

Political Reviews

*Micronesia in Review: Issues and Events, 1 July 2015
to 30 June 2016*

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COOK ISLANDS

The year under review was a pivotal one as the Cook Islands celebrated its fiftieth anniversary of independence. Over the last twelve months, immediate and longer-term concerns have seen old relationships revisited and new ones forged. In this review, particular attention is given to highlighting the leadership of women in advancing the Cook Islands across different sectors and issues as political powers continue to shift and take hold.

Although women are increasingly elected and appointed as parliamentarians, heads of government departments, chairs and directors of statutory bodies and private entities, and customary titleholders, there appears to be little progress made toward transforming the gendered nature of Cook Islands politics. Indeed, despite women's making up approximately 50 percent of the country's population and positions held in the public service, their representation remains low across positions of authority and leadership (Ministry of Finance and Economic Management 2012; Ministry of Internal Affairs 2011).

Nevertheless, key appointments have been made this year. Six women were appointed as heads of ministries among the thirteen government

departments. They include the first-time appointment of seasoned public servants who have worked their way up the ranks. Tapaeru Herrmann was appointed secretary of the Ministry of Foreign Affairs and Immigration, and Gail Townsend replaced the retiring secretary of the Ministry of Education, Sharyn Paio. Reappointments included Elizabeth Wright-Koteka as chief of staff for the Office of the Prime Minister, Elizabeth Iro as secretary of the Ministry of Health, Bredina Drollett as secretary of the Ministry of Internal Affairs, and Daphne Ringi as chief executive officer of the Office of the Public Service Commissioner (OPSC 2015).

This year also saw Teremoana Yala appointed as Cook Islands' high commissioner to New Zealand. With thirty-five years of public service experience, including fourteen years as a senior official at the Cook Islands High Commission in New Zealand, Yala is very familiar with Cook Islands' development and diplomatic representation needs (*CIN*, 3 June 2016). Although not the first woman to be appointed to the position, she is the first to take up the office; traditional leader and former head of the Koutu Nui (traditional leaders group) Te Tika Mataiapo Dorice Reid was announced in April 2011 to take up the role but passed away unexpectedly before being able to assume the appointment (*CIN*, 23 June 2011).

A less obvious but nevertheless

noteworthy appointment was also made with Caren Rangi taking up a directorship on the Board of Directors for the Cook Islands Investment Corporation (CIIC). Based in New Zealand and with ties to Northern and Southern group islands in the Cooks, she holds a range of community and national level governance roles. She is the national president of PACIFICA Inc, a pan-Pacific women's organization in New Zealand, and serves as a board member of the Creative New Zealand Arts Council as well as the Pacific Homecare Services and Charities Registration Board (PACIFICA Inc 2016). Responsible for the oversight of all government assets including land and a number of state-owned enterprises, CIIC makes use of Rangi's expertise in attending to its affairs. These include the development of seabed minerals and preparation of the contract with the United Nations International Seabed Authority, which gives the country mineral rights to a specified area of its exclusive economic zone, and a joint-venture agreement with GSR (Global Sea Mineral Resources NV). This allows the Belgium-based private company the opportunity to explore and mine the designated area held by the Cook Islands (CIIC, 15 July 2016; CIN, 26 July 2016). Caren Rangi's appointment can be seen as a reflection of the government's openness to looking beyond its geographical boundaries in making use of skilled Cook Islanders to provide expertise for the country.

As an example of Cook Islands women's leadership outside of the country, Teresa Manarangi-Trott was appointed to the new Specialist Subcommittee for Regionalism supporting the Pacific Islands Forum Secre-

tariat implementation of the Pacific Regionalism framework (CIN, 6 May 2015). She provides the committee with a small island states perspective, supported by her private sector and economic development experience. Having served on the Cook Islands Tourism Corporation Board of Directors for ten years, she is credited with transforming the agency's financial management (CIN, 3 Nov 2015). As an executive member of the national private sector organization, the Chamber of Commerce, she has also been instrumental in the capacity development of local businesses (CIN, 21 Sept 2015).

Recognition can also be given to the country's young women. Despite the controversy between the legitimacy of two pageant associations, Natalia Short was crowned one of two Miss Cook Islands. Having won the Miss Cook Islands Association title, Natalia has been an ambassador for key causes. A business management graduate, she attended the General Assembly of the Red Cross in Geneva as the youth ambassador of the Cook Islands Red Cross. She also supported the End the Violence campaign as the #ENDtheviolence Ambassador for Punanga Tauturu, a Cook Islands women's voluntary organization (CIN, 30 April 2016).

But concern about women's participation in politics is not just about increasing the numbers in leadership positions. As one of four women members of Parliament (MPs), Democratic Party MP for Titikaveka Selina Napa is active in her parliamentary work. She is a member of the select committee for the Family Law bill, which is set to table overhauled and outdated family

laws. More protection for survivors of sexual offenses is a part of the bill; this includes criminalizing marital rape, which is not an offense in current law. After two separate incidents of rape against young women were reported, and drawing on the 2014 report on family health and safety (Te Marae Ora and others 2014), Napa stated that “we are such a small nation, but the figures advise us that one in three women are subjected to some form of physical and sexual abuse” (CIN, 17 March 2016). Napa has called on all parliamentarians to support the bill, which is waiting to be tabled in Parliament.

This year also saw a woman challenge the prime minister’s position for the first time. Rose Brown, MP for the Teenui-Mapumai electorate in Atiu, became central to continued political maneuverings within the country and a failed coup to oust the current prime minister and his government. After winning her seat in the 2014 election, first-time MP Brown crossed the floor to join the Opposition coalition. In a bold move, the Opposition coalition sought to remove the Cook Islands Party (CIP) government when Parliament retired from its 17 June 2016 sitting. The Opposition members met at Parliament on Monday 20 June and asserted that the parliamentary session that ended on the previous Friday had not followed the procedure correctly, whereby no proper resolution to close the sitting was carried. Being of the view that Parliament was still in session, the members undertook to hold a no-confidence vote against Prime Minister Henry Puna, who flew out of the country to attend the inaugural Small Island States meeting being held

outside of the Pacific Islands Forum leaders group in Palau (PIR, 26 June 2016).

The parliamentary session was chaired by Brown, the Cook Islands Party’s only woman member and deputy Speaker of the House, and attended by the Opposition members. Democratic Party MP Albert Nicholas, who last year crossed the floor to take up a cabinet position with the CIP government, also attended the session (CIN, 22 June 2016). The members subsequently voted Brown as the prime minister; however, she was not sworn in by Queen’s Representative Tom Marsters. He upheld Speaker of the House Niki Rattle’s ruling of adjourning Parliament sine die (without a designated future date) (Pearlman 2016). While Brown may not be given the accolade of first woman prime minister, she is the first woman to be nominated by an Opposition coalition to be sworn in to the highest office in the Cook Islands.

In speaking out about the move to change the government, MP Brown as the current leader of the Opposition coalition expressed her shock at the dirty politics and failure of all politicians over the years to make necessary political reforms. In pointing out that the government has sat for only ninety-three days in the last five years, Brown is looking for political commitment to make changes. She stated, “I am not interested in the power, I am interested in helping my people, no matter what they think about politics or the people who continue to feed off the system” (CIN, 30 July 2016). Elected by the Democratic and One Cook Islands parties “as the leader of Unity in Parliament not as the leader

of the opposition,” Brown aspires to have the Cook Islands Party join and connect with efforts for a “real government of national unity.” This intention is particularly poignant at this time as Brown reported that the CIP executive had recently agreed to Henry Puna’s stepping down as prime minister (*CIN*, 30 July 2016). Overall, the diverse leadership of women expressed in the year under review highlights the quality of women’s participation in the country’s affairs despite the ongoing everyday challenges women face and the need for increased representation locally and further afield.

The celebratory nature of this year culminated on 4 August 2015 with the official commemoration of the country’s fiftieth anniversary of self-governance. The proceedings took place with full island-style ceremony and entertainment. Attended by a wide range of local and international dignitaries, the warm, cloudless day included commemorative speeches, a religious dedication, flag raising, cake cutting, and cultural performances. A flyover by an Air New Zealand commercial flight, a twenty-one-gun salute from a New Zealand navy vessel, and gift giving to the diplomatic corps also took place. In his Constitution Day speech, the prime minister acknowledged the challenges the country has faced in its journey as a nation. He paid homage to past leaders and partners who have shared and shaped the journey so far. Looking to the future, Puna noted that the key lies in embracing a cohesive and inclusive approach, as in the vision of the Cook Islands’ first premier, Papa Arapati Henry, in which “no one in

the tribe is left behind, and no one in the village is forgotten” (*Cook Islands Sun* 2015).

In reflecting on these words in real terms, the Cook Islands examined its relationship with its associated state partner, New Zealand. While the Cook Islands remains responsible for its domestic and foreign affairs, New Zealand provides development assistance through a traditional donor-aid recipient relationship. In 2015, a new aid agreement was signed between the Cook Islands and New Zealand. The performance-based agreement is touted as a historic arrangement because of the shift from project-based to the higher aid modality of budget support. This modality will see a working group set up, consisting of the two countries’ respective government representatives, to engage in higher-level domestic policy dialogue rather than deal with the operational details of projects (*CIN*, 7 Nov 2015). On the one hand, this kind of modality favors the country-ownership principle with the use of the Cook Islands’ own country systems to manage external development activities and funds. On the other hand, with increased levels of policy influence accorded a donor, budget support can be seen as eroding small island developing state sovereignty, whereby its policy space shrinks as external actors and mechanisms get involved in a country’s decision making (Khan 2007; UNCTAD 2014). Having this particular development partner at the Cook Islands’ policy-making table in this way reflects an “inverse sovereignty” effect (Murray and Overton 2011) wherein such a policy dialogue arrangement can be seen as an

increased demand and conditionality placed on the Cook Islands.

During a year that has also been about celebrating the new and not just what has happened over the past fifty years, another relationship has also taken a notable historic turn. In October 2015, a signing ceremony took place between the Cook Islands government and Te Kingitanga (the King Movement) at Tūrangawaewae Marae, in Ngāruwāhia in New Zealand. This Korero motu (cultural covenant) gives recognition to the “historical, ancestral and cultural ties between the Maori people of the Cook Islands and Aotearoa” (CIN, 27 Oct 2015). Areas of cooperation include “environmental issues including freshwater, climate change and fisheries; economic development including investment and commercial opportunities; social and cultural issues including language preservation and development and health and social well-being” (CIN, 27 Oct 2015). Seen as strengthening ancestral ties and acknowledging the indigenous authority of both countries, the covenant also reflects the ability of the Cook Islands government to engage in partnerships that go beyond its sovereign state-defined relationship with the New Zealand government.

Closer to home, the government took to challenging its own indigenous leaders, the Ui Ariki. Prime Minister Puna invited the Ui Ariki to consider their roles, functions, and contributions to their tribes and the country as a whole in the twenty-first century before seeking more funding from the government. Puna pointed to the prolonged absenteeism of chiefs who reside overseas and are not physically

resident in the Cook Islands to lead, serve, and live among their people as a contributing factor to the diminishing mana (authority) of the Ui Ariki (CIN, 25 July 2016).

There are 23 Ariki in the Cook Islands, with 16 sworn in as members of the constitutionally formed Are Ariki (House of Traditional Chiefs). This is a parliamentary body that provides advice to the government on a range of issues. In September 2015, the Are Ariki undertook its first-ever tour of New Zealand and Australia since it was formed in 1966 (Radio New Zealand 2015). Taking advantage of this opportunity to connect and consult with Cook Islands communities, they held discussions on a range of matters. These included absentee titleholders; the role of the Aronga Mana (group of chiefs, sub-chiefs and heads of families) in granting Cook Islands residency to foreign nationals; and the occupation rights and vesting orders related to the land-tenure system (CIN, 21 Sept 2015). Also on the agenda were the fiftieth anniversary celebrations of the establishment of the House of Ariki that would take place in 2016.

The three-year wait for Teina Bishop, the leader of the One Cook Islands Party, to have his day in court on corruption charges came to an end during this year of review. In November 2015, Chief Justice Thomas Weston granted leave to prosecute the former cabinet minister on two charges of bribery and corruption (CIN, 10 Nov 2015). Bishop was found guilty of corruption when he received funds from a subsidiary of Chinese fishing company Luen Thai toward the purchase of hotel accommodations

in Aitutaki. Bishop's sentencing will take place in August 2016. He could face jail time of up to fourteen years, ending his seventeen years of service as a member of Parliament and forcing another by-election to be held for the Arutanga-Nikaupara-Reureu electorate in Aitutaki (*CIN*, 30 July 2016).

In the face of the impending prosecution and subsequent verdict, Bishop continued to lobby to resolve marine resources management issues, which remained active throughout the year. Following on from the 2015 public debate and petition opposing purse seine fishing, the prime minister agreed with Bishop, who was Opposition coalition leader at the time, to establish a select committee to examine the issues, including the anti-purse seining petition especially concerned with the use of fish-aggregating devices (FADs) (*CIN*, 18 May 2016). The signing of the Sustainable Fisheries Partnership Agreement with the European Union is also proving to be a controversial part of the debate. Advice from Foreign Affairs Secretary Tapaeru Herrmann called for removal of a clause that was interpreted as undermining the government's authority: "This kind of text is objectionable and Pacific Islands countries have collectively resisted long and hard against such text appearing in any kind of access arrangement or Treaty Convention language in this region" (*CIN*, 7 June 2016). However, the advice was considered unfounded or lacking in substance according to the European Union and the Ministry of Marine Resources (*CIN*, 7 June 2016), with the European Union ratifying the agreement. The cabinet-endorsed agreement is now waiting for the

signature of the prime minister as the minister of marine resources.

Sadly, this year also saw the passing of two prominent artists who, through their creative work, reflected their dedication and advocacy for Cook Islands culture and authority. From Atiu and Rarotonga, Ian George worked as an educator and was a well-known painter and sculptor. In particular, he drew on Oceanic totems such as Tangaroa (God of the Sea) to provoke comment on the loss of Cook Islands and Pacific indigenous control and cultural imperialism (Art Associates 2016).

Eruera Te Whiti Nia was a filmmaker, sculptor, activist, and traditional titleholder from Ngati Makea in Rarotonga and Te Ati Awa in New Zealand. He safeguarded Cook Islands culture through his art, which included his sculptural and spatial responses to the concept of the Are Korero (house of history and learning) within the paepae Ariki (chief's palace) of Taputapuatea in Rarotonga (Nia 2010). He protested for political change as a member of Nga Tama Toa (an indigenous activist group as part of the Māori sovereignty and land rights movements of the 1970s and 1980s in New Zealand) (Ngā Taonga 2016; *CIN*, 13 June 2016). Both men were strong advocates for the collaboration of cultural and artistic efforts across Oceania.

Overall, the half-century milestone of independence was celebrated with much fanfare. The year's events have shown that old and new relationships can be established, redefined, and advanced. While the economic, social, cultural, and environmental matters continue to require attention, the

meaningful contribution of the country's women in these matters has been highlighted. Calls for political reform still remain at the forefront of much public opinion. It would seem timely then that a woman prime minister lead the 2017 elections as an option to pursue an inclusive approach where no one is to be left behind and forgotten.

CHRISTINA NEWPORT

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FRENCH POLYNESIA

In the often-turbulent recent political history of French Polynesia, the year under review was a relatively calm one. Against all odds, Edouard Fritch consolidated his power as the country's president, transforming his tenuous tenure in office into one based on a comparatively solid majority, and uniting under his leadership all political forces that oppose both independence and Fritch's predecessor Gaston Flosse. Meanwhile, for the first time in over a decade, the country hosted a French presidential visit, which made some hopeful impressions, but at the same time the French government continues to stubbornly refuse to engage with United Nations institutions to work with them toward the country's decolonization.

The review period started with yet another unfortunate change in the local media landscape. In August 2015, at the end of the summer break (as one of its many anachronistic colonial absurdities, French Polynesia follows the French metropolitan calendar and is thus the only country in the southern hemisphere to have its long "summer vacation" during the pleasant austral winter and not during the very hot season at the beginning of the year), the formerly monthly news magazine *Tahiti Pacifique* (*TPM*) became a weekly, after having been sold by its founder and editor Alex W du Prel to local Chinese business tycoon Albert Moux, whose company

Fenua Communication already owns the weekday newspaper *Tahiti-Infos*. Unsurprisingly this change in ownership transformed *TPM*, once feared by local oligarchs for its investigative reporting and scathing editorials, into a more docile publication. While du Prel continues to write good editorials occasionally and the magazine still contains investigative articles, the publication has clearly become more mainstream and now contains a lot of trivia, missing some of the intellectual depth of the old monthly edition. Also, for outsiders, the both reliable and manageable chronicle of important political and social events that *TPM* provided is being missed.

What remained the dominant topic in local politics for the first half of the review period, however, was the ongoing power struggle between President Edouard Fritch and his predecessor, Gaston Flosse, until it was essentially won by the former in early 2016. In September 2014, when Flosse was removed from office because of a definitive conviction in a corruption case, his longtime confidant and former son-in-law Fritch had routinely taken over the presidency with the understanding that Flosse would continue to hold the reins of power from behind the scenes. Fritch, however, developed his own taste for political power, and tensions between the two soon become apparent. In May 2015, the majority party *Tahoeraa Huiraatira* split when Fritch formed his own caucus in the local assembly named *Tapura Huiraatira*, and on Flosse's order all members of the new formation were expelled from *Tahoeraa*. Fritch subsequently formed a minority coalition government with

the small anti-independence opposition party A Tia Porinetia (ATP), while Flosse's "rump-Tahoeraa" several times attempted to block the government by withholding support in critical budgetary votes. However, Flosse failed in efforts to enlist the support of the pro-independence Union Pour La Démocratie (UPLD), which would have been necessary to create a new majority and overthrow Fritch in a no-confidence vote.

Meanwhile, the process of formally splitting Tahoeraa into two mutually hostile organizations was far from over, as both factions attempted to gain control over the party as a whole. After an unsuccessful attempt by Flosse to oust Fritch from Tahoeraa, in which he continued to hold the vice presidency, in mid-August 2015, Fritch fought back and filed a complaint with the local courts asking them to declare Flosse removed from the party's leadership, arguing that as a convicted felon he cannot be Tahoeraa's chairman according to the party's statutes (*TI*, 15 Aug 2015).

The complaint dragged along through the notoriously slow and inefficient court system and hearings were several times postponed (*TI*, 12 Oct 2015), but it was soon rendered obsolete by more solid political maneuvers to consolidate Fritch's power outside of Tahoeraa. By mid-November, Assembly Speaker Marcel Tuihani, second-in-command within the Flosse loyalist "rump-Tahoeraa," opined in an interview in *Tahiti Pacifique* that between Fritch and his party, "reconciliation was no longer conceivable" (*TPM*, 13 Nov 2015).

Following one of the most basic "natural laws" of local politics—

namely, that assembly backbenchers are tempted to cross the floor toward whichever political formation is in power if some types of advantages or minor government positions are offered to them or their family members—Fritch was able to extend his majority throughout the remainder of the year. Starting off with 16 members in June, over the following months Tapura Huiraatira was able to woo 5 more Tahoeraa members into turning their back on Flosse and joining them. Finally, in the first week of December, even one of UPLD's members, Joëlle Frébault of the Marquesas Islands, defected to the government side, which, including the 8 seats of Tapura's coalition partner ATP, now added up to 29 seats—a bare but workable majority that no longer necessitated any tradeoffs to gain UPLD's tacit support in passing laws or making budgetary appropriations. Consequently, on 9 December Tapura and ATP merged into a common caucus named *Rassemblement pour une Majorité Autonomiste* (*autonomiste* in local political discourse meaning in support of the current political system but opposed to independence; *TI*, 7 Dec 2015; *DT*, 9 Dec 2015).

As the next step, Fritch and ATP leader Teva Rohfritsch prepared the merger of the parties themselves, implying that the president had definitively given up any attempts to wrest control over Tahoeraa from Flosse. As Fritch's group and ATP were essentially identical in terms of their platforms—opposing both Flosse and independence—the merger was less an issue of harmonizing political ideas than of trading offices and posts within the hierarchy of the new

party. Finally, on 20 February 2016, the merger was formalized during a founding convention in the Aorai Tini Hau congress hall in Pirae, Fritch's home municipality, where he is the mayor. Attended by at least 8,000 people, the convention confirmed the new party's name as Tapura Huiraa-tira, its logo and color (red), as well as its basic platform. The party claims to stand for more transparency and honesty in politics and to support innovation and reform (*TI*, 20 Feb 2016).

While the latter sounds good, it seems rather doubtful whether the party seriously stands for these values, as Fritch's tactics of majority formation in the assembly are virtually indistinguishable from those of earlier majorities under former presidents Flosse, Temaru, and Tong Sang. Furthermore, the leading team of Tapura Huiraa-tira consists almost exclusively of former Tahoeraa cadres—unsurprisingly so, since just like Tapura, ATP and its predecessor parties are virtually all earlier splits from Tahoeraa arising from personal differences with Flosse. A truly innovative political movement that seriously aims at political reforms has been needed for many years but currently seems nowhere in sight.

But Fritch's success in wresting power from Flosse should not be misinterpreted as a definitive defeat of Tahoeraa, as the "Old Lion" and his party are far from having sunk into obscurity. With eighteen members, Tahoeraa still has the second largest caucus in the assembly, and in Faaa on 28 November, Tahoeraa held its party convention, which was also well attended by thousands of delegates (*DT*, 30 Nov 2015). With his crude but electorally successful populist

discourse appealing to nostalgia of the "good old times" when Flosse was president (occasionally laced with Tahitian nationalist and anticolonial rhetoric to woo voters who would otherwise support UPLD), the octogenarian but vital Flosse might well have yet another comeback in the next elections in 2018.

On the other hand, the more consistently anticolonial, "sovereignist" UPLD (the term *independence* having been increasingly replaced by *sovereignty* in their discourse) is now only the third-ranked political force, holding ten assembly seats. But despite having lost significant numbers of votes in the last territorial election as well as several municipalities in the town council elections that followed, UPLD still has large numbers of core supporters, among rural and working-class Tahitians as well as urban intellectuals, along with an unbreakable, broad popular majority in the city of Faaa, the country's largest municipality, where Temaru has been mayor since 1983. The triumph of having succeeded in mobilizing the majority of UN member states to the country's reinscription on the list of non-self-governing territories (NSGTs) in 2013 was certainly no small achievement and has helped to consolidate support among the party's followers. While many youths see UPLD as just as dominated by a fossilized oligarchy of old-generation political leaders as the pro-French parties, there are also some rising stars within the sovereignist movement, including Moetai Brotherson, a young intellectual gaining prominence as a confidant and possible successor to Oscar Temaru.

In all these political developments,

women play an increasingly important role, a role that was certainly never as pronounced during the last century and a half or so. As in other Eastern Polynesian societies, women in leadership positions were quite prevalent during the nineteenth century in several of the islands that are now part of French Polynesia. Queen Pomare IV of Tahiti (who reigned 1827–1877) is quite well known, but many of the monarchs of the smaller kingdoms in the Leeward and Austral Islands prior to their colonization by France were female as well (Gunson 1987). While in the late nineteenth and early twentieth centuries all these monarchies were formally dissolved and replaced with the patriarchic colonial regime of France, some aspects survived far into the 1900s, and matriarchs of prominent local families, usually of chiefly descent, retained influence in local politics throughout the twentieth century. One such example was Tuianu Le Gayic (1922–1995), a descendant of the Teva chiefly family, who as mayor of Papara on Tahiti’s southern coast during most of the 1980s and 1990s was one of the first women to lead a local municipality. Nonetheless, such public political careers were the exception for women, and electoral politics on the territorial level remained fairly exclusively men’s domain until the turn of the twenty-first century.

In 2000, however, the French national legislature passed a gender parity law that radically changed that situation. From that year on, all party lists for the election of assembly members were required to alternate between male and female candidates (Government of France 2000), based on an older law requiring the same for

French regional elections. As French Polynesia has an electoral system of proportional representation, the new law resulted in a dramatic increase in the number of female assembly members, from only a few to almost 50 percent after the 2001 election, the first conducted under the new law. That year, the new assembly also elected its first female speaker, Lucette Taero (Tahoeraa, in office 2001–2004).

Of course, being enforced by a law from the outside, the new situation did not at first correspond to real distributions of power, and a male candidate headed virtually every party list in 2001. With the small number of overall seats in the assembly and the fragmentation of the political landscape, this meant that the actual proportion of women in the assembly was still significantly less than half. In the long run, however, a trickle-down effect could be observed, and the gender parity law has contributed to raising the profile of female participation in politics. For the 2004 elections, a significant number of party lists had female head candidates, and there have been two small political parties created and led by women—Nicole Bouteau’s *No Oe E Te Nunaa*, and Sandra Levy-Agami’s *Te Mana Toa*—both founded in the first decade of this century and at one point each holding one assembly seat. Since the early 2000s, there has also been an increase in the number of municipalities headed by female mayors. However, as in most other Pacific Island societies, top leadership positions are still difficult for women to achieve, and none of the major political parties has yet had a chairwoman or a female

candidate for the country's presidency. Even Taero, who was not very popular as assembly Speaker, did not pursue a career of higher political offices afterward, and so far all her successors as Speaker have been male.

While gender parity is far from achieved, the country faces a variety of other statistical challenges as well. According to the most recent census, there are more than 271,000 inhabitants (*TI*, 31 Aug 2015). This figure makes one worry about the carrying capacity of the islands—less so on the outer islands, but certainly on Tahiti, where about two-thirds of the population lives. While the return of outer-island people from urban Tahiti to their home archipelagos has been increasing, the process of urbanization of more and more parts of the coastal plain of the main island as well as some of its valleys and ridges is continuing as well. Since fertility rates have lowered to an average of fewer than two children per woman, the ongoing population increase (up from about 250,000 a decade ago) is most likely due to increasing French immigration, even though the statistics say that more people are leaving the territory than moving in. The absence of ethnic statistics since 1988 makes it hard to clarify, but it appears the out-migrants are mainly indigenous Tahitians while the immigrants are chiefly French. In comparison, independent or fully self-governing Polynesian countries like Sāmoa or the Cook Islands have either a stable or a decreasing population, because out-migration of Islanders there is balanced only by natural growth of the domestic population and not by any significant foreign immigration. The worries

that have been expressed by pro-independence activists for many years about the country being “invaded” by French settlers are thus most likely justified to some degree.

Population increases on comparatively small islands lead to an increased scarcity of land, and thus inevitably to conflicts about land titles. For many years, the local court has been inundated with land cases, many of which take years or decades to be resolved, if at all. In the hope of speeding up some of these cases, the French Ministry of Justice announced the creation of a separate land court in January 2015, after the idea had been contemplated for quite a while (*TI*, 12 Jan 2015). Later in 2015, it became clear that this time the land court was indeed a serious project, as the French state acquired the property of the former psychiatric hospital complex at Vaiami in western Papeete (*TI*, 23 June 2015), and later it was officially announced that the land court would be headquartered there (*TI*, 15 Sept 2015). Construction and remodeling is to begin in September 2016 and the court is to be operational in early 2017.

The land court is a controversial project, however, since many Tahitian land rights activists dispute whether French law and French courts have jurisdiction over the matter in the first place. Indeed, when King Pomare V and several district chiefs of Tahiti signed the annexation agreement between the Kingdom of Tahiti and France in 1880, a clause explicitly exempted land matters from the transfer of authority and reserved these to be judged by Tahitian courts. Unsurprisingly, in reaction to the land

court announcement, heir apparent of the Pomare dynasty Teriihinoiatua Joinville Pomare, speaking for many like-minded activists, reiterated his long-standing demand for the creation of customary councils to deal with land disputes under Tahitian customary law instead (TI, 13 Jan 2015).

The intrusion of French colonial legislation into local society and its harmful effect on Polynesian ways of living was nowhere as evident as in a French metropolitan law made applicable to the country in August 2015. This law, which prohibits payments in cash over 119,300 CFP francs (US\$1,115) immediately created a variety of problems on the outer islands, where most people have no bank accounts—as on many of the smaller islands there is no bank—and receive their wages or salaries in cash, which they keep at home. These people typically need to pay more than 119,300 CFP francs in cash occasionally, for example, to purchase larger items such as vehicles, agricultural and fishing machinery, or boats, or to pay for their repair (TI, 31 Aug 2015). Ostensibly passed as a measure against money laundering, the law might make some sense in France, but it clearly is an absurdity in French Polynesia, or any Pacific country with small outer islands, for that matter.

Another example of the effects of colonial policies (both French and local) is the negligent way the authorities deal with the new mosquito-borne viral diseases that increasingly ravage the Pacific Islands. Dengue fever, the oldest of those, coming to the country in repeated epidemics since the 1980s, has been researched for several decades, and in 2015 a vaccination

finally became available. The vaccine has been authorized in Mexico, but not yet in French Polynesia, because the French permit for the product is still pending (TI, 9 Dec 2015). Prevention of a tropical disease like dengue is a low priority for French health bureaucrats, even though it is a high priority for the tropical overseas territories, which once again get the short end of the deal.

One of the more recently introduced mosquito-borne infections, the Zika virus, became a global pandemic in 2015–2016, to the point of raising concerns at the United Nations and the World Health Organization. When the epidemic hit French Polynesia in 2013–2014, it was considered rather harmless compared to dengue and to chikungunya, the other new virus, as symptoms were milder and no fatalities occurred. But later a correlation was established between an unusually high occurrence of microcephaly (smaller-than-normal heads) among babies born during the French Polynesia Zika epidemic, which alerted health authorities worldwide to the danger of the disease (*Honolulu Star-Advertiser*, 2 Feb 2016).

Overall, with the repeated epidemics and their often-fatal effects, the continuous laxity and ineffectiveness of mosquito eradication programs and other protective measures in the country is astonishing. Governmental authorities are not the only ones to blame. To this day, in contrast to several other Pacific Island countries, barely any house in Tahiti, even of wealthier people who could easily afford it, is equipped with screens in its doors and windows.

In February 2016, attention turned

again to the uneasy relationship between Papeete and Paris, as French President François Hollande visited the country for several days, the first French head of state to do so since Jacques Chirac in 2003. Hollande has had a rather lukewarm relationship with Papeete's political class. The local pro-French leaders are allied with Hollande's right-wing opponents, and he had betrayed the local allies of his French Socialist Party, the pro-independence Tavini Huiraatira party (which is the main component of UPLD) by opposing their ultimately successful bid for reinscription on the UN decolonization list despite having previously promised in writing to support it.

During his visit, however, Hollande sent out two important positive signals. Very significant was his gesture to place a wreath on the tomb of Pouvanaa a Oopa (1895–1977), the country's early nationalist leader who had been imprisoned on trumped-up charges by the French colonial administration in the 1950s and whose descendants have repeatedly asked for a formal rescinding of his unjust criminal conviction. Hollande's act was all the more significant as he breached the normal order of protocol by honoring Pouvanaa first, before laying another wreath at the cenotaph in downtown Papeete to honor the local soldiers fallen in French wars (*TI*, 22 February 2016).

Second, Hollande acted in stark contrast to his predecessors by being responsive to the demands made on him by representatives of Moruroa e Tatou and other nuclear-test-victim associations. Without reservation, he admitted to the heavy environmental,

sanitary, social, and economic consequences of the atomic weapons tests conducted in the territory from 1966 to 1996, and he agreed that France owed the country redress for these consequences. In his speech, Hollande also admitted that the 2010 Morin Law providing for the compensation of nuclear-test victims had been virtually of no consequence, as only very few individuals have actually received compensation, and he announced that the law would be modified by decree within the current year in order to enable all victims of radiation-caused health problems to receive appropriate compensation. Furthermore, the president announced the appropriation of financial and technical resources to continue the cleanup of irradiated or otherwise polluted former test sites and military support bases, as well as the creation of an information and documentation center on the tests in Tahiti and French government subsidies for the oncology section of the territorial hospital in Taaone in Pirae so that radiation-induced cancer patients can be treated locally (*DT*, 23 Feb 2016).

Nonetheless, the president's speech also contained inaccuracies about Tahiti's history, since Hollande grossly exaggerated the historical depth of the islands' political ties to France, claiming that "in the eighteenth century the destiny of your people became united with that of France" (*TI*, 26 Feb 2016). In fact, the first islands of what is today French Polynesia were not taken into possession by France until 1842, and it was not until the turn of the twentieth century that all its islands came under French rule.

The Moruroa e Tatou associa-

tion remained skeptical (*TI*, 22 Feb 2015), since as of August 2016 the promised modification of the Morin Law has yet to be enacted. Nonetheless, Hollande's plans found fertile soil in Fritch's government. After more detailed discussion with Paris, Fritch announced in early June that the country's government would make a formal agreement with Paris before the end of 2016 to redefine mutual relations, which he dubbed the "Papeete Accords" in the style of the 1998 "Nouméa Accords" of New Caledonia. A central point of these accords will be a formal recognition of the damages done by nuclear-weapons testing and of France's obligations to provide redress, as Hollande outlined in his February speech. Furthermore, the accords are to contain pledges by Paris to provide for the improvement of the country's infrastructure and telecommunications systems, as well as for the support of Polynesian culture. The candidacy of the classical Polynesian temple complex of Marae Taputapuatea on Raiatea to be listed as a world heritage site with UNESCO is to be officially promoted by France. Generally, all areas in which the country lags behind France in socio-economic terms are to be gradually raised to French standards—a policy that resonates with Hollande's program to eliminate inequalities between the "mother country" and the overseas territories (*TI*, 9 June 2016).

The planned accords are clearly part of Fritch's grand strategy of leaving a permanent mark on the political landscape and thereby raising his profile as a local statesman, stepping out of the shadow of his predecessors Flosse and Temaru,

respectively the "father figures" of the "autonomist" and "pro-independence" political ideologies and now advocates of a further political evolution toward either free association (Flosse) or full sovereignty (Temaru). Where Fritch's and Hollande's interests coalesce is that both would like to create a "new deal" that looks good but does not call into question the current political framework of French Polynesia being an overseas political entity within the French Republic. Both hope that such a "deal" could be used in making a claim to the United Nations that the 2013 reinscription as a non-self-governing territory was unnecessary.

As part of this master plan, Fritch has also been very active in regional politics, especially within the Polynesian Leaders Group (PLG), in which he is emerging as the second-most important leader after Sāmoa Prime Minister and PLG founder Tuilaepa Sailele Malielegaoi. In July 2015, Fritch hosted a special PLG meeting in Raiatea on Marae Taputapuatea itself, where the PLG leaders solemnly signed the Taputapuatea Declaration on Climate Change—a significant contribution to raising Fritch's profile in the region (*RNZI*, 16 July 2015). Later during the review period, Fritch traveled to Sāmoa to sign partnership agreements, mainly concerning tourism development (*Samoa Observer*, 24 April 2016), and made a demand to the Pacific Islands Forum demanding full membership for French Polynesia, for which he apparently received support from New Zealand (*PIR*, 3 May, 26 May 2016). The signing of the Taputapuatea declaration was followed up by another PLG meeting

in Papeete in late June 2016 (PIR, 29 June 2016).

Between Hollande's new commitment to provide redress for past wrongs and to set relations between Paris and Papeete on a new course, and Fritch's increasingly proactive regional diplomacy, one could indeed get the impression that the country is on a positive postcolonial trajectory. However, a deeper analysis shows that this is not so, and any resemblance to the Nouméa Accords for New Caledonia is symbolic at the most. Unlike the latter, the planned Papeete Accords would not include any upgrade in the degree of self-government granted to the country government. Second, unlike in New Caledonia, there is no attempt to reach a consensus among the main political parties of French Polynesia, but instead there would merely be a convention between Paris and the majority of the day in the Papeete assembly. Finally, there is no timeline leading to a self-determination referendum on the political status of the territory.

Unsurprisingly, institutions of the United Nations and UN-affiliated experts have been far from impressed by France's efforts in dealing with the territory, or rather with the absence of such efforts. During its seventieth session, the UN General Assembly once more noted France's lack of cooperation with UN authorities regarding the territory, French Polynesia being for the second time in a row the only one of the seventeen territories on the NSGT list about which the administrative power refused to transmit information as obligated under article 73e of the UN charter (United Nations 2015b). This prompted the

General Assembly to adopt another resolution reminding administrative powers to submit the information requested on their respective NSGTs without delay (United Nations 2015a). Before the annual meeting of the UN Decolonization Committee on 24 June, international decolonization expert Carlyle Corbin testified that French Polynesia's so-called "autonomy does not meet international standards" (OTR, 30 June 2016), echoing similarly critical testimonies presented to the committee by UPLD representatives Richard Ariihau Tuheiava and Moetai Brotherson (OTR, 27 June, 28 June 2016).

A month earlier, new French High Commissioner René Bidal assumed office, succeeding Lionel Beffre (*TI*, 30 May 2016). While the replacement of the high commissioner every few years is routine, it is indeed remarkable that since 1977, when the title of the French government's representative was changed from governor to high commissioner, almost all officeholders have been white metropolitan Frenchmen, the one exception being a white metropolitan woman in the early 2000s. If indeed Hollande's government is insisting on full equality of the overseas territories within the French Republic, one might wonder why his government is not appointing a person of color from one of the other overseas territories to this position.

Given all these pieces of evidence, decolonization indeed still has a long way to go in French Polynesia. Yet, like others in the Pacific, the country is in a process of transition in this regard, as there has been an increased interest in looking back on and appraising the colonial past, from

the nineteenth century to the second half of the twentieth—an assessment enlarged on in a recently published book by Tahiti-based French anthropologist and political scientist Bruno Saura (2015; *TPM*, 11 Dec 2015).

Several important people joined the ancestors during the review period. In early December 2015, Jacques-Denis Drollet passed away at age ninety-two. Through the 1950s, 1960s, and 1970s, Drollet was an important local political figure in Pouvanaa's Rassemblement Démocratique des Populations Tahitiennes party, although he later joined other local politicians in opportunistic switches of allegiance. He also became known to the tabloid press as the father of Hollywood actor Marlon Brando's son-in-law, who was murdered by one of Brando's sons in the 1990s (*TPM*, 11 Dec 2015). Another important twentieth-century Tahitian politician from Pouvanaa's entourage, Daniel Millaud, died on 21 June at age eighty-seven. Millaud had succeeded Pouvanaa as French Polynesia's senator in Paris and held the Senate seat from 1977 until succeeded by Gaston Flosse in 1998 (*TI*, 23 June 2016).

Among the deceased was also an important descendant of Tahitian royalty and, to return to the theme of this year's reviews, a powerful female community leader. On 31 December 2015, Geneviève Moeterauri Tetupaia i Hauviri Salmon-Pomare departed this world at the age of ninety-one. The princess was the great-great-great-granddaughter of Queen Pomare IV and the adopted granddaughter of Queen Marau, King Pomare V's consort. With many local political leaders descendants of the old arii (chiefly) class, the funeral was prominently

attended by both Oscar Temaru and Senator Lana Tetuanui of the pro-Fritch camp (*TI*, 5 Jan 2016).

LORENZ GONSCHOR

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MĀORI ISSUES

Over the past year we lost a number of leaders who spent their lives fighting for justice for Māori. In September 2015, Lady Emily Latimer of Whakatōhea passed away. She was a staunch supporter of Māori in her work with the Māori Women's Welfare League and Māori Wardens and was a tireless supporter of her husband, Sir Graham Latimer, who died nine months after his wife in June 2016; he had chaired the New Zealand Māori Council for many years. September 2015 was a particularly sad month. Two of our best-known clay artists, Manos Nathan and Colleen Waata Ulrich, passed away within a

fortnight of each other. Of Te Rōroa, Ngāpuhi, and Ngāti Whātua, Manos had an extensive background in woodcarving and sculpture, having carved the meeting house of his Matatina Marae in Waipoua Forest (Tamati-Quennell 2015). Colleen, of Te Popoto o Ngāpuhi ki Kaipara and Te Rarawa, was world renowned for her clay work, which has been exhibited throughout New Zealand and in the United States, the United Kingdom, Australia, and Canada (Tamati-Quennell 2015; Creative New Zealand 2015). Te Rarawa lost a greatly loved leader, Gloria Herbert. She was the chair of their iwi authority, served on the Waitangi Tribunal, and was well known as being caring and gentle but also very determined. Ngāreta Mete Jones of Te Rarawa was a lifelong worker for change for Māori. She was one of the founders of Kawariki, the movement that brought out a new generation of northern youth in the 1980s to protest the Crown's failure to honor Te Tiriti o Waitangi, the Māori-language treaty between Māori and the queen of England (Waatea News 2015b). Waereti Pōpata (Walters) of Te Paatu, Ngāti Kahu, was a fearless Māori rights advocate and one of the first Māori community health workers.

In November 2015, we lost Dr Bruce Gregory of Ngāti Te Ao, Te Rarawa. He was the member of Parliament (MP) for Northern Māori from 1980 until 1993. He dedicated his life to Māori health and the sovereignty of his hapū (group of extended families) (Collins 2015b). In January 2016, it was Andy Sarich of Ngāpuhi. He was dedicated to the retention of the Māori language in Te Taitokerau (the

North) and served on a wide range of community committees, councils, and the Lotteries Commission (Waatea News 2016a). In February, it was Emeritus Professor Ranginui Walker of Te Whakatōhea. He fought for almost five decades to lift the burden of colonialism and marginalization off Māori. He was one of Maoridom's most influential academic leaders and advocates for Māori rights and social justice. He used his columns in the weekly *Listener* magazine and his six books to educate New Zealanders about the history of this country and the abrogation of the human and treaty rights of Māori that continues to this day (Mutu 2016a).

Whai Ngata of Ngāti Porou left us in April 2016. He was the journalist and broadcaster who established the Māori news program *Te Karere* on TVNZ, leading a small group in the successful battle to maintain a Māori presence on national television. He was also a lexicographer who helped complete his father's English-Māori dictionary (Harawira 2016). In May, it was Mānuera Tohu of Ngāti Kahu and Te Rarawa, another lifelong advocate for the retention of the Māori language. He served on the Kōhanga Reo (Māori language immersion preschools) National Trust for many years and was a greatly esteemed orator and expert in tikanga (Māori law) and whakapapa (genealogy) and a kaumātua (respected elder) for the New Zealand Police. In June, it was Rob Cooper of Ngāti Hine. He made huge contributions to Māori health and education, with a long record on treaty education and social justice issues. Thousands of mourners traveled to pay their respects to each of

these great leaders, celebrating their lives and achievements, and bidding them farewell as they joined their ancestors.

Among the women leaders who passed away, Gloria Herbert was a rare example of a chairperson of her iwi's representative body. Although women continue to play significant leadership roles in whānau (extended family), hapū, and iwi (groupings of hapū), English colonizers denied the role of women as leaders (Mikaere 2010) and trained and promoted men for roles of political leadership. Nowhere is that reflected more clearly than in the influential National Iwi Chairs Forum (Mutu 2016b, 230). Of the now 72 chairpersons of iwi who make up the forum, only 8 are women (National Iwi Chairs Forum 2016; Forum Secretariat, pers comm, 4 Aug 2016). There is a much better balance in Parliament, where 11 of the 26 MPs of Māori descent are women: 3 in the governing National Party, 3 in Labour, 2 each in the Greens and New Zealand First, and 1 in the Māori Party. Metiria Tūrei is a co-leader of the Greens; Mārama Fox a co-leader of the Māori Party (which currently has two seats in Parliament); while Paula Bennett and Hekia Parata are ministers in the National government. However, none of these MPs represent Māori, and for the two Māori women MPs who do—Nanaia Mahuta and Meka Whaitiri—their first loyalty is to their Labour Party rather than to their constituents.

In order to reclaim our mana motuhake (autonomy, power, authority, and control derived from the gods), which includes our sovereignty, and to put an end to the treaty and human

rights violations Māori continue to suffer, constitutional transformation is a necessity. Since 2010, a group of constitutional specialists, Matike Mai Aotearoa, have been drawing up models for a constitution for the country based on tikanga and the two founding documents of present-day New Zealand, He Whakaputanga o Te Rangatiratanga o Nu Tirenī (the 1835 declaration of Māori sovereignty and independence) and Te Tiriti o Waitangi (Mutu 2015, 276). After extensive consultation with Māori throughout the country, Matike Mai Aotearoa published its report in February 2016 (Jackson and Mutu 2016). It sets out the very strong case for constitutional transformation that moves the country from a governance system that is defined by, controlled by, and serves the white majority to one that is inclusive of and respects all New Zealanders and recognizes that Māori can and will take back control of their lives and resources. It sets out six indicative constitutional models that have arisen from the discussions. Each provides for the “rangatiratanga sphere,” that is, the sphere of influence of Māori; the “kāwanatanga sphere,” the sphere of influence of the British Crown; and the “relational sphere,” in which Māori and the Crown work together as equals as agreed in Te Tiriti o Waitangi (Jackson and Mutu 2016, 9).

There has been increasing acknowledgment of the need to transform New Zealand’s constitutional arrangements, especially among the country’s large Pacific Island, Chinese, and Indian communities, who continue to experience discrimination (United Nations General Assembly 2014). From within the Pākehā (European) community,

Chief Justice Dame Sian Elias commented, “It is possible we will see increasing pluralism in New Zealand’s domestic legal order in fulfillment of Treaty guarantees” (Elias 2015). Past Prime Minister Sir Geoffrey Palmer is now advocating for a written constitution, which has to recognize the Treaty of Waitangi because “it actually makes government here legitimate” (Moore 2016). A columnist in the *Far North’s Northland Age* quoted extracts from the Matike Mai Aotearoa report in her column for several months (Herbert-Graves 2016), which drew a number of vitriolic and racist responses from one letter writer and letters of support from others.

Māori nevertheless continued to battle the government on many fronts. Perhaps the most sobering battle was that against homelessness. Soaring housing costs fueled by speculators and developers as well as the government’s refusal to intervene have resulted in alarming numbers of families sleeping in cars because they cannot pay for housing. Many of the adults sleeping rough are employed, and most are Māori. Despite attempts to highlight the plight of these people (Harris 2015), government inaction has led to some Māori communities making their marae (traditional communal meeting places) available to families. Te Puea Marae in South Auckland was inundated with responses to its call on the public to donate food, clothing, bedding, and money (Clarke 2016a). But their persistence in helping and then finding housing for the homeless did not reflect well on the government. Staff in the minister of social housing’s office retaliated by attacking the chairman

of the marae, a senior police inspector (TVNZ 2016). The minister subsequently apologized.

Māori were joined by large numbers of people in opposing the Trans-Pacific Partnership (TPP) Agreement. Despite the government's maintaining a tight veil of secrecy around negotiations between the twelve countries involved, information provided by Professor Jane Kelsey and a team of legal scholars indicated that the TPP agreement allowed international companies to override Māori rights and to sue the government if it intervened in a manner that lowered their planned profits. Key issues were the government's ceding the country's sovereignty to international companies and the threats those companies posed to natural resources, especially with respect to flora, fauna, minerals, and water; to the affordability of medicines; and to the country's Smokefree 2025 Strategy (Kelsey 2015). A complaint to the Waitangi Tribunal and huge protests throughout the country all fell on deaf ears. The government signed the TPP agreement on 4 February 2016.

The progress of Tiriti o Waitangi claims against the Crown continued to be plagued with problems. While the government flooded media outlets with press releases about progress being made in settling treaty claims, the reality in the courts and the Waitangi Tribunal, and for claimants, was very different. Ngāti Kahu of the Far North was successful in its application to the high court to quash the Waitangi Tribunal decision not to give them binding recommendations over the state-owned enterprises and Crown forestlands in their territory.

The tribunal was ordered to rehear the application (Vertongen 2015; Feint 2015). The Crown has appealed that decision as well as the same decision with respect to the Mangatū Incorporation (see Mutu 2016b, 232) to the Court of Appeal, whose rulings are still awaited.

The Waitangi Tribunal received a number of applications for urgent hearings into the government's recognizing mandates to negotiate settlements. The government requirement that it deal only with "large natural groupings" is inconsistently applied and usually disenfranchises many claimant groups. It inevitably causes huge and bitter divisions within and among claimant communities as they fight over who is going to represent them. Claimants are painfully aware that they are fighting over mere crumbs that the government provides in exchange for extinguishing their claims and legal rights, but they are crumbs that impoverished communities desperately need. Despite that, the tribunal turns down almost all of these applications. It did, however, agree to urgent hearings for the Hauraki Collective with respect to the Tauranga Moana Governance Group (Coyle 2015) and for Ngātiwai with respect to the Ngātiwai Trust Board Deed of Mandate (UnRuh 2016). Those hearings have yet to take place.

The tribunal reported on its inquiry into the mandate for the largest iwi, Ngāpuhi (Mutu 2016b, 231), upholding claims that the Crown had breached the principles of the treaty by choosing to recognize the mandate of the negotiating group, Tūhoronuku. It concluded that the hapū should decide how and by whom

they are to be represented in settlement negotiations. It recommended that the Crown delay negotiations to give the hapū the opportunity to confirm whether they wished to be represented by Tūhoronuku (Jones 2015). Controversy and bitter infighting continued to beleaguer the iwi. When the chairperson of Tūhoronuku was arrested and charged and then eventually pleaded guilty to shooting and possessing a protected bird species and attempting to pervert the course of justice (*Northern Advocate* 2016), the group replaced him. They then set about working with the hapū to try to resolve their issues.

The government has worked hard to prevent the public from knowing how much claimants loathe the forced treaty claims settlements that are unilaterally designed and applied by the Crown (Sykes 2015, 34). However, one example of claimants who are prepared to stand their ground against the government and attract public attention is Ngāti Kahu of the Far North. Like others, they have refused to accept government offers to extinguish their claims. Instead of the political pathway of direct negotiations preferred by the government, they have chosen the legal route and are awaiting hearings for binding recommendations from the Waitangi Tribunal. In September 2015, several hapū of Ngāti Kahu repossessed the Kaitiāia airport after the government decided to sell it to a neighboring iwi. The land had been taken under the Public Works Act during World War II. That legislation requires governments to offer the land back to those from whom it was taken, that is, the Ngāti Kahu hapū. New Zealand First's veteran politician,

Winston Peters, went into battle in Parliament for Ngāti Kahu and forced an admission from Minister of Treaty of Waitangi Negotiations Christopher Finlayson that the land does belong to Ngāti Kahu (Mason 2015). The minister retaliated by attacking Ngāti Kahu's leadership. Elders and marae representatives responded by issuing a stinging attack on the minister (Collins 2015a). While that brought a measure of respite for Ngāti Kahu for several months as they awaited hearings with respect to their claims in the Court of Appeal and the Waitangi Tribunal, by June 2016 the minister was at it again, indicating that he would ignore the mandate Ngāti Kahu gave to its rūnanga (council of representatives, parliament) and find someone else to negotiate with (Finlayson and Flavell 2016).

In Taranaki, bitter divisions over the Pekapeka block being excluded from Te Ātiawa's settlement continued (Martin 2016; Pihama 2016). In Hawke's Bay, Ngāti Hinemanu and Ngāti Paki continued to protest against the government's rushing through the Heretaunga Tamatea settlement in order to prevent their seeking binding recommendations in the Waitangi Tribunal for their lands in the Kāweka and Gwavas forests (*Waatea News* 2015a). Objections to an ex-employee of the Office of Treaty Settlements heading the negotiations for Heretaunga Tamatea were ignored (Moana Jackson, pers comm, April 2015), although the Crown regularly ignores conflicts of interest to impose its own employees on claimants as their negotiators (Mutu 2016b, 229). Rangitāne of Wairarapa were still battling to stop their claims from

being subsumed and extinguished under another iwi's settlement (Crombie 2015). Āraukūkū hapū went to the high court after their claims were included for extinguishment in Ngāruahine's deed of settlement without the knowledge or permission of either Āraukūkū or Ngāruahine. Āraukūkū had not been included in any negotiations, and Ngāruahine had not negotiated on their behalf. A Ngāruahine negotiator reported that the minister could not say why he had arbitrarily included the claim, but he also refused to remove it (McLachlan 2015).

Meanwhile, those who have settled continue to run into problems with the government violating their settlements. Ngāti Whātua o Ōrākei filed in the high court to stop the government from selling lands for which they hold rights of first refusal as a result of their treaty claims settlement (Brown 2015). Waikato-Tainui did likewise to stop the sale of lands used by Solid Energy (a state-owned enterprise) at Huntly. They have rights of first refusal over those lands as a result of their settlement (Clarke 2016b). Taranaki ki Te Upoko o Te Ika found itself embattled with Port Nicholson Block Settlement Trust when the trust tried to sell lands the iwi had recovered through their settlement. After much turmoil, the people's wishes were adhered to (McLachlan 2016). However, the greatest outrage was expressed over the government's starting to unravel the 1992 fisheries settlement by banning fishing in its proposed Kermadec Ocean Sanctuary. The settlement guaranteed Māori the right to fish the area, but establishing the sanctuary removed those rights

without consultation or compensation (McBeth 2016). Te Ohu Kaimoana, the iwi-controlled company that manages Māori commercial fisheries, took the government to the high court when it refused to negotiate a resolution. The government then applied to the court to adjourn the case until the proposal had been passed into law (Stuff 2016). While iwi are very angry that the meager settlements they fought so hard for can so easily be unraveled by unscrupulous politicians, it sends a clear signal that if the government can violate settlements with impunity then they are not durable and can all be revisited.

Despite the anger directed at them over treaty claims settlements, the government still managed to enact legislation extinguishing the claims of Te Aupōuri, Te Rarawa, Ngāi Takoto, and Ngāti Kuri in the Far North and Ngāti Hineuru in the central North Island. The government claims to have enacted legislation for 69 settlements and that 49 still remain (Office of Treaty Settlements 2016). In fact there are many more than that, but the government simply refuses to recognize them.

Another time-consuming battle has been that against the rewriting of Te Ture Whenua Māori (the Māori Land Act) of 1993. It took twenty years to pass that into legislation. It returned control of Māori land to its owners and made the sale of Māori land difficult. Greedy speculators and land grabbers could no longer target it. The rewriting was initiated in 2012 by Attorney General Christopher Finlayson (who is also the minister of Treaty of Waitangi negotiations and associate minister of Māori Affairs). While aim-

ing to free up Māori land for utilization, the bill also facilitates its sale, which Māori have fought so hard to stop. When Māori opposition to the rewriting became too intense, in 2014 the attorney general passed it over to Te Ururoa Flavell, the new minister of Māori development, with instructions that he have it passed into legislation. The National Iwi Chairs Forum consulted very widely on the bill, receiving instructions from throughout the country that if the 1993 act was to be rewritten, only Māori could do so because the land is theirs (National Iwi Chairs Forum 2014). Māori Land Court judges prepared a lengthy submission on the bill, severely criticizing it (Love 2015). The Waitangi Tribunal also severely criticized it, upholding the claims of landowners opposed to the bill (Love 2016a). The bill was introduced into the House in May. It ignores the Māori Land Court judges' advice, the Waitangi Tribunal's recommendations, and the overwhelming opposition of Māori landowners. It focuses on developing Māori land rather than retaining it in Māori control and portrays loss of Māori ownership as the fault of the Māori owners (Love 2016b). The bill has been characterized as yet another land confiscation, and the matter has been referred to the United Nations (Proctor 2016; Walsh 2016).

Battles to protect Māori natural resources persisted around the country throughout the year, although in some areas there was welcome relief. Both the New Zealand Māori Council and National Iwi Chairs Forum continued to fight to have the government recognize and acknowledge Māori ownership of water. The govern-

ment has been refusing to discuss the matter despite having promised the Supreme Court in 2012 that it would do so (Mutu 2014, 211). The battle to force the owners to remove the ship *Rena*—which was wrecked on Ōtaiti (Astrolabe Reef) off the Motiti Island in the Bay of Plenty in 2011 (Mutu 2013, 168)—became more difficult with the Bay of Plenty Regional Council decision to leave the wreck on the reef. Ngāi Te Hapū of Motiti Island is appealing the decision (Waatea News 2016b). After fighting a designation placed on hapū land in 1963 to take it for the Rotorua Eastern Arterial road (Mutu 2014, 211), the hapū of Te Arawa were thrilled when the designation was finally lifted in April. And four Ngāi Tahu tribal entities welcomed the decision stopping Christchurch City Council from discharging treated wastewater into Akaroa Harbour. They opposed the council's appeal against the decision to the Environment Court, which resulted in the council's discussing and then proposing a series of options, almost all of which Ngāi Tahu supported (Law 2016).

Also on the good-news front, Māori filmmaker Taika Waititi has won no fewer than eight international film festival awards for his comedy *Hunt for the Wilderpeople* (IMDb 2016). And Lisa Carrington (Te Aitanga a Māhaki, Ngāti Porou), paddler extraordinaire, won the World Paddle Awards Sportswoman of the Year at the Annual World Paddle awards held in Barcelona, Spain. She has won her sixth World Cup gold medal in as many races in the K1 200 meter (Baalbergen 2016).

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NORFOLK ISLAND

The year under review was a fateful one for Norfolk Island, and indeed for the entire Pacific Islands region, as it marked the unprecedented recolonization of an island territory by its administrative power without the territory's consent, an anachronistic act going against the current of decolonization of the past six decades and comparable in modern history only to the reactionary French policies toward its Pacific possessions from the late 1950s to the mid-1980s. Australia's recolonizing policies sparked an outburst of Norfolk Island nationalism and a well-organized resistance movement struggling both locally and globally for the restoration of democracy to the island community.

A British colony settled in 1856 from Pitcairn Island by the descendants of the *Bounty* mutineers and their Tahitian partners (some of whom later returned to Pitcairn to become the ancestors of that island's current inhabitants), Norfolk Island became a dependent territory of Australia in 1914, and six decades later Australia initiated steps toward the island's

decolonization by granting it a large degree of self-government in 1979, an arrangement similar to other autonomous dependent territories in the region.

However, the 2008–2009 global financial crisis hit the island's mainly tourism-based economy particularly hard (after earlier disruptions including miscalculated investments in a locally owned airline in 2006), and from 2010 onward, the local government's budget operated at a deficit. This necessitated annual subsidies from the Australian federal government ranging from A\$3.2 million in 2011 (US\$2.4 million) up to A\$7.5 million (US\$5.6 million) in the 2014–2015 financial year. Under the 1979 statutes, Norfolk Island was not allowed to borrow money in order to cover deficits without Canberra's permission, which was not forthcoming. In 2010, Australia first refused to provide the requested budgetary subsidy but then agreed to it on condition that Norfolk Island paid Australian federal taxes and accepted financial oversight by federal officials, which the local government agreed to under protest (C Nobbs 2016b).

The 2007–2013 Australian Labor Party government under Prime Ministers Julia Gillard and Kevin Rudd had agreed to further negotiations with the Norfolk Island territorial government over the issue, and the two governments had signed a "Norfolk Island Road Map" for that purpose in 2011. But the Liberal Party government under Tony Abbott that came to power in Australia in 2013 repudiated this compromise and instead advocated a hard-line, reactionary

approach. A report commissioned by the federal government in 2014—originally intended to look into economic issues, not political institutions—recommended shutting down the Norfolk Island government altogether and replacing it with direct rule by Canberra, and the Abbot government followed the report, introducing corresponding legislation in Australia's Parliament. The Norfolk Island Legislation Amendment Act 2015 was first tabled in the Australian House of Representatives on 26 March and in the Senate on 13 May.

The Norfolk Island government reacted immediately to the impending threat to its existence. On 27 March 2015, while the bill was moving through the federal parliament, the island's Legislative Assembly called for a referendum to be held on 8 May among the local voters on the question of whether the people of Norfolk Island should have the right of self-determination and should be consulted before any changes to their political institutions were made by the Australian Parliament (Norfolk Island Government Gazette, 27 March 2015). The result could not have been clearer, with an overwhelming majority of 624 out of 912 participants (68% out of a 92% turnout of registered voters) voting "Yes" to the question (RNZ, 9 May 2015).

However, the Australian Parliament ignored the referendum, and with strong bipartisan support from the ranks of both the Liberal government and the Labor opposition, the bill passed both houses on 14 May and was assented to by Australia's governor-general, Peter Cosgrove, on 26 May 2015. In the debate leading

to the bill's passage, no parliamentarian acknowledged this obvious denial of democracy, and some even mocked the more than two-thirds majority vote in the referendum as merely representing "some" people on the island being "unhappy" or having "concerns" (Government of Australia 2015b). Further protests and complaints by Norfolk Island Legislative Assembly Speaker David Buffett and Chief Minister Lisle Snell used all available avenues, such as an article in the Commonwealth Parliamentary Association's magazine (Buffett and Snell 2015) and a letter to Queen Elizabeth II (A Nobbs 2016, 26), but to no avail.

As a consequence of the Norfolk Island Legislation Amendment Act, the Norfolk Island Legislative Assembly as well as the executive branch were dissolved on 17 June 2015 and the administration of the island was placed under the authority of Canberra-appointed administrator Gary Hardgrave. All assets and public accounts held by the Norfolk Island government were seized by the Australian federal government. Shortly thereafter, Federal Minister Jamie Briggs designated a handpicked five-member "advisory council," ostensibly to allow some kind of community consultation process, but for the next twelve months the island was ruled by a regime with no accountability to the population. Perhaps most important on a symbolical level, the Norfolk Island Legislation Amendment Act 2015 deleted the preamble of the Norfolk Island Act 1979, which recognized the Pitcairn descendants as a culturally distinct people and acknowledged their special relation-

ship to the island (Government of Australia 2015a, 2001).

As is common in cases where democracy is abolished and replaced with an authoritarian regime, what followed were very worrisome practices of limiting freedom of speech and of arbitrary, extrajudicial punishment of political opponents. The local radio station was placed under heavy censorship, the broadcast of opinions critical of the Australian government was prohibited, and dissenting journalists, including the hosts of a popular satirical show, were fired (Newshub, 4 July 2016). In the same vein, a local government employee who criticized Hardgrave using insulting language in a private Facebook post had her salary reduced and was told that she would be laid off as soon as the new administrative system was implemented (*SMH*, 25 May 2015).

Another common policy for postcoup authoritarian regimes is to rewrite history and seek to erase the memory of the previous democratic system of government. Hardgrave's neocolonial administration followed this model well, and in October 2015 it permitted the removal of the furniture and all other items from the legislative chamber, which became a completely empty room, annihilating all physical evidence that a legislature of Norfolk Island had ever existed. The legislative chamber was located in the Old Military Barracks, one of the historic buildings dating from the early nineteenth century British penal settlement that is part of the Kingston and Arthur's Vale Historic Area (KAVHA) and has been inscribed on the UNESCO World Heritage list since 2010. By unilaterally removing the

legislative furnishings without consulting UNESCO and the local board that administered KAVHA at that time, Australia violated its international obligations (C Nobbs 2016a).

All of these arbitrary and antidemocratic measures led to strong reactions and resistance on the part of the island community. As soon as the Australian government announced its intent to unilaterally change Norfolk Island's system of government in October 2014—long before the actual bill was introduced in the federal parliament—two petitions were presented to the Australian Senate and House of Representatives, containing 830 and 834 signatures, respectively, asking for the island community to be consulted by means of a referendum before any legislative process would start in that matter (A Nobbs 2016, 6).

On 18 May 2015, immediately after Canberra had ignored the island's 8 May referendum and passed the unwanted legislation, a representative group of local political leaders founded the Norfolk Island People for Democracy (NIPD) association as a local, national, and international pressure group for the maintenance of the island's self-government. The founding board members included the then Chief Minister Lisle Snell; four of his predecessors, including current Assembly Speaker and long-serving Chief Minister David Buffett, who had repeatedly held either office since 1979 and might be considered Norfolk Island's "elder statesman"; several other current or former cabinet ministers and legislators; and Albert Buffett, president of the Norfolk Island Council of Elders (NIPD 2015). By July 2016, more than half the

population of Norfolk Island had become NIPD members (Newshub, 4 July 2016).

Later in 2015, the island saw a rare protest march through its streets, with several hundred participants—an enormous turnout for the small community of about 1,700 (RNZ, 29 Sept 2015). In parallel, Hands Up For Democracy, another organization loosely associated with NIPD, created a protest installation right in the middle of Burnt Pine (the island's commercial center), next to the main shopping mall, where it put up hundreds of wooden signs each showing a green hand—symbolizing democratic choice—and on which a supporter's name was inscribed.

The fact that opposition to Australia's recolonization scheme was a mass movement representing the vast majority of the local people, and not a marginal group of political radicals as constantly claimed by Administrator Hardgrave and Canberra politicians, was impossible to miss. Besides the Hands Up installation and the NIPD headquarters opening in a refurbished building in the center of the shopping precinct, Norfolk Island's iconic flag with the pine tree in green and white went up everywhere—in people's yards, on their fences, on car dashboards and radio antennas, and so on—as did wooden green hands. The only places that still flew the Australian flag next to that of Norfolk were official buildings; the rest of the island became an ocean of solid green and white, an outburst of Norfolk patriotism rarely seen so graphically in the island's previous history.

Administrator Hardgrave's attitude in the face of criticism soon made

him the most resented person on the island. For the annual Bounty Day celebration on 8 June, during which the landing of the Pitcairners in 1856 is reenacted, Hardgrave was disinvented to participate and play the traditional role of the British commissioner welcoming the Pitcairners, which was customary for Australian administrators. In addition, several shops on the island put up signs declaring themselves "Hardgrave-free zones" (*New Zealand Herald*, 27 July 2015).

In November 2015, former Chief Minister Andre Nobbs (in office 2007–2010) traveled to London and gave a speech before British members of Parliament at Westminster asking for their support (A Nobbs 2016, 1, 28, 31–32). Several UK parliamentarians have since become committed supporters of Norfolk Island and conducted a mission of inquiry on the island in September 2016. This is quite significant, as Norfolk's original colonial relationship was directly with Great Britain, while the island's administration was handed over to Australia against the Islanders' wishes.

In the three months preceding the final takeover on 1 July 2016, protest moves intensified. On 22 April, NIPD through its president Chris Magri; the dissolved Legislative Assembly through its Speaker David Buffett; and the Council of Elders through its President Albert Buffett sent a petition to the UN Special Committee on Decolonization, arguing for Norfolk Island to be listed as a non-self-governing territory (NSGT). The petition provided comprehensive documentation as to why the island qualifies under the rules outlined in UN General Assembly resolution 1541

of the 1960s that defines a NSGT as a territory geographically separate and culturally and/or ethnically distinct from its administrative power (Norfolk Island 2016). The petition was delivered by well-known human rights attorney Geoffrey Robertson QC, and a few weeks later it was augmented by a joint opinion by two eminent British and Australian lawyers (Lowe and Ward 2016).

While awaiting UN action, former Chief Minister Snell furthermore called for a royal commission to inquire into the antidemocratic actions of the Australian government (*The Guardian*, 26 April 2016). The next day, a mass gathering of about 350 people took place in the yard of the Old Military Barracks, out of which the Legislative Assembly and all its furnishings had been forcefully removed, and which is sited opposite Government House, the residence of Administrator Hardgrave. The meeting resulted in an open letter to Hardgrave calling for his immediate resignation. In addition it galvanized the establishment of a “tent embassy” to permanently occupy the compound, with protestors setting up tents, banners, and upside-down Norfolk Island flags as a symbol of distress in this strategic location, well positioned to attract the attention of tourists visiting the historical buildings in the area (A Nobbs 2016, 22). Loosely modeled on the iconic tent embassy of Australian Aboriginal activists in Canberra, at the time of writing this review the protest camp is still being maintained by a core group of activists who have vowed to remain until a Legislative Assembly is reconvened in the building.

Despite all of this, Australia’s neo-colonial machinery kept moving forward. Adding insult to injury, under the new system Norfolk Island was to become subject to the laws of the Australian state of New South Wales (NSW) yet would have no representation in the NSW legislature. In May 2016, the NSW Parliament passed the Norfolk Island Administration Bill 2016, which was assented to by the NSW governor on 7 June 2016 (Government of New South Wales 2016). Due to intense lobbying by NIPD, the NSW opposition Labor and Green parties opposed the bill and their representatives helped expose its anti-democratic nature, but these efforts were fruitless, as it passed with the votes of the Liberal-led majority (*The Guardian*, 2 June 2016). While Labor remained anti-Norfolk at the federal level, at least the Islanders had won the coherent support of the Australian Greens, which made a public statement criticizing the Norfolk recolonization scheme (Rhiannon 2016).

On 1 July 2016, referred to by locals as “invasion day,” the new system became effective as planned. In one of the few non-English news articles on the situation, Norwegian journalist Dag Øistein Endsjø summarized it most dramatically: “Tomorrow a country ceases to exist, but the world doesn’t care” (Endsjø 2016). As a non-self-governing external territory of Australia, the island was now ruled directly by the federal government in Canberra, which is responsible for all federal and state level services. While the latter are provided according to NSW laws, the island is not part of NSW and thus has no voice in the making of those laws.

On the federal level, however, Norfolk Island now purportedly had representation, as it was included in the electorate of Canberra in the Australian Capital Territory. Of course, in an electorate of several hundred thousand, the few hundred votes from Norfolk practically do not matter at all. But since Australia has a policy requiring all eligible citizens to vote in elections, the law will have the effect of forcing Norfolk Islanders, against their consent, to vote in elections where their votes have no effect (Australian Electoral Commission 2016).

One of the most obvious negative consequences of the new system was the abolishment of Norfolk Island stamps. The Norfolk Island post office was closed down, its services now performed by Australia Post, which accepts only Australian stamps. This change deprived the island of an important local industry, the selling of stamps to collectors—an important source of revenue for very small territories, once Norfolk's largest before the start of mass tourism.

Furthermore, the new regime is also undermining the few opportunities the island had to engage internationally, as there are fears that Norfolk might no longer be able to participate as a separate country in international sporting events, and its local legislature will also no longer be a member of the international Commonwealth Parliamentary Association (CPA)—a particularly humiliating experience since, at the time of the abolition of the Legislative Assembly, Speaker David Buffett was sitting on the CPA Executive Committee (Adams 2016).

According to the now-applicable NSW legal system, local governance

is handled by an elected regional council headed by a mayor. Council elections took place on 3 June 2016, and the results once again confirmed the majority position in favor of self-determination and against the imposed changes. Out of the five elected members, only one, Queenslander David Porter, advocated a pro-Australian position. A second member, Islander Rod Buffett, was politically more ambivalent, while the other three (former Chief Minister Lisle Snell, Robin Adams, and John McCoy) were NIPD members advocating for the return of self-government (*SMH*, 1 July 2016).

At the first council meeting, in a refurbished building in Burnt Pine to which some of the furniture salvaged from the Legislative chambers had been relocated, Robin Adams was elected mayor and John McCoy deputy mayor. Engaged in the balancing act of being simultaneously a NIPD board member and the person charged with implementing the unwanted new system of local government, Adams is probably the person with the least desirable job on the island. Having previously served for three years (2010–2013) as Speaker of the assembly and then as minister of cultural heritage and community services in Snell's cabinet, Adams had been an outspoken advocate of more engagement by Norfolk Island in Pacific regional organizations, and in an article in the CPA magazine she had proposed resolving the impasse by fair and mutually respectful negotiations with the federal government, suggesting that the Norfolk community serve as a bridge between Australia and the Pacific Islands region and thus be seen as a foreign policy asset for Canberra

rather than a colonial burden (Adams 2014).

Despite the island's dire circumstances, Adams's rise to its highest elective office is another example of the rising tide of women taking up political leadership in Pacific Island countries and territories. While Adams is the first elected female political leader of Norfolk Island, there is a long history of women holding influential positions in island society, which may well be a heritage from the Tahitian side of the Islanders' ancestry, as during the late eighteenth century Polynesian societies were far more gender balanced than those of Western Europe. The most notable consequence of this is the fact that Pitcairn and Norfolk are pioneers in granting women the right to vote. Women were formally granted suffrage on Pitcairn as early as 1838—the world's first—and this was continued on Norfolk when the Pitcairners relocated there in 1856, until women's voting rights were temporarily abolished by colonial decree between 1897 and 1914 (Irving 2013). Even though during the autonomous government period no women held the chief executive position, the Legislative Assembly usually had one to three female members out of a total of nine (Norfolk Island Legislative Assembly 2015), a relatively high proportion compared to most other Pacific Island states and territories where, during the 1980s and 1990s, women members of Parliament were extremely rare. The structure of the Council of Elders, reestablished by the Legislative Assembly in 2008, also reflects the importance of women's community leadership, consisting of an equal number of men and women

to represent each of the eight original Pitcairn families (A Nobbs 2016, 12).

While Adams and the other council members have been trying to work within the new system and make the best of it for the time being, they quickly learned how extremely hard this was, as there was so little maneuvering space. Even on the local government level that is purportedly left for the elected councilors to administer, the agenda has been preset by Canberra and enforced by its unelected agents such as the council's general manager, Lotta Jackson. The councilors and mayor are expected to merely put up a brave front. In early August, Councilor Snell publicly expressed his frustration, stating that he had tried to work within the new system but that it was creating nothing but problems for the community (*The Norfolk Islander*, 6 Aug 2016).

Certainly the new system of government came with some short-term benefits. As supposedly equal Australian citizens living in a part of Australia, Norfolk Islanders now have access to Australian health care, social security, and welfare benefits, but all of this comes at enormous cost. The community that previously had its own social welfare and health care systems funded by moderate contributions and very few kinds of taxes is now burdened with manifold new and increased taxes. These include previously nonexistent income taxes as well as land rates (ie, property taxes). The latter, which are supposed to be the main source of income for the regional council, are especially going to be a heavy burden for many local families who are land rich but cash poor, in a society where, like elsewhere

in Oceania, there is a strong cultural attachment to one's land. At the same time, elderly locals are at risk of losing their pensions, since under the new system their landholdings will be counted as assets when calculating their pensions, while previously, under Norfolk's own laws, this was not the case (A Nobbs 2016, 12).

Overall, it appears that the quality of services and the quality of life is decreasing rather than increasing under the new regime. In a detailed report on the impacts of the forced changes, Andre Nobbs, former chief minister and technical advisor to the Council of Elders, described how health problems connected to stress and anxiety have dramatically increased in the 2015–2016 period, as many Islanders are concerned about the future of their livelihoods and their survival as a culturally distinct community (2016, 11).

Equally worrisome is the continuity of an authoritarian style of governance under the regional council system. At a public meeting on 10 August, at which the author was present, a "Community Strategic Plan" that had initially been drafted before the establishment of the Norfolk Island Regional Council and amended by the council under General Manager Jackson's aegis (Norfolk Island Regional Council 2016) was presented, and people were asked for questions and comments. Under a pretext of "community engagement," the meeting was micromanaged by Jackson to follow a predetermined script, and people who made critical comments questioning the legitimacy of the process as a whole were told disparagingly that their questions or comments were

"irrelevant." In a letter to the local newspaper, NIPD board member Brett Sanderson expressed his indignation at the local community being "treated like a bunch of errant schoolchildren" at the meeting (*The Norfolk Islander*, 13 Aug 2016). In many ways, the meeting confirmed that what Australia was imposing was an "unprecedented and regrettable return to the darkest days of colonialism," to quote an NIPD press release (NIPD 2016).

The argument always brought forward to justify Australia's heavy-handed action, namely that the autonomous government between 1979 and 2015 was a "failed experiment," does not hold up under closer scrutiny. As economist and writer Chris Nobbs pointed out, before the global financial crisis of 2008, Norfolk Island under its own government was performing well economically, and unlike most governments in the world it always managed to balance its budget. Attempts to diversify the economy away from its sole reliance on tourism and thereby produce a larger surplus always failed because of Canberra's systematic obstruction of those projects, not because of any fault of the local government (the one exception being the miscalculated airline investment mentioned earlier). Canberra also never returned revenues derived from Norfolk's Exclusive Economic Zone to the island. Under these circumstances, it is disingenuous to call a political system in existence for over three decades a "failed experiment" only because after these first thirty years the territory faced financial difficulties mainly due to a global economic crisis (C Nobbs 2016b). Interestingly enough, such an analy-

sis was also confirmed by a former Australian deputy administrator of the island, Jon Stanhope, who recalled the island being in very good overall shape during his tenure in the early 1990s (ABC, 23 June 2016). Statistically, according to the latest figures from 2014, Norfolk Island held the third-highest position in terms of gross domestic product (GDP) per capita and the Human Development Index among all Pacific Island states and territories, surpassed only by Guam and New Caledonia (Avakov 2016, 10, 70).

Looking back into history, Australian desire for dominance and Norfolk hesitancy and resistance toward such policies is nothing new. The island, which from 1856 had been a self-governing colony within the British Empire, faced remarkably similar issues a century ago, when it lost its autonomy through similarly oppressive actions and was made into a dependency of the newly founded Commonwealth of Australia, with which it has had an “uneasy relationship” ever since (O’Collins 2002). Even before the current crisis, while the autonomous government was still operational, Canberra was jealously guarding its influence and preventing any moves toward more connections between the island and the rest of Oceania. For instance, attempts to establish a satellite campus of Tonga’s ‘Atenisi University on Norfolk Island in 2009 failed, as Australia would not give its permission (e-mail from Peter Maywald, Secretary of Government of Norfolk Island, to Michael Horowitz, Dean of ‘Atenisi University, 15 Oct 2009). Similarly, in 2004, Australia for the first time interfered with the local system of governance by imposing

a change in voting rights to include all Australian citizens living on the island for six months while excluding non-Australian long-term residents who had previously been enfranchised (Irving 2013). The 2015–2016 recolonization scheme will create even more drastic changes in that direction, as immigration by Australians is now unlimited while non-Australians (mainly New Zealanders and Britons), even if they have lived on the island for many decades, are now considered “foreigners” and must apply for residency visas (A Nobbs 2016, 13).

The unfolding colonial drama of Norfolk Island may also draw attention to the other little-known remnants of Australia’s colonial empire, which besides Norfolk includes the Cocos-Keeling Islands and Christmas Island in the Indian Ocean, both populated largely by Southeast Asians. Both are being run as overseas territories with only minimally empowered local municipal governments and are subject to a crude mix of legislation by an Australian state in which they have no representation (Western Australia) while being forced to vote in a distant federal electorate largely irrelevant to them and in which their small numbers do not matter (Northern Territory). Thus, Christmas and Cocos-Keeling might serve as examples of what Norfolk can expect from Canberra’s neocolonial “reforms.” In terms of GDP per capita and the Human Development Index, the two islands have been lagging behind mainland Australia just as much as, if not more than, Norfolk Island under its autonomous government (Avakov 2016, 10–11, 69–70)—a fact that dispels any notion of alleged eco-

nomic benefits of direct Australian rule. On Cocos-Keeling, which in 1984 had voted for integration with Australia in a UN-supervised vote, the Australian administration as recently as 2009 imposed such archaic and sinister colonial policies as policing and punishing not only local school-children but also adult employees at their workplaces for speaking their native Cocos Malay instead of English (*The Australian*, 1 Sept 2009). Only in the face of local and international outrage and protests was this policy ended (Welsh 2015, 57–58). On Christmas Island (which for obscure reasons, unlike Cocos-Keeling, never had a vote of self-determination), Canberra imposed one of its notorious asylum-seeker internment camps without consulting the local population. Christmas has recently increased demands for more autonomy, ironically citing as a model the very status of Norfolk Island that Canberra was in the process of dismantling (SBS, 18 Dec 2015).

Interestingly, the above-mentioned Jon Stanhope was also Australia's administrator of the Indian Ocean territories from 2012 to 2014. A diametrically opposite personality from Hardgrave, Stanhope tried to act responsibly and forwarded grievances expressed by the local people of Christmas and Cocos-Keeling to his superiors in Canberra, but all of them were ignored. On leaving the post, Stanhope publicly apologized for the failure to deliver good governance and democracy to the people of the Indian Ocean islands (A Nobbs 2016, 7). Together with Emeritus Professor Roger Wettenhall, Stanhope has been one of the most

strident critics of the Norfolk Island recolonization scheme and published several editorials to raise awareness on the issue among the Australian public (Stanhope and Wettenhall 2015; Wettenhall 2015).

It is indeed hypocritical that Australia has been condemning Pacific Island states (such as Fiji after the 2006 military coup) for an alleged lack of democracy, while it is busy implementing antidemocratic policies on Norfolk Island. This is in stark contrast to New Zealand, which has also at times been criticized for a similar policy of prescriptive interference into Pacific nations' domestic affairs, but which at the same time is much less hypocritical, as it has a much better decolonization record. Of the two New Zealand-affiliated Pacific Island entities of similar size to Norfolk Island, Niue has been a self-governing nation in free association with New Zealand since 1974, like the much larger Cook Islands have been since 1965, and while Tokelau, which did not vote in sufficient numbers for a similar political status in 2006, remains a non-self-governing territory under New Zealand sovereignty, it has a largely autonomous local government exercising at least as much authority as the Norfolk Island government had under the 1979 law.

While certainly not perfect, New Zealand's policies toward Niue and Tokelau have clearly set a benchmark on how to act responsibly toward small dependent territories in the region and respect their right of self-determination. It is indeed both astonishing and saddening that Australia appears to be unwilling

to learn from its sister nation across the Tasman Sea in this respect and instead perpetuates outdated colonial policies.

LORENZ GONSCHOR

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PITCAIRN

The islands of Pitcairn, Henderson, Ducie, and Oeno (commonly known as Pitcairn) make up a single territory, the last remaining United Kingdom Overseas Territory (UKOT) in the Pacific Ocean. Pitcairn, the only inhabited island of the group, had a total resident population of thirty-nine—a historically low figure—at the start of 2016. The entire population lives in the lone settlement, Adamstown. The only way of accessing the island is by sea, but because of the difficult terrain, ships must moor offshore, with longboats operating between the ships and Bounty Bay. Due to its isolation, its small and aging population, and the high level of subsidy that is given by the UK government, there are concerns over the future viability of the settlement. Therefore, during the period under review there was significant focus on strengthening its repopulation strategy, improving the island's infrastructure, encouraging more tourist arrivals, and working closely with the European Union (EU) on several projects. However, much of the good work was undermined by reignited concerns over child safety and the decision of the United Kingdom to withdraw from the European Union. All of these issues, which are closely interlinked, are considered in this review.

A fundamental challenge for Pitcairn is its very small and declining population, which is also aging. Fewer than thirty people are economically active, and a majority of these are over fifty years old. Most starkly for the future, the number of residents in the twenty-to-thirty age group is in the

low single figures. Once young people move abroad—usually to New Zealand—to advance their education, they rarely return. In addition, with only a handful of women being of child-bearing age, the birthrate is not high enough to sustain population levels (UK Department for International Development 2015). So apart from a rising number of births, there are two other options for increasing the population: the return of former residents and their families, and new immigrants coming to the island. In order to help facilitate these, the Pitcairn Island Council (PIC) in 2013 agreed to a repopulation plan to stabilize the population at around fifty.

In the face of the extremely limited initial interest on the part of diasporic Islanders and new immigrants in settling in Pitcairn, the PIC undertook a review, which was completed in November 2015. A key part of this was a redesigned and more user-friendly website, including a new promotional film, which was intended to allow those interested in migrating to Pitcairn to begin the application process more easily and in a more informed way (*Pitcairn Miscellany* 2015a; PIC 2015c). In addition, new procedures were approved for immigrants applying for council land. After the changes were made, a small number of applications were received, although none had resulted in any new arrivals by the end of the period under review.

The reasons for the lack of success can be seen in a survey of the Pitcairn diaspora (Solomon and Burnett 2014). It found that the vast majority of those living elsewhere are reluctant to return because of concerns over child safety

and a belief that “on-island social norms do not conform to acceptable international norms” (Solomon and Burnett 2014, 41). These concerns apply to other potential immigrants too. They relate back to the late 1990s when serious allegations of systematic sexual abuse of children were made against a large proportion of the adult male population. Ultimately eight men were convicted, including a recently serving mayor. Significant efforts have been made, including during the period under review, to strengthen child safeguarding. For example, the “Child Matters” training, a child-protection studies program provided by a New Zealand company, was rolled out (PIC 2015a).

However, much of the good work around child safety was undermined when in March 2016 former Mayor Michael Warren was found guilty of downloading scores of hardcore child-abuse images and films (Marks 2016). In response, a further initiative was taken in May 2016 when the PIC agreed to work with the Internet Watch Foundation in a scheme funded by the UK Foreign and Commonwealth Office (FCO). The foundation will provide a reporting portal for child-abuse imagery (PIC 2016b). Notwithstanding, there remain concerns over the safety of children in Pitcairn, and thus the UK government retains a travel advisory for the island, stating that any visits or settlements involving children under sixteen years of age must be authorized by the Pitcairn Island Office in New Zealand (UK Government Website 2016).

In tandem with the (so far unsuccessful) attempts to attract new settlers, the PIC also recognizes that the

economy of Pitcairn must offer more opportunities for potential immigrants and investors. For many years Pitcairn was able to pay its own way; the sale of stamps and later the registration fees from the “.pn” Internet domain name were significant revenue earners. Recently, however, income from these sources has fallen, while expenditures have increased considerably, particularly in regard to shipping, telecommunications, and medical services (in part because of the aging population). Further, funding is required for the provision of part-time public-sector employment. The result is that domestic revenue represents only 5 percent of the Pitcairn government’s finances. To make up the shortfall, the UK government has provided budgetary aid to the island since 2004. For the 2015–2016 fiscal year, this totaled £2.91 million (US\$4.34 million) (UK Department for International Development 2015).

In order to create a wider pool of job opportunities and to reduce reliance on budgetary aid from London, a number of initiatives are ongoing. Perhaps the most significant is the building of a jetty at Tedside, on the northwestern side of the island, and the upgrading of the road linking Tedside to Adamstown. It is hoped that once the jetty is completed, tenders will be able to more easily transport cruise ship passengers to the island, and so the number of cruise ship visitors will increase (at present about 800 to 1,000 passengers set foot on the island each year). This in turn should have a benefit for on-island tourist industries, such as guesthouses and sales of crafts and curios. However, progress on the jetty

and road projects during the year was slow because of poor weather and sea conditions (*Pitcairn Miscellany* 2015b, 2016b).

A related initiative was the approval by the PIC in October 2015 of the 2015–2019 Sustainable Tourism Development Master Plan (PIC 2015b). The objective of the plan is to “capitalise on the Pitcairn Islands unique points of difference, its *Bounty* heritage, its endemic flora and fauna, its endemic birds, its pristine marine environment, its prehistoric history, and its natural beauty” (Government of Pitcairn Islands 2016). More particularly, the intention is to increase revenues from tourism, including higher landing fees, and to boost employment opportunities in the sector.

Another development that may enhance Pitcairn’s economy was the March 2015 announcement of the UK government’s intention to create the largest continuous marine reserve in the world, covering 834,000 square kilometers. The seas around Pitcairn are believed to be home to more than 1,200 species of fish, marine mammals, and birds, some of which are unique to the region. The area also supports the world’s deepest and best-developed coral reef. A report produced for the Foreign and Commonwealth Office by the Pew Charitable Trusts, PIC, and National Geographic Society suggests that the reserve could build a sustainable economic future for Pitcairn’s resident population, based on increased tourism and permit fees and other maintenance grants. The report also claims that “creating work and jobs in conservation tourism could play a key role in helping encourage young adults within the

community to remain on the islands and attracting new residents” (Blue Ventures 2013, 11).

In the latter half of 2015, the UK government, in tandem with several nongovernmental organizations, discussed how tracking and surveillance in the reserve would be undertaken (PIC 2015c). Then, in March 2016, the first details were revealed (BBC News 2016). An ocean drone had begun work the previous month identifying illegal fishing in the reserve. The data that are collected will be sent back to a satellite watch room based in the Harwell Science and Innovation Campus in Oxfordshire. Any unauthorized trawlers will then be prosecuted. Funding is being provided by the UK government, the Swiss Bertarelli Foundation, and the Pew Charitable Trusts. The wider work around how the reserve could contribute to Pitcairn’s economy was much less advanced, however.

Although the UK government provides financial support to cover much of Pitcairn’s budget, the European Union is also an important source of assistance. For example, the Tedsidde harbor project is funded by Brussels under the Ninth European Development Fund (EDF). Several other initiatives were either completed or planned during the year. In July 2015, the Pacific Territories Initiative for Regional Management of the Environment (INTEGRE) project to prevent erosion at St Paul’s Point (on the far eastern tip of the island) and Ailihau (on the southern coast) was concluded, with assistance from several workers from French Polynesia (*Pitcairn Miscellany* 2015c). Much of the steep areas were protected with

mats before plants were added. In the first evaluation undertaken, the work at St Paul's had brought some success, but at Ailihau the results were more mixed (*Pitcairn Miscellany* 2015c). A further INTEGRÉ-sponsored initiative took place in the following spring, when a team of experts visited Pitcairn, providing advice on soil fertility, fisheries, and waste management (*Pitcairn Miscellany* 2016a).

In addition, a public meeting was held on 14 December 2015 to discuss future funding proposals to be supported by the European Union. At the meeting, upcoming projects under the Tenth EDF were discussed, primarily focused around upgrading infrastructure to enhance the tourist experience (*Pitcairn Miscellany* 2015d). Included in the EDF-10 proposal is a purpose-built vessel, designed to deliver passengers from ship to shore and back; the surfacing of several key roads; the installation of new road signs; and the construction of a new community center, museum, and general store. These projects are considered key to promoting the tourism sector and the economy of Pitcairn more generally.

To confirm the importance of the Pitcairn–European Union link, representatives from Pitcairn attended the Overseas Countries and Territories (OCT)–EU Forum in Brussels between 23 and 26 February. This is a meeting that is held annually involving the twenty-four OCTs, their metropolitan powers (United Kingdom, Denmark, France, and the Netherlands), and the European Commission. A range of issues was discussed, including climate change, sustainable energy, the implementation of EDF-11 programming, and the promotion of research,

education, and innovation. In addition, several summits were held on the margins of the main gathering, including trilateral meetings with the European Union, the member states, and the Overseas Territories, and regional trilaterals with the European Union, French Polynesia, New Caledonia, Wallis and Futuna, and Pitcairn in attendance.

However, these meetings took place in the shadow of the impending vote in the United Kingdom on whether the country should “Remain” or “Leave” the European Union. Due to the important level of support that Pitcairn and other United Kingdom Overseas Territories receive from Brussels, there was concern over what might happen if the UK voted to leave the EU. As a consequence, the Political Council of the United Kingdom Overseas Territories Association (UKOTA), at its annual meeting in November 2015, mandated the association to commission a report on the relationship between the UKOTs and the EU. The overall aim of the report was not to force the UKOTs onto the campaign agenda (thus Gibraltar, whose government was in favor of the UK remaining in the EU and whose population was eligible to vote, was excluded from the report), but to demonstrate the value of the EU to the UKOTs.

Part I of the report, which considered the benefits to the UKOTs of EU support, concluded that the relationship is very positive to the UKOTs in terms of economic and environmental cooperation, development assistance, and policy dialogue. Further, they now have a “stronger and more independent voice” in the EU, which

has enhanced policy outcomes (Clegg 2016, 17).

On 23 June 2016, the UK voted to leave the EU, with 52 percent supporting that choice and 48 percent voting to remain. The result was unexpected, and as a consequence the UK government does not yet have a clear plan in place to negotiate the country's withdrawal, nor is there a clear sense of how any future relationship between the UK and the EU might be organized. The outcome will likely also have a significant impact on Pitcairn and the other UKOTs. Pitcairn's relationship with the EU is dependent on the UK (via part IV of the Treaty on the Functioning of the European Union), and when the UK leaves, Pitcairn's support from Brussels will most likely end unless some special arrangement is worked out that provides Pitcairn with continued access to the European Development Fund.

So for Pitcairn—which is already struggling to survive and sees EU funding as crucial for its future sustainability and development—the process of “Brexit” is extremely concerning. Only time will tell how the undertaking of UK withdrawal from the EU will conclude, but in the short run Pitcairn must secure the EU funding that it has been promised. As long as the UK remains an EU member and does not renege on its funding commitments, Pitcairn will benefit from EU support. Therefore, the disbursement of funds—under both EDF-10 and EDF-11 and the regional funding envelope—should be agreed on as soon as possible, and once committed the monies should be secured so that the planned projects can proceed. Even if these projects run beyond 2020,

they will most likely be completed. Thus it is vital for Pitcairn, with the support and commitment of the UK, to conclude the necessary financing negotiations in the near future.

A final issue to consider is the political system and its subtext in Pitcairn, in particular the role of women. The Pitcairn Island Council consists of a mayor, deputy mayor, and five councillors. In addition, there are three nonvoting, ex-officio members: the governor, the deputy governor, and the administrator. In practice, only the administrator will normally attend PIC meetings. The administrator reports directly to the governor, and the governor may direct the administrator to take certain actions. The mayor, who acts as chairman, is elected by popular vote for a three-year term, while the other members are elected for two-year terms. There are no political parties. In order to vote, persons must be eighteen years of age or older and have been resident on Pitcairn for between one and three years. The qualification period is determined by the particular status of the individual. Anyone able to vote may also stand for election, so long as he or she has not been sentenced to imprisonment for three months or more in the previous five years.

This last provision has been particularly important for the representation of women in the political process. Historically, the PIC was dominated by men, but since the child sex-abuse cases, women have taken a greater role, and it was no different in the PIC elections held on 9 November 2015. Voters cast their ballots for a deputy mayor and five PIC members, with women filling five of the six posi-

tions, including Deputy Mayor Brenda Christian (*Pitcairn Miscellany* 2015a). It is very difficult to definitely prove that the greater role for women on the PIC has influenced the nature of public policy, but there are indications to suggest that efforts to improve child safeguarding have been strengthened. Furthermore, other changes are being enacted, including the agreement that the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) should be extended to Pitcairn (PIC 2016a; see also Lee, this issue). So because of the particular circumstances that have surrounded Pitcairn over the last decade and a half, the role of women in local politics has become more important. Even though in most cases there has been continuity in the political agenda around the major issue of securing the long-term viability of Pitcairn, there has been some greater focus and commitment with regard to enhancing the rights of women and trying to strengthen child-safeguarding measures. It should also be noted there has been a strong push by the UK government to make progress on these issues.

The past year in Pitcairn has been a case of one of two steps forward and one—or even possibly two—steps back. On the positive side, there is a clear recognition that, unless something is done to attract new settlers and to develop the economy, the long history of Pitcairn with a permanent resident population may well end. Thus, significant efforts were made to reenergize the repopulation strategy and enhance key aspects of the economy, particularly the island's infrastructure. Little tangible differ-

ence was seen in either the size of the population or the functioning of the economy, but at least the foundation stones are being laid for a potentially brighter future. However, much of this good work was undermined by two developments. The first was the March 2016 conviction of former Mayor Michael Warren for downloading hardcore child-abuse images and films. This was a very unfortunate reminder of Pitcairn's recent dark past. The second was the June 2016 decision of the UK to leave the EU. In the medium term, this may well result in the ending of a vital source of funding, putting at risk Pitcairn's future plans for economic development. There is no certainty that the UK government will cover the shortfall. So despite all the initiatives and projects that were pushed through by the PIC during the year under review, it has ended on a pessimistic note.

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RAPA NUI

During the review period, Rapa Nui national leaders affirmed movement toward self-determination in the context of local, state, and global biopolitical forces that threaten the sustainable future of the Rapa Nui people, territory, and resources. Engaging the spirit of Angata, the first Rapa Nui woman to valiantly challenge such forces as they articulated in 1914 (McCall 1997, 117), many political voices and actions for social justice by leading contemporary Rapa Nui women are highlighted in this review, including Lolita Tuki, Erity Teave, Elisa Riroroko, Anakena Manu-tomatoma, Mama Piru (Piru Hucke Atan), and Marisol Hito.

Conflict over the March 2015 reclamation of “ancestral lands” (*kāiŋa tupuna*) and “ancestral valuables” (*hauha‘a tupuna*)—which the state had developed into a national park (El Parque Nacional Rapa Nui) in the 1930s without consulting the Rapa Nui people—had temporarily been resolved in April 2015 through an agreement between Rapa Nui national leaders and Chilean state government representatives (Young 2016a), but the conflict resumed by June 2015. Erity Teave, vice president of Parlamento Rapa Nui and president of Honui (two grassroots political organizations engaging movements for Rapa Nui self-determination entangled in the conflict), explained that the dispute centers around incommensurable understandings and experiences of the island: for Rapa Nui people, the sites that the state and global actors recognize as part of a “park for recreation” are actu-

ally “sacred places” (*vahi tapu*) that must be protected by “customary law” (*derecho consuetudinario*) as a *taina henua*—that is, an “island” (*henua*) of “siblings/relatives” (*taina*) (Teave, pers comm, 12 Aug 2016). The world-famous moai statues at the center of *vahi tapu* are considered by Rapa Nui people to be “spiritual tombstones” that “protect the land and the blood matrix to which each clan belongs” (M Hitorangi 2013); as Mama Piru, a Parlamento Rapa Nui member, has stressed during the conflict, the moai “talk” with the Rapa Nui people who are the “children of their children” (EC, 25 Sept 2015). Thus, what is at stake is not only the “moral economy” for governing cultural heritage but also the epistemological and ontological foundations of Rapa Nui being and becoming as a nation and people (Young 2016c). What the state and global forces desire to administer as a Chilean “lawscape” (Philippopoulos-Mihalopoulos 2015, 38–106), that is, a place that spatializes people, resources, and territories in terms of Chilean law, Rapa Nui national leaders want to protect as a genealogical “relationscape” (Manning 2009) that connects Rapa Nui present and future “extended families” (*hua‘ai*) to their ancestral spiritual ecology and living cultural heritage.

A 4 June 2015 letter to Chilean President Michelle Bachelet signed by Erity Teave and Leviante Araki, president of Parlamento Rapa Nui, reports that conflict resumed as state police began to “intimidate” Rapa Nui at the *vahi tapu* they were protecting while managing everyday tourism access. By 10 August 2015, the Chilean National Institute of Human Rights noted that

dialogue between the state and Rapa Nui leaders had finally broken down (INDH 2016). Following public radio announcements requesting that tourists provide “voluntary contributions” to gain access to Rapa Nui ancestral territories beginning 15 August (EC, 16 Aug 2015), President Araki and Mario Tuki (a Parlamento Rapa Nui member and former representative of the Chilean government-organized Commission for the Development of Easter Island [CODEIPA]), were arrested at the entrance to the Orongo ceremonial village on 15 August as they began collecting entrance fees from tourists. The National Forest Corporation of Chile (CONAF), funded by the Chilean Ministry of Agriculture that manages the park, not noting the fees were voluntary, declared the acts “illegal,” and state officials called for the closure of the office of Parlamento Rapa Nui to restore “public order” (Parque Nacional Rapa Nui, 15 Aug 2015). In response to the arrests, President Araki publically emphasized that they were simply “protecting” the Rapa Nui “sacred sites” and “ancestral property” (EC, 17 Aug 2015).

Contextualizing Chilean administration of vahi tapu as failing the Rapa Nui people while accumulating profits for the state and associated corporations, President Araki refused to recognize the authority of Chilean government organizations like CONAF and CODEIPA in Rapa Nui (EC, 17 Aug 2015), insisting that “this is not Chile, this is Rapa Nui” (EC, 20 Aug 2015). Marisol Hito, a leader of her family’s struggle to reclaim ancestral land from the corporate five-star Hangaroa Eco-Village and Spa development at the heart of the 2010–2011

violent conflicts (Young 2016b, 267), insightfully supported Araki’s critical perspective in asking during the current conflict, “Who prosecutes CONAF, which took over the management of our resources, without consulting anybody?” (Biobio, 28 Aug 2015). The challenges by President Araki and Marisol Hito foreground not only a critical question in biopolitical legal theory (what is the “Law of law”? [Zartaloudis 2010, 1]) but also a question that makes practical sense, given that the state’s own recent truth commission acknowledged that the current configuration of the island primarily into a national park and a small reserve of land for the people reflects a history of unjust state dispossession. The commission recognized that, for decades, the state held Rapa Nui people against their will under military laws, behind barbed wire, without rights of citizenship—in violation of the 1888 Agreement of Wills that would have established a political relationship between Chile and Rapa Nui that recognized the chiefly titles of Rapa Nui leaders for governing all island territory (Gobierno de Chile 2008, 261–263). Araki’s and Hito’s critiques draw attention to history that suggests that the “Law” of Chilean law is based in what Walter Benjamin would consider “lawmaking” and “law-preserving” violence, not social justice (1986, 284). The military laws that constituted the dispossessed place of the Rapa Nui people on the island in violation of the 1888 Agreement of Wills can be understood as extended through the enactment of further Chilean laws that preserve the original spatial violence by managing the island as primarily a national park for

tourism rather than as the sacred place of its indigenous people.

On the same day of the criminalization of Rapa Nui leaders, the local state prosecutor, Raul Ochoa, called for the collection of materials related to crimes from the office of Parlamento Rapa Nui and the closure of that institution pending investigation. Parlamento Rapa Nui women, led by Elisa Riroroko, refused to provide the police any materials because the police lacked a court order (EC, 16 Aug 2015), and they closed the office on their own terms, according to the state (Gobernacion Isla de Pascua, 17 Aug 2015). Following the failed police search and seizure of the office, criminalization continued. President Araki was again arrested—this time for entering ancestral territory in violation of the conditions of release for his first arrest (EC, 28 Aug 2015). Island judge Maria Fernanda Cornejo further mandated that Rapa Nui elder Matias Riroroko and his daughter Elisa be held in police custody for 120 days for crimes related to resistance to the Parlamento Rapa Nui office searches and seizure. Riroroko, seventy-two years old, was arrested 26 August at the airport of Santiago, Chile, preventing his participation in a National Congressional hearing on human rights conflicts in Rapa Nui. He testified to media that he experienced abuse while detained by the police and during juridical processing. Initially held in a small, cold room at the Arturo Merino Benitez airport without any chair to sit on and stripped of all belongings, Riroroko asserted that he was denied access to his personal attorney. On transfer to the Santiago Uno prison (where he stayed for three days until

returning to Rapa Nui on 29 August), he said that prison guards “verbally tortured” him in the jail cell (Biobio, 28 Aug 2015). Reminiscent of Chilean government treatment of the indigenous Mapuche people under its highly criticized anti-terrorism law (Richards 2013, 212), during criminal processing in which Riroroko was assisted only by a court-appointed attorney, state Prosecutor Raul Ochoa accused him and other Rapa Nui people of being “terrorists” and compared them to the “Nazis of the Hitler era.” Riroroko’s arrest was upheld, as the court considered him “a threat to the state and a danger to the community” (EC, 1 Oct 2015). As Riroroko has documented asthma problems and a heart condition and was denied access to his medicine during processing, he maintains the state forces jeopardized his life (PRN, 1 Sept 2015). Riroroko’s daughter Elisa, arrested on 26 August in Rapa Nui, was formally processed on 30 August and held under house arrest and, like her father, forbidden to leave the island. The charges prevented her from attending the 30th Session of the Commission on Human Rights of the United Nations in Geneva, Switzerland, where she had intended to speak on the plight of the Rapa Nui nation (EC, 1 Oct 2015).

Rapa Nui leaders responded with local, regional, and international political organization. On 28 August, Rapa Nui people organized a protest at the office of the governor. Rafael “Rinko” Tuki, a Parlamento Rapa Nui member as well as leading representative of Rapa Nui within the state-organized development institution for the indigenous peoples of Chile (CONADI), denounced the

criminalization and raid of Parlamento Rapa Nui in a letter submitted to the governor. In addition to calling for the release of Matias and Elisa Riro-roko, he reproached the government for colonial treatment and systematic violation of Rapa Nui rights to self-determination for over a century (PRN, 1 Sept 2015). He followed local condemnation of Chile with a visit with government leaders of the Embassy of Bolivia that led to a meeting with Bolivia's indigenous president, Evo Morales, during the World People's Conference on Climate Change held in Bolivia on 12 October; he requested help from Bolivia for Rapa Nui's decolonization under UN principles of international law (Qué Pasa, 23 Oct 2015). Erity Teave helped coordinate international legal representation of the Rapa Nui people with the Indian Law Resource Center (ILRC) of Washington DC, which led to the filing of a request for precautionary measures at the Inter-American Court of Human Rights (IACHR) of the Organization of American States—the second filing in five years (Young 2016b, 266). Attorney Robert Coulter, ILRC executive director, described “the arrests and detention of prominent Rapa Nui leaders” as “repressive measures” that “violate the human rights of all people of Rapa Nui by interfering with their access to their sacred sites and the burial places of their ancestors” (ILRC, 28 Aug 2015). On 18 September, Santi Hitorangi, a leading member of Parlamento Rapa Nui at the United Nations, voiced his call for international support of the right of Rapa Nui people to self-determination at the meeting of the UN Human Rights Council in Geneva (S Hitorangi 2015).

In a context in which Marta Hotus had been questionably replaced as island governor by Carolina Hotus in September by Chilean President Bachelet (Biobio, 10 Sept 2015), on 25 October 2015 conflict intensified as the state government conducted a vote on the island concerning the future administration of the Parque Nacional Rapa Nui. The ballot included one primary question (whether or not the voter agreed with co-administration of the national park) and sub-questions about which entity should organize, oversee, and manage the co-administration (Gobernacion Isla de Pascua, 23 Oct 2015). The results of the vote were released the following day, with 86.6 percent of voters favoring co-administration and with lists enumerating variable answers to the sub-questions (Parque Nacional Rapa Nui, 26 Oct 2015). Aaron Cavieres, CONAF executive director, characterized the day of voting as exhibiting “a very participatory and transparent process,” in which the majority of the votes of the Rapa Nui people demonstrated support of “co-administration” of the park (La Tercera, 26 Oct 2015). Hans Peter Orellana, the Chilean minister of social development, also applauded the process, emphasizing that “there were no acts of violence,” that all “was normal,” and that the government acted in “the utmost good faith” (EC, 27 Oct 2015).

What the Chilean government normalized, many observers would likely find deeply problematic. During the island-based voting at the local school, Rapa Nui national leaders (including those with positions in the offices of Chilean government administering the island like Rinko Tuki as well

as CODEIPA representative Anakena Manuatomatoma) staged a rally beside the school at Atamu Tekena plaza urging the Rapa Nui people to abstain from voting. Chilean police intervened to silence the megaphones of Rapa Nui leaders, and independent observers feared bloodshed (EC, 27 Oct 2015). Rapa Nui leaders present in the rally included not only staunch nationalist leaders like President Araki, Mama Piru, and elder Lolita Tuki, but also former state-appointed Governor Marta Hotus (PRN, 27 Oct 2015). Representative Manuatomatoma highlighted that the number of voters who cast a ballot (294 out of a possible 2,005) was clearly a sign that the process did not reflect “the decision of the people.” She emphasized the people had overwhelmingly demanded a postponement of the voting because the questions had been imposed by the state. She further reported that during actual consultations with the Rapa Nui people over the preceding months, representatives of 23 of the 36 Rapa Nui hua‘ai (extended families/clans) did not approve of co-administration at all; they wanted full administration in the hands of the Rapa Nui people consistent with the signed agreement of April 2015. Rinko Tuki also vehemently rejected the voting results and insisted that CONAF and the state do not “have the authority to define the future of the overall management of our ancestral territory” (EC, 27 Oct 2015).

As the Chilean government was securing the continued territorialization of vahi tapu as resources of a national park, it expanded its ambitions into the ocean when Chilean President Bachelet announced on

5 October the state’s desire to build one of the world’s largest marine conservation parks around Rapa Nui, during the “Our Ocean” conference in Valparaiso attended by US Secretary of State John Kerry and entrepreneur Richard Branson. The proposed marine park would encompass nearly 244,000 square miles and offer sanctuary for marine life, free of commercial fishing. Its development is organized in partnership with Pew Charitable Trusts pending consultation with the indigenous Rapa Nui people (Vaughn 2015). Rinko Tuki criticized the proposal, saying it was “not born from the initiative of Rapa Nui people, but is a packaged proposal from a foreign NGO [nongovernmental organization]” that is part of broader “colonial” projects on the island like the national park (EC, 3 Oct 2015). Anakena Manuatomatoma concordantly organized fellow CODEIPA representatives to submit a letter of protest to the government (PRN, 6 Oct 2015). The Indian Law Resource Center also supported Rapa Nui concerns, given that the proposed marine conservation park would further “restrict access to the resources Rapa Nui are dependent upon and further diminish their ability to pass along cultural traditions” (ILRC, 28 Jan 2016). Historically, it is noteworthy that it was at the height of the 2010–2011 conflicts in Rapa Nui that the Chilean government initiated inquiry into a marine park around Rapa Nui on 23 February 2011 (National Geographic 2011). Is it mere coincidence that the state sought control of the marine environment of Rapa Nui during the height of the two greatest island conflicts in the decade, or is this part of a broader governmen-

tal strategy? Internationally, conservation projects are certainly known to be part of global and state strategies to displace indigenous peoples from coveted territories and resources (Dowie 2009), a strategy Chile is documented as applying against its indigenous Mapuche people (Richards 2009, 71–74). Such projects are seen as tools for transforming indigenous peoples into “environmental subjects” who become “accomplices” of global and state development goals (Agrawal 2005, 214–217), thus obstructing their movement toward becoming self-determining subjects in control of their own resources and territories.

While the government “consultation” regarding Parque National Rapa Nui was considered a failure by the Rapa Nui people, a consultation on 24 January 2016 regarding the regulation of migration and residency on the island was broadly considered successful. It is calculated that 1,411 votes were registered and that 97 percent voted in favor of regulating residency. CODEIPA representatives strongly supported the results and initiated formal processes to urge the state legislature to enact the bill in March (PRN, 1 Feb 2016). During a late April 2016 visit to Rapa Nui (a rare trip for state dignitaries), Chilean President Bachelet affirmed her support of a bill that would limit both Chilean and foreign visits, establish penalties for violation, and increase monitoring of environmental impacts of tourism and other development projects (La Tercera, 30 April 2016). However, as the period under review ended, the bill had not been formally legislated and Chilean Senator Francisco Chahuán expressed concern that the time to implement the

bill was running out (Biobio, 8 July 2016).

The review period closes amid heightened international monitoring and politico-legal organization among Rapa Nui people. The aggressive Chilean government strategies documented during the period—criminalizing Rapa Nui political leaders in ways that obstructed their participation in human rights assemblies; replacement of an island governor who was sometimes sympathetic to Rapa Nui movements toward self-determination; and dispossession of Rapa Nui protection of their vahi tapu as well as attempted expansion of Chilean and global power over Rapa Nui marine resources—gained the attention of the UN Office of the High Commissioner of Human Rights (OHCHR). UN Special Rapporteur for Indigenous Peoples Victoria Tauli-Corpuz, in a letter to the OHCHR (Tauli-Corpuz 2016), challenged the criminalization of Rapa Nui leaders and the treatment of their cultural heritage and natural resources in terms of articles 7, 11, 12, 25, 26, and 31 of the UN Declaration of the Rights of Indigenous Peoples (UNDRIP) as well as International Labour Organization (ILO) Convention 169 articles 6, 7, 14, and 15.

During her visit to the island, Chilean President Bachelet began to respond in ways that suggest the state could be willing to consider a different relationship with Rapa Nui, but analysis of her public statements also suggests further questions. In an April 2016 speech, she acknowledged that “this island is the heritage of the Rapa Nui people,” yet she qualified that statement, adding: “but at the same time [the island is] national and world

heritage” and therefore “the responsibility of all from wherever we come” (La Tercera, 30 April 2016). And in public forums, President Bachelet has emphasized that the government is working with CONAF to develop a process to transfer administration of Parque Nacional Rapa Nui to an institution managed by Honui, but only in conjunction with CODEIPA (*El Correo Del Moai*, 1 May 2016).

While it is encouraging to see the president foreground the island as first and foremost Rapa Nui cultural heritage, her qualification that vahi tapu are at the same time global and Chilean national heritage articulates with long-standing critiques of such heritage management plans as part of a broader “technology of government” that undermines indigenous national identity formation (Smith 2004, 10–13). Similarly, the form of park transfer suggested is also problematic given that in emphasizing co-administration by a Rapa Nui organization with CODEIPA—a state institution—the state proposes a “network created by the state” that can be seen as producing a “regulatory community” (Agrawal 2005, 92–94). Rather than enabling self-determination of resources, a regulatory community replaces governance by a people themselves with governance distributed within a network of bureaucratic institutions and agencies determined by the state and other actors. As stressed in a letter to President Bachelet, Honui wants Rapa Nui to exercise their “inalienable right to self-determination of our natural and cultural resources according to law” (PRN, 3 June 2016). The legal instruments Honui appeals to are not

those of the violent Chilean lawscape. In a June 2016 letter to UN Special Rapporteur Tauli-Corpuz, Erity Teave emphasized that the Rapa Nui people pursue their human rights for self-determination in terms of UN General Assembly Resolutions 1514 and 1541, article 73e of the UN Charter, and UNDRIP. According to UNDRIP article 31 (noted by UN Special Rapporteur Tauli-Corpuz above), “Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage” and states are supposed to “recognize and protect the exercise of these rights.” It does not say that states can qualify and dampen these rights through institutions like CODEIPA and broader agents of regulatory communities.

Rapa Nui demands for rights to self-determination are consistent with other cases successfully supported by the IACHR, like that of the indigenous Awas Tigni of Nicaragua, whom the Indian Law Center also helped represent (Coulter 2015), and the Rapa Nui people are currently working toward testing these rights in a legal case being developed for the IACHR. In other words, Rapa Nui national leaders continue to affirm their desire for “building a home in the space between justice and law” (Povinelli 2011, 14) in terms of their relationscape, rather than within the regulatory community the state wants authorized.

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TONGA

The new government of 'Akilisi Pōhiva was tested to the limit by a number of political, economic, and policy issues

after it came to power as a result of the 2014 election, the second under the amended 2010 constitution. For a reform-oriented government with minimal experience yet loaded with ambition and high expectations from the people, the stark reality of transforming and modernizing a society steeped in conservative traditional values, under the patronage of a monarch and a class of *nopili* (nobles), was a major challenge. Despite some of the institutional and symbolic reforms of the previous decade, some of the social issues of the previous era remained and frustrated plans for changes. One such issue was that of women's participation in politics, which is the main focus of this review.

Although some progressive changes were made in the 2010 amended constitution, remnants of the traditional patriarchal political culture persisted. For instance, no woman was elected to Parliament in the 2010 and 2014 elections. This may appear ironic because under the cultural practice of *vahu*, women are traditionally accorded a unique social status within the kinship system, sometimes higher than men. (This is very similar to the Fijian practice of *vasu*, whereby one's maternal link is considered special and sometimes more prestigious than one's paternal inheritance.) However, political power has always been a male enterprise, and before July 2016, when the first woman was elected to Parliament, males made up 100 percent of elected people's representatives and 100 percent of nobles representatives—a record that placed Tonga at the lowest rung of the parliamentary gender diversity scale in the Pacific. The election of Ms 'Akosita Lavu-

lavu after a by-election in July 2016 followed successes by a number of women in the local elections a couple of weeks earlier, a testimony to the intensification of campaigns by local civil society organizations, regional organizations, and international agencies for greater awareness of women's role in politics. Nevertheless, the path to gender consciousness and empowerment in Tonga has been fraught with challenges as forces of progress and conservatism continue to clash over what is appropriate for Tongan society.

The tension between competing cultural and political discourses about gender was starkly manifested when the prime minister proudly told Parliament that his cabinet had agreed to ratify the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) on 9 March 2015 (see article by Helen Lee, this issue) and that Minister for Internal Affairs Fe'ao Vakata, whose portfolio included women's issues, had informed the United Nations in New York about the ratification. What was meant to be a celebrated event turned sour as a clash between supporters and opponents of CEDAW erupted immediately after the announcement.

Pōhiva's initiative was not surprising because he had been engaged in regional and international social activism as leader of the Tongan pro-democracy movement. Through this, he was actively involved in issues related to the nuclear-free Pacific, decolonization, human rights, and gender equality, among others. In many ways, these involvements further broadened his political and ideological understanding of democracy and

provided an alternative policy prism from that of previous prime ministers who, except for Dr Feleti Sevele, were largely drawn from the monarchical or the *nopili* class.

The proposed ratification of CEDAW was against the backdrop of the periodic review of the state of human rights in Tonga by the UN Human Rights Council's Universal Periodic Review Working Group, completed in January 2013, which was critical of the status of human rights in Tonga (UN OHCHR 2013b). When quizzed about gender inequality during an OHCHR meeting in Geneva, Lord Vaea, the minister for internal affairs at the time, responded by pointing out the number of women employees in public and private institutions and prosecution of perpetrators of family violence. However, a number of countries were very critical of Tonga for not ratifying CEDAW (Fonua 2013). OHCHR members recommended that concerted efforts be made to speed up gender equality and domestic violence laws and that ratification of CEDAW should be a priority (UN OHCHR 2013a). Because of concerns regarding what the OHCHR saw as slow progress in ensuring basic freedoms in Tonga, the country became the first in the Pacific to undergo a second review; some of the recommendations from that review included provision of landownership by women, protection from domestic violence, better police training, and abolishing both the death penalty and corporal punishment.

For a number of years, there has been a concerted campaign against family violence and for greater gender equality by civil society organizations such as the Tonga National Centre for

Women and Children, the Women and Children's Crisis Centre, and Ma'a Fafine Mo e Famili. The coordinator of the Ma'a Fafine Mo e Famili, Betty Blake, campaigned for firmer action to promote women's rights as well as to address some of the cultural impediments that undermine these rights; she urged the government to "look into women's rights, our legislation and that government look into the new Family Bill that we are putting in" (RNZ 2013). Even the Ministry for Internal Affairs, led by Chief Executive Officer Lopeti Senituli, a former social and political rights activist, effectively carried out consultation for the ratification of CEDAW and passage of the Family Protection Act 2013, which among other things aimed to "prevent domestic violence and economic abuse between family members and others in a domestic relationship" and "facilitate and maximise the safety and protection of persons who experience or fear domestic violence" (Government of Tonga 2013, 12).

In a roundtable organized as part of the CEDAW consultation on 12 February 2015, differences over CEDAW began to emerge. While women civil society organizations and government departments such as the Ministry of Internal Affairs and Ministry of Health advocated for ratification, church leaders were vehemently opposed. During the exchanges, one of the *faifekai* (church ministers) shouted, "You women should know your place!" The head of the Talitha Project, which engaged in the development of young women, expressed her dismay by retorting, "They (faifekai) are using the bible to say the male is the head of the family and they say to

us don't be selfish, women are under men—just be content where you are. They all know it is unfair. When they say there is no need to address the gaps. . . . I feel disgusted—absolutely disgusted" (Fonua 2015b). Arguably, one could say that these two positions represent the wide ideological gap in gender perceptions between traditionalists and progressives nationwide.

Given the contending positions, the challenge therefore was how to ensure that the public understood what CEDAW was all about and how to make it more relevant to Tongan culture. One of the sticking points was whether ratifying CEDAW would mean changing relevant laws in Tonga. There were also reservations about certain articles in the convention that were interpreted as culturally insensitive. In fact, in 2013, the Tonga government under Prime Minister Sevele had refused to ratify the convention because of these reservations, especially articles 2 and 16 (discussed in more detail below), which, in a 17 March 2015 letter to the editor of *Matangi Tonga*, Sevele argued were "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." In the same letter Sevele added, "The CEDAW Convention is one from which our beloved country with our unique Constitution and 'Tukufakaholo' should keep well away" (Sevele 2015). This is quite an interesting position for someone so well educated.

Opposition to the ratification was procedural, political, and cultural. It was pointed out by government legal experts that ratification of any inter-

national convention was to be carried out by His Majesty in Council, not the prime minister, the cabinet, or Parliament. The parliamentary opposition used the opportunity to score points against the struggling Pōhiva government. And outside Parliament, church leaders were mobilizing their largely Christian flock against what they saw as a fundamentally immoral and culturally insensitive CEDAW.

Interestingly, this debate came on the eve of the twentieth anniversary of the Beijing Declaration and Platform for Action, which was the main focus of the 59th Session of the UN Commission on the Status of Women held 9–20 March 2015 in New York. Tonga's delegate to the Beijing conference was Queen Halaevalu Mata'aho, the queen mother. This high-profile representation may have been politically and culturally symbolic, but it did not translate into transformation on the ground.

In Tonga's Parliament, debate was fierce as Pōhiva was quizzed about his intent and about whether the United Nations recognized Tonga's reservations over some articles in CEDAW. The prime minister finally succumbed to pressure and declared that the government was prepared to withdraw the ratification by suggesting that "we will write a letter" to the United Nations (Fonua 2015a). Pōhiva was reminded by another parliamentarian that once a country signs a convention, it is not possible to withdraw.

Tonga was the only Pacific country where there were large-scale anti-CEDAW public protests. On 19 May 2015, the Catholic Women's League marched to Parliament to show its opposition to what it saw as an

anti-Christian document. Three days later, a group of around five hundred people, organized by the churches, marched to the Palace Office and presented a petition with about 15,000 signatures. The placards carried slogans such as "CEDAW is a Secret Agent of Satan," "CEDAW = 666! Evil!", "CEDAW go to hell!" and one demanded, "'Akilisi and your cabinet to step down!" (*Matangi Tonga* 2015).

The most contentious parts of CEDAW were articles 2 and 16. Section (f) of article 2 suggests that states should "take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women." This is reinforced by section (g), which urges states "to repeal all national penal provisions which constitute discrimination against women." These provisions were seen as demanding changes in domestic laws and the constitution, a move that was felt to be potentially antagonistic to tradition and stability. There was a feeling that it was not proper to change local laws just to fulfill the demands of a "foreign" declaration.

The interpretation of article 16, especially sections (b) and (h), was even more controversial. Section (b) talks of women and men having "the same right freely to choose a spouse and enter into marriage only with their free and full consent" and section (h) seeks to ensure "the same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration." Section (b) was interpreted by

critics as an endorsement of same-sex marriage and even marriage with animals, while section (h) was seen as a threat to the patriarchal system of domination relating to titles and land-ownership, threatening the very core of Tongan political masculinity.

The debates during kava bowl sessions and in the public domain were quite robust and manifested a deep ideological division within the largely conservative society. Debates on social media including blogs involved both local and diasporic Tongans taking sides in very passionate and often personalized ways. Some denounced CEDAW as anti-culture and anti-religion as well as a slur on Tongan identity. CEDAW supporters saw the convention as liberating for women from the patriarchal hegemony of traditional Tongan society.

On 15 June, following the protests against CEDAW and responding to public pressure, the king asked the government to annul the ratification. The official statement by His Majesty in Privy Council was: “We remit to Our Ministers forthwith to proceed as may be necessary to annul the Kingdom of Tonga’s signature or ratification of the CEDAW Treaty” (tongan.net 2015).

In a way, the debates on CEDAW disprove a dominant myth about Tongan society being ideologically homogeneous. There are contending views about culture and identity that have shaped the political and cultural contours of the country in both manifest and latent ways. Tonga’s transformation has been shaped by a number of interrelated and interdependent forces including Christianity, the monarchy, and traditional cultural values. Over

the years, Christianity has helped to shape the moral and ethical prism through which Tongans see issues such as gender and human rights and it has often been used as justification for patriarchal dominance. CEDAW is seen as anti-Christian because of its demand for gender equality, which is assumed to be against the biblical teaching of subservience of women. CEDAW was also interpreted as antithetical to constitutionally enshrined cultural practices such as male-based landownership, an important anchor of monarchic stability and power.

With the failure to ratify CEDAW, Tonga was back to square one in terms of formal recognition of gender equality. However, despite this, changes have been noticeable at another level. Tongan women have been appointed to important government and professional positions. For instance, in the Ministry of Finance and National Planning, although the minister and the chief executive officer are both men, the four deputy secretaries (who provide technical and professional support in the areas of budgeting, project and aid management, policy and planning, and treasury) are all women. Other ministries, such as the Ministry of Internal Affairs, are headed by women, and the number of women scholars and professionals has grown exponentially over the years.

However, there was still concern over the lack of women’s participation in local and national politics in Tonga. To this end, a number of workshops and public campaigns were carried out by civil society organizations and the Ministry of Internal Affairs. In April 2016, New Zealand MP Jenny Salesa, who is of Tongan

heritage, held a meeting in Nuku‘alofa for women interested in standing for local government or parliamentary elections. Salesa told the more than fifty women who attended that “there had never been any female representation at local government level” and that even the three current women members of Tonga’s Parliament were appointed, not elected. She emphasized that “one of the biggest obstacles for Tongan women was themselves.” To illustrate her point, Salesa outlined what she heard on Radio Tonga after the 2014 elections: “I’d say about 90 percent of the callers that were calling in to the radio station said along these lines: women’s place is in the home, women shouldn’t be heads of department, women shouldn’t be in parliament, women shouldn’t make decisions including in business or in parliament. But these 90 percent were phone calls from women” (RNZ 2016b).

The Ministry of Internal Affairs also organized workshops to encourage women to stand for the June 2016 town and district officer elections. The ministry’s chief executive officer, Ana Bing Fonua, stated that they were looking at options and examples from around the region, including Sāmoa’s affirmative action steps toward promoting women’s participation in politics (RNZ 2016a).

The Women and Children Crisis Centre carried out a number of activities to promote gender equality as well as a campaign against family violence. For instance, in May 2016, it hosted a chant competition with the theme of “Peaceful and Happy Family,” which was won by Lapaha Government Primary School, out of a total of

eight government primary schools that competed (*Matangi Tonga* 2016a).

On 16 June 2016, Tonga’s Ministry of Women’s Affairs and the Australian Department of Foreign Affairs and Trade organized “a one-day National Women’s Forum to discuss the work done on a new National Policy on Gender and Development (NPGD) 2014–18, while mapping out a way forward to achieve its aims” (*Matangi Tonga* 2016b). The main focuses of the policy were family and social issues; unequal access to employment and productive assets; unequal political representation and participation in decision-making; different vulnerability, roles, and capacity to respond to disasters and environmental and climate change not properly acknowledged by national strategies; vulnerable women; and the weak enabling environment for gender mainstreaming. The original policy, launched in December 2002, proclaimed that by 2025, “all men, women, children and the families in Tonga should achieve equal access to economic, social, political and religious opportunities and benefits” (Ministry for Information and Communications 2014). The June 2016 workshop was attended by representatives of government departments (including the Women’s Division of the Ministry of Internal Affairs, Tonga Police, and the Ministry of Finance) as well as representatives from civil society organizations such as the Tonga National Centre for Women and Children, Women and Children Crisis Center, and Girl Guides (*Matangi Tonga* 2016b).

These campaigns seem to have worked wonders as, for the first time, two women were elected to local

government positions on 29 June 2016. Sisifa Fili became the first-ever female district officer of 'Eua Motu'a district, and Vika Kaufusi was elected as town officer for Haveluloto. Four other women collected enough votes to secure second place, which enabled them to be eligible for positions as acting district officer for Hihifo District (Vava'u) and town officers for Ha'alalo, Ha'atafu, and Matamaka, all in Tongatapu. A record 18 women stood as candidates in the local elections, including 11 in Tongatapu, 5 in Vava'u, 1 in Ha'apai, and 1 in 'Eua.

On 14 July 2016, Akosita Lavulavu became the first Tongan woman ever to be elected into Parliament after a by-election in Vava'u. The seat had been vacated by her husband, Etuata Lavulavu, former minister for tourism, after he was convicted of bribery charges at the beginning of the year. Ms Lavulavu was the director of the 'Unuaki 'o Tonga Royal Institute, a tertiary education provider.

Despite the blanket opposition to CEDAW, political consciousness among the people can be inspired in other ways. Grassroots mobilization has the potential to transform society from beneath the conservative hegemonic institutions such as the Church, the monarchy, and Parliament. During the year under review, Tonga has shown that this is not only theoretically conceivable but also empirically workable.

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