed by the king. Since the reforms there are 17 people's representatives and 9 nobles, and the prime minister is chosen by the members rather than by the king (Powles 2014, 2).

9 Vanessa Heleta, who established the Talitha Project to support young women in Tonga, made the documentary *Women's Leadership in Crisis* after the 2014 elections, interviewing the female candidates. Unfortunately, the all-male production unit drowned out the women's voices with loud music! (*Matangi Tonga* 2015d).

10 Guttenbeil-Likiliki identified the traditional brother-sister taboos as one of the barriers to women entering Parliament. For example, women's personal history could be publicized during election campaigns and heard by classificatory brothers, and even if they were successful, they could have classificatory brothers in Parliament (Guttenbeil-Likiliki 2006, 161).

11 One respect in which there is gender equality in Tonga is in literacy levels and education, although at the tertiary level there generally is a very low level of participation, whether male or female (Tonga Department of Statistics 2011).

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Abstract

Tonga is one of only a few nations yet to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In early 2015, when the government announced its plans for ratification, there were widespread protests, particularly about CEDAW leading to same-sex marriage and access to abortion. Then, during the week of celebrations for his coronation, the king through the Privy Council pronounced the government's plans unconstitutional. In this article, it is argued that the protests and the king's actions masked wider anxieties about fundamental issues of gender equality as well as about the shift to democratic government and the country's uncertain future. Drawing on historical accounts of gender relations in Tonga, I examine the current situation of flux, in which issues of access to land, women in leadership, reproductive freedom, and domestic violence are coalescing. The narrowly focused protests against CEDAW thus act as smokescreens concealing the realities of contemporary gender politics in Tonga.

KEYWORDS: Tonga, CEDAW, gender, government, equality