

## *Polynesia in Review: Issues and Events, 1 July 1995 to 30 June 1996*

Reviews of American Samoa, Hawai'i, Tuvalu, and Wallis and Futuna are not included in this issue.

### THE COOK ISLANDS

When the Cook Islands Party came into power in 1989, it had the roads repaired, the port improved, telecommunications upgraded, the power system expanded, and took other steps to improve the national infrastructure. That phase did not last. The government's financial house of cards came tumbling down amid revelations of scandalous financial management facilitated by lying, deception, fraud, and misappropriation.

Earned sources of national income soared through the 1980s. Tourism, the largest industry, grew faster than in most of the region. Cultured pearls and sashimi tuna were harvested for the first time and flown to the United States and Japan. The international finance center (tax haven) grew with increased use by Asian investors. There was more demand for Cook Islands fruits and vegetables in New Zealand and Hawai'i than farmers could supply. The growth in income appeared to continue from the late 1980s, but it was a chimera, based on ill-conceived borrowing and extravagant waste.

For the first time ever, significant numbers of people expressed shame to be Cook Islanders—always because of the actions of political leaders. What had the leaders done? The largest single cause of failure was the enormous number of persons paid by the government. A big increase in “jobs” (that is,

paid posts, most not involving any significant work) occurred just before the 1994 election to ensure reelection of the Cook Islands Party. With the government employing 3400 directly (and others indirectly), and the government controlling contracts, purchase of supplies, and so on, probably more than 95 percent of the 3700 households in the nation depended on government funds.

Even so, the Cook Islands Party won only 52 percent of the vote. They got 20 of the 25 seats because the opposition was split, disorganized, and poorly led, but party leaders could see that a moderately organized opposition could topple them. Since their primary interest was power rather than public service, the political leaders set out to buy public support at any cost. This tendency is not unusual in “democratic” politics, but the concentration of government power is unusual, as was the extent to which leaders were prepared to throw the nation into chaos, and their people into poverty, in the attempt to retain power and privileges.

Government departments were allotted funds for salaries, but the main reason for employing new staff was political allegiance, not work. Thus mechanics, carpenters, and others at the Ministry of Works spent months playing cards, chatting, or returning home after signing on as present, for there were no funds for fuel or parts for vehicles, or materials for construction.

Ministers and senior officials were

given credit cards for travel. Even the financial secretary admitted that if the trust on which their use was based was abused, little could be done. The trust was abused. Little was done.

The second approach to political survival was borrowing. After government assurances that debt was not serious, but the amount was “confidential,” the extent was revealed after pressure from the Asian Development Bank and the New Zealand Government, which had been asked to provide a rescue package. With a gross domestic product of about NZ\$150 million, bankers would consider \$5 million (3 percent to 5 percent) of government debt to be reasonable. In fact, government debt is \$169 million, 113 percent of gross domestic product.

The largest debt is NZ\$113 million for the government-owned, Mafia-linked hotel at Vaimaanga on Rarotonga. Eight years after the contract was signed, the hotel remains empty. Rent on the land is paid by the government, but the land is used by a minister growing private crops for export. The heads of ICLE Bank, which provided the loan, and SACE Insurance, which guaranteed it, were jailed in Italy. Large sums were released to the contractor (also since jailed) by the Cook Islands Government before the work was done. The reason for this has never been adequately explained, but a Cook Islands businesswoman quoted a New Zealand official as saying that the money hides in the Caribbean (*Press*, 26 Apr 1996).

In addition to other overseas debts on which the government has defaulted (including to the government of Nauru, which sent a delegation,

unsuccessfully, to retrieve their funds), \$5 million is owed to local banks, which will lend no more. Worst of all, \$10 million is owed in “trustee liabilities,” Cook Islanders’ funds—including their savings in the government savings bank, their pension funds, and the workers’ compensation reserve.

Also raided was Te Aponga Uira (the electricity utility), which is nominally autonomous and self-funding. Tariffs include funds for capital replacements, but in practice equipment has almost always been allowed to run down until a crisis was reached. France supplied a concessionary loan for new generators on condition that income would provide for maintenance and replacement, but the government raided the capital reserve.

Likewise, the Airport Authority was to be autonomous and pay its way through landing fees and other income. Then the government changed the law to make the income payable to the government, which would allocate “enough” to run the airport. As a result, maintenance has been minimized. The runway is sinking because the drainage system is not being adequately maintained. If it deteriorates much further, international pilots may refuse to use it. In the meantime, the minister to whom the authority reports takes its funds for his travel and other expenses. The Ports Authority “granted” \$100,000 to the government, and Telecom gave the government an advance on its dividend.

A third cause was other government spending, including increasing pensions, destitute, infirm, and child allowances before Christmas 1995,

despite unmanageable debt, to aid popularity and dampen demands for wage increases. New government institutions kept springing up, ostensibly to “serve the public,” but usually the stronger motive was to strengthen the political power base. The 1995 Rarotonga telephone book lists 79 “Government Departments and Agencies,” not including enterprises like Telecom Cook Islands or The Cook Islands National Line (shipping), in both of which the government is a major shareholder.

A fourth cause was inefficient revenue collection. Many were officially or unofficially “excused” from payment of customs duties, turnover taxes, and other dues.

Fifth were the many ways of siphoning off what would otherwise be government revenue. Thus the Health Board asked its minister, Dr Joseph Williams, in one of his other capacities as minister in charge of the government liquor monopoly, to put a levy on beer to help the hospital provide basic services. The minister rejected that proposal but arranged for a surcharge on beer to go to a “sports and cultural foundation,” in which he personally owns 99 percent of the shares (*Press*, 17 Mar 1996). How much was collected we do not know, but the only known beneficiary is the son of his friend, relative, and fellow minister Tom Marsters. The son was awarded A\$28,000 to study golf in Australia, although the award is now in abeyance following a public outcry. The public was not informed of the fund nor invited to apply. Nor was the academy in Australia told that the candidate had been banned from the Rarotonga

Golf Club for viciously assaulting the manager.

Theft of public money is facilitated by relaxed official attitudes. The minister for the Public Service explained in a long interview on national television (19 Jan 1996) that, although theft by public servants was common throughout the Cook Islands, he was not greatly concerned and did not blame those who stole, as many had big families, and some of the money stolen was probably used to help others. Asked by the Cook Islands interviewer what should be done, the minister said we must be patient! Exceedingly little is done. Even the \$10,000 stolen within police headquarters remains “unsolved.”

Given such views at the top, and similar views and practices more widely, it is not surprising that government resources are extensively used for the private benefit of those with power. Little is done to control the practice, partly because many do not regard abuse of public office as abuse of the public—who ultimately pay for it—partly because many families are directly or indirectly implicated.

How can politicians get away with such gross inefficiencies? A major factor is that many people are compromised. Almost every household depends on government employment or contracts; government workers are allowed informal time off; churches are bribed with free equipment, labor, and materials; extras are available to the politically faithful. Government workers repair selected private homes, cut hedges, plow fields, feed pigs, and “lend” materials and equipment as political payoffs in tiny electorates.

Alcohol, cash, and other resources are added, especially at election times.

Another cause of decline was the collapse in the value of agricultural exports from NZ\$1.8 million in 1989 (the year the present government came to power) to NZ\$500,000 in 1995. The decline was caused by many leaving agricultural work to take up government "jobs" involving, not work, but political support. Income and effort were increasingly disassociated.

Tourist numbers fell in 1995 and further in 1996, in part because international publicity about corruption and poor governance discouraged tourists and tourism investors, and because the government's up-market hotel never opened. The government's three operating hotels were poorly managed. Polynesian Airlines reduced its flights to Samoa, Fiji, and Australia from two a week to one, then to none, because of light loads. Kiwi Air promised a regular service from New Zealand from June 1996, but withdrew when they were not properly paid for charters to Rarotonga over Christmas. The charter group's key "owner" was on the government payroll as a "consultant" to Dr Joseph Williams, who is also minister of civil aviation, after a long association not only with the minister (whose election campaign he managed), but also with the police, having been convicted in New Zealand for theft (ten times in one year alone), fraud (on four occasions), forgery, bad debts, misrepresentation, and other interesting activities. Another former minister who was also on the government payroll absconded to Australia where he is being sought by those whose money he was "look-

ing after." Once Kiwi Air understood who it was dealing with, it withdrew. Air Rarotonga, the only remaining interisland airline, reduced flights to the main outer islands (except the tourist destination of Aitutaki) from five a week to two.

Rents and house prices fell to less than half their 1994 levels. More homes were advertised for rent or sale than ever before, and many were simply locked up and abandoned. Eddie Karika, probably the largest renter of homes, said half of his properties were vacant, and one tenant owed over \$2,000 in back rent.

A team from the Asian Development Bank, supplied as a condition of assistance, held discussions with officials and the private sector and produced a remedial formula. The government accepted most of it in principle, but implemented less in practice. The prime minister agreed with the bank's assessment that the "public service" should be cut from 3400 to 1200 and promised to do that over three years. He has promised for years to reduce the government payroll, but always increased it in practice. New Zealand is resisting subsidizing public service positions, as it uses only 180 government employees per 18,000 people (the population of the Cook Islands), and because many services are provided free by visiting specialists (eg, medical specialists fly in regularly on aid programs).

By June 1996 no one had been dismissed, although many who saw that the government had no money to pay them resigned and emigrated. The prime minister wanted to act, but resistance in cabinet was strong. Only

external forces will change that (such as the complete exhaustion of all funds, including those obtained by begging, borrowing, misrepresentation, misappropriation, and other means). They had not quite reached the limit at the time of writing—but almost!

From March 1996 the pay of all government workers was cut by 15 percent. For May and June it was reduced by a further 50 percent, with a verbal promise by the prime minister that the remaining 50 percent would be paid over the following two years. Public opinion on talk-back radio, letters to the editor, and in conversations, was that it would not happen. Few government promises have been honored for some time. The 50 percent cut did not apply to persons on the legal minimum wage of NZ\$2.80 per hour (which is double the average minimum wage in independent Pacific Island nations). The cabinet cut their own real income much less than they cut everyone else's, leaving themselves more privileged than ever relative to the national average.

The public service union is suing the government for their full pay. An anti-government demonstration in March was the first since 1978 (when it was against the government of Albert Henry, a cousin of the present prime minister, who had defrauded the public of massive funds to finance his election). Teachers held a one-week strike in May. Other public servants did not strike, but little work was done, and many took time off on full pay. The civil service is at its lowest ebb of effectiveness.

Not that effectiveness has been a

strong point for some time. With pressure building about the nonarrival of promised pay raises, delayed payments, and other constraints, despite rising living costs, paid holidays are a consolation prize. In just over a month we had Gospel Day to celebrate the arrival of Christianity in 1823; an early day on full pay for civil servants to join the Greenpeace demonstration against French bomb tests (many simply went home on full pay); then Float Parade Day, and two full days and three half-days (which many took as full days!) for the annual Constitution "Day"; another half-day (again full for most) to celebrate VJ day, even though Cook Islanders were not involved in the victory over Japan; then a half-day for those farewelling the canoe to protest at Moruroa (again many neither worked nor farewelled, but were paid); and a full day for all civil servants to celebrate the centenary of Tereora College.

The four government-owned hotels will be sold. All have been disasters for taxpayers, but bonanzas for politically linked persons who received fees, food, accommodation, jobs, and other perquisites. The government printing works, radio, and television station are being privatized. The government is reluctant to relinquish its monopoly on liquor imports despite (or because of?) massive corruption proven and even more alleged.

The high commission in Canberra and the consulate in Sydney closed in June. The high commissioner's post was created for him, a former politician who left the opposition and enabled the Cook Islands Party to form a government in 1989. He

became an embarrassment and was given a unique five-year contract, with unprecedented levels of pay and perquisites. In addition, he received the option of renewing for five years, or one million dollars cash. Many have speculated on the origin of such leverage. With the high commission closed, he is suing for compensation. Consular services in Auckland, Hawai'i, and Los Angeles were reduced. Only the high commission in Wellington retained its previous size.

Personal income kept shrinking. In contrast to the high annual increases throughout the 1980s (averaging over 6 percent per year), average gross domestic product at 1990 prices declined by 0.3 percent in 1991, 1.9 percent in 1992, 6 percent in 1993, 0.5 percent in 1994, and 7 percent in 1995 (*CIN*, 2 May 1996). A much larger decrease is expected in 1996, which is likely to give a cumulative loss in gross domestic product per capita of at least 25 percent since the Cook Islands Party gained power in 1989.

All department head positions were advertised, and new appointees were announced in June. An independent committee submitted a list for each post, but cabinet made the final decisions. Most were selected from the lists, but not all. For example, the committee did not consider the prime minister's brother-in-law appointable as secretary for education, but he was appointed by cabinet. The public service remains politicized.

New Zealand and Australian taxpayers will pay, reluctantly, for the Cook Islands government's failures. Either those governments help the economic recovery, and thereby encourage

Cook Islanders to stay home, or the Islanders will exercise their right as citizens of New Zealand and settle there or in Australia. (New Zealand citizens have free access to Australia and vice versa—but neither have free access to the Cook Islands). As Cook Islanders became more aware of the problems the government had created for them, and saw little hope in the alternative party, the departure rate of Cook Islanders trebled. In the seven years 1987 to 1993 an average of 1387 more persons per year went abroad than came back. The figure was 4452 in 1995, and 2041 in the first half of 1996. In the past eighteen months 36 percent of the national population left. The rate is accelerating. Few governments in the world have seen such a massive vote of no confidence.

Many headed for Australia, where pay is higher than in New Zealand. Dole rates for nonworkers were higher too, until Australia announced in April that new arrivals from anywhere must wait two years before receiving the dole. Those seeking work still find Australia attractive. Those not anxious to work opt for the dole in New Zealand. Many are in categories for which there is little work in New Zealand, but social security benefits there give a higher income than many would earn even if working in the Cook Islands. (Only 42 percent of Cook Islanders of working age in New Zealand in 1991 were in full- or part-time work). Two categories of people cannot escape—those with unpaid taxes (as one needs a tax clearance to leave), and those who cannot raise the very high fare. Persons with close blood or political connec-

tions to the power elite have no need to leave.

The calculated corruption of the churches by the ruling party paid off for both. As Alatas (1968) has shown, corruption does not thrive where political leaders set an honest example, or where religious leaders oppose and expose corruption. Cook Islanders are avid churchgoers, and church leaders wield considerable power, so a priority for politicians is to co-opt and corrupt the churches. It is surprisingly easy. When any religious organization builds a church, Sunday school, or other project, the government provides workers (paid by the government), equipment, and sometimes material and cash. In Avarua village, for example, the Catholic Cathedral was built in 1994 by the Ministry of Works; the Cook Islands Christian Church was rebuilt in 1995 mainly by government staff; and a new Seventh-Day Adventist church was built in 1996 by government workers. The same applies throughout the nation. No cash is paid for the government services. The understood price is collusion.

The action is politically popular because much government revenue comes from foreign aid or outsider-owned businesses paying import duties, turnover tax, income tax, and other fees (among the largest are Air New Zealand and the banks). Politicians “launder” it by calling it “help to the people” rather than its more important purpose of buying social, psychological, and political credits for the politicians—to whom obeisance is made.

Even when official lies, misappropriation, and maladministration were

proven, the churches avoided such issues and concentrated on trivia. By March 1996 there were strident public calls for the prime minister and cabinet to step down. However, most churches rallied to the government’s aid. The Apostolic Church, whose national and Pacific headquarters in Rarotonga absorbed government labor, equipment, and other assistance, and whose national leader is particularly cultivated by the government (and vice versa), led the charge. Apostolics financed newspaper and radio advertisements, held public prayer meetings at the national cultural center, and reminded people of the help they had received from “the government”; now it was their turn to help “the government.” In its running program of assistance, one advertisement called on everyone to fast for half of each day for a week and “pray seven nights without ceasing and on the seventh night the church must have a joyful victory service with dancing and praising the Lord for the restoration of the country’s economy. . . . Let there be singing in every home, on the way to work, at the employment place” (*CIN*, 27 Apr 1996).

The Religious Advisory Council (of the major churches) called a national day of prayer. It began on Saturday 23 March with the Seventh-Day Adventists (whose biggest project ever was being built by taxpayers). The other churches continued on Sunday. The emphasis in the council’s national television broadcast was that no one must judge others (ie, the government) lest they themselves be judged; that the nation’s difficulties were caused by God “testing” the people as He had

Job; and that we must all confess our sins and strengthen our faith as the current problems were caused by our lack of religious conviction.

A combined churches "March for Jesus" in May asked Jesus in return to "alleviate our economic and other woes." Collections taken at two prayer services "for the nation" at the Civic Centre were paid to the prime minister by Bishop Pere of the Apostolic Church. His covering letter, which he published, noted that divine healing and deliverance would not come until the people of the world were stunned, baffled, and astounded, and asked themselves how it was done. The answer, said Bishop Pere to the prime minister, confirmed what the prime minister had told the nation: "If God be for us, who can be against us?" (CIN, 30 May 1996).

Many expressed disappointment in Prime Minister Sir Geoffrey Henry, but few had confidence in other leading politicians. Mr Tom Marsters and Dr Joseph Williams, the two cabinet ministers most often named as competitors for the post, have track records that disturb many voters.

The opposition was split among the Democratic Party (with 2 seats in parliament) and the Alliance Party (with 3) to the ruling Cook Islands Party's 20 (but only 52 percent of the votes). The Alliance was a breakaway party formed in 1988 after disputes over leadership among the Democrats in 1988. The Democratic Party leader, Dr Terepai Maoate, is a respected doctor, businessman, and community leader, but does not have the charisma to attract a national vote. The Alliance leader, Mr Norman George, has cha-

risma, energy, and ambition, but a track record that includes numerous failed enterprises, massive debts, and alarming misuse of other people's money. When in Cabinet in the 1980s he was the architect of the hotel deal with a Mafia-linked Italian construction company mentioned earlier. These and other activities make voters cautious.

The parties fought bitterly until February 1996, when they negotiated a "Democratic Alliance." Mr George was elected leader of the Alliance in a national meeting of the two parties with only 82 paid-up members present, indicating the extent of public support.

One Rarotongan member of parliament died in April. In a national first, both parties put up women candidates. The Cook Islands Party promoted Tina Pupuke Browne, a prominent lawyer and former president of the national netball association. The Democratic Alliance presented Aunty Mau (as she is universally known), who owns a small shop and is an active planter and vigorous community worker. Both were excellent choices, but few voters were happy about the parties they stood for.

At the last election the Cook Islands Party's candidate won comfortably. At this one, however, the Democratic Alliance candidate won 69 percent to the Cook Islands Party's 31 percent. This was the more surprising because those who emigrated because of dissatisfaction with the government would also have voted against it.

The "Wine Box" Commission of Inquiry in New Zealand continued during 1995-96. The inquiry is into



scandals involving New Zealand companies and Cook Islands officials revealed in a wine-box full of documents, copied clandestinely from European Pacific Bank (a tax haven) in the Cook Islands. Mr Trevor Clarke, who then headed European Pacific in Rarotonga, is now the prime minister's international finance adviser. The New Zealand auditor general at the time described the Cook Islands Government as engaging with New Zealand companies in "fraud of very considerable magnitude." Recent Appeal Court cases revealed how Cook Islands tax haven banks protect international fraudsters.

Explaining why the Cook Islands would not cooperate with New Zealand's judicial inquiry, the prime minister said that following one disclosure 150 companies (out of 3065) immediately withdrew from the international finance center, causing a loss of government revenue. But accurate information is difficult to obtain. It is a crime to even mention any fact about the tax haven in the Cook Islands. When parliament discusses such issues, it is closed to the public, broadcasts are stopped, the records do not appear in Hansard, and the legislation is secret.

A signatory of controversial "Wine Box" documents was Peter Brannigan, who helped create some of the "strategies" being investigated. In 1995 he was appointed by the Cook Islands Government as its senior auditor.

Press freedom was again an issue during the year. The prime minister still banned from his press conferences the *Cook Islands Press*, which had exposed the Letters of Guarantee and

other scams the government had denied existed. Only the government-owned radio and television, the government public relations officer, and the *Cook Islands News* (whose main owners were on revocable work permits) were allowed. After the government threatened to legislate press control, the media set up an independent Cook Islands Media Council comprising a retired judge and three senior citizens.

The Cook Islands is too small to interest outside media except for spectacular events, but late in 1995 the government required all media (and business people) to have special visas. Ian Wishart's book *The Paradise Conspiracy* about fraud, deception, and misrepresentation in the Cook Islands "international finance centre" is a best-seller overseas, but no shop in the Cook Islands dares to stock it. Copies circulate privately.

In an effort to overcome land problems, a Land Commission was set up late in 1995. It reported in March 1996. Recommendations included shortening the maximum lease from sixty to thirty years, turning the mountainous center of Rarotonga into a national park, stricter requirements on usage in order to retain title, banning lawyers from the land court in most cases, replacing overseas judges by Cook Islanders, and steps to reduce the present extreme fragmentation of title—it is not unusual for a quarter-acre house-site to have hundreds of joint owners. The government is expected to act on the report shortly.

On a lighter note, the government-financed canoe *Te Au o Tonga* "sailed" (more accurately, once out of sight of

the cameras it was towed for a week by a government ship) to Moruroa to protest the French bomb tests. It was a very successful public relations exercise, as when it arrived at Moruroa, international media focused on it as the only canoe in a flotilla of yachts and motorboats. It remained for a day before sailing home. The tests were condemned in the Cook Islands, but the government's disapproval was low-key because of past favors from France, which had indicated that after the tests its aid to the Pacific would increase, especially to countries that did not cause too much bother during the tests.

The Cook Islands has slowly expanded its diplomatic ties. Beginning with New Zealand and Australia and other South Pacific Forum nations, it later added the United Kingdom, Germany, the Netherlands, Norway, China, South Korea, Malaysia, the United States, and Canada to the list. This year it added South Africa, Portugal, and Iran, with others "in the pipeline." The intended political highlight of the year—joining the United Nations—was not pursued, not even publicly announced, as the funds needed for UN membership and representation were exhausted.

It was a year of excitement and disillusionment, and for many who left or wanted to but couldn't, of despair. The constitution remains a constraint, for it ties political power to tiny electorates in which the temptation to buy each vote individually is extreme. There is no national electorate. And some entrenched corruption and abuse of power will not be easy to eradicate. Yet there were rays of inspiration. We hope that the current restructuring will

leave the Cook Islands with a stronger economy, a cleaner government, and a more confident people.

RON CROCOMBE AND  
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### FRENCH POLYNESIA

The French resumption of nuclear testing in the Pacific continued to dominate territorial politics in the latter half of 1995. A clear divide emerged between the pro-independence movement and nongovernment organizations that campaigned against the tests, and the Tahoeraa government, which pragmatically sought economic and political concessions from Paris in return for its support of the testing policy. Although France announced a permanent cessation of testing at the end of January, Tahitian politics continued to be polarized. The split was confirmed in the May territorial elections when the loyalist Tahoeraa won the lion's share of the votes but the pro-independence Tavini made surprising gains and garnered most of the remaining seats.

After unprecedented demonstrations in June 1995, antinuclear protests gathered momentum, spurred on by regional and international support. The *Rainbow Warrior II*'s highly publicized foray into the exclusion zone at Moruroa in July boosted the anti-testing campaign's profile. Thanks to dramatic satellite television footage, France was criticized worldwide for what was perceived as an excessive use of force by French commandos who stormed the Greenpeace ship and arrested its unarmed crew. This event was the watershed for an extension of the anti-testing campaign from the South Pacific to Europe.

Tahitian President Gaston Flosse and his government exerted enormous energy to allay fears about the underground test program's impact on health and the environment. In a major publicity stunt in July, Flosse and his entire cabinet made a three-day visit to Moruroa where they inspected the sites, ate local fish and coconuts, and swam in the lagoon in an effort to demonstrate that the environment was safe. This exercise was repeated in August for the benefit of twenty-one Polynesian mayors. On the regional front, Flosse led delegations to Pacific Island nations to explain the test policy and the program's safety record. He also made offers of development aid on behalf of France, which some nations, such as Tonga, accepted.

Fears that a test resumption would prompt a regional boycott of the Tenth Pacific Games hosted by Tahiti in August proved unfounded. Although pro-independence leader Oscar Temaru had advocated such a boycott, all but three South Pacific Forum

countries opted to participate in the games. Despite veiled threats by some antinuclear activists that the safety of athletes could not be guaranteed, the games proceeded without any violent incidents. Rather than punishing the territory for a policy beyond its control, the Forum focused its anti-testing campaign against the government in metropolitan France.

Antinuclear sentiment within the territory reached fever pitch in the lead-up to the first test on 5 September. The following day riots erupted in Tahiti, ostensibly in reaction to the test. The trouble began when some thirty Maohi women engaged in an antinuclear sit-in on the runway at Faaa airport, and French police tried to forcefully remove them. At the time, members of the A Tia I Mua trade union were holding a rally to drum up support for a general strike to raise the basic wage. When they became aware of the women's predicament, a hard core of militant unionists proceeded to the airport to intervene. Faced with a large and angry crowd of Maohi men, the police began to fire tear gas into the melee. The confrontation between protesters and police quickly descended into violence.

Scores of disaffected youth from the poor suburb of Faaa were alerted and soon joined the fracas at the airport. Altogether several hundred local men ran amok. They set fire to the airport building and incinerated over a hundred cars in the parking lot. The battle at the airport raged all day long. In the evening the mob moved on to torch and pillage shops in downtown Pape'ete. Looters were unobstructed as security forces had concentrated on

regaining control of the airport and protecting government buildings. A small number of rioters continued their destructive activities until the evening of the next day, when appeals by Oscar Temaru finally brought an end to the rampage. The total cost of damage to the airport and town center was approximately A\$51 million.

Accusations abounded as political leaders sought to lay blame for the riots. The general tendency was to hold the French state responsible for being inadequately prepared for the social unrest that was likely to accompany the test series. The French high commissioner's professed surprise at the riots was widely decried as naive in view of the volatile atmosphere prevailing in the capital before the first test. Both the French and territorial governments maintained that the presence of foreign media and antinuclear activists had contributed to the tensions that provoked the riot.

The Tahoeraa government and local media targeted Temaru and A Tia I Mua trade union leader Hiro Tefaarere as the protagonists behind the riots. Tefaarere was implicated directly as he was present when the clashes at the airport began. He went underground but was arrested and charged by police a few days later. Moreover, a large number of participants in the riots were A Tia I Mua members and Tavini Party youth. Tavini youth had been drawn to the fray by reports from the pro-independence Radio Tefana. In June, three employees of the radio station received heavy fines from the court for their part in inciting unrest.

Both A Tia I Mua and Tavini denied that they had encouraged their mem-

bers to riot. Certainly Temaru has long advocated democratic and nonviolent methods to achieve his party's goals. In addition, he was instrumental in calming the agitated youth. It was also clear that only a few hundred individuals engaged in the violence, and they could scarcely be taken to represent the independence movement as a whole.

Despite disavowals of involvement by the proponents of independence, the western media and regional governments tended to portray the rioters as antinuclear and anticolonial crusaders.

A more likely explanation for the riots was that they reflected deepening tensions in Tahitian society. Riots in 1987 and 1991 were ignited, not by anti-French sentiment, but by industrial unrest and attempts by the territorial government to increase taxes.

Rioters have been mainly young, unemployed Maohi men disillusioned with their place in society. Many do appear to be followers of Temaru but are not under his control. In October, the French minister for overseas territories acknowledged that a social crisis engendered by inequality had caused the riots. Unless policies are devised to reduce social inequality, especially rising unemployment among Maohi, there is likely to be further unrest. However, the immediate outlook for social and economic development looks decidedly mixed.

French Polynesia's economy experienced a downturn as a result of international condemnation of the nuclear test series. The hardest hit sector was tourism, which is the territory's main source of foreign exchange after French aid. In 1995, territorial authorities were confident of achieving an all-

time annual record of 200,000 tourists. By mid-year this goal was well within reach, but ultimately was not realized as a result of the hostile international reaction to nuclear testing. The test resumption, along with saturation coverage by the international media of antinuclear protests and the September riots, caused tourists to stay away in droves. Despite the cessation of testing, and a concerted publicity campaign by the territorial government to woo back the tourists, the sector will take a long time to recover.

The closure of the test center revived perennial concerns over how the territory would make up for the sudden shortfall in income and employment. In recognition of the territory's economic difficulties, and to deflect foreign criticism of the French presence in Tahiti, President Chirac promised annual financial aid to the territory to the tune of 990 million French francs (A\$243 million) for another ten years. This sum is in addition to recurrent expenditure by the French state and funds already committed under the terms of the ten-year development plan agreed in January 1994.

The final test series provided a welcome chance for the territorial government to extract new political concessions from France. No sooner had the test resumption been announced than President Flosse began to press for reforms to the statute of internal autonomy, which governs the territory's relationship with France. Flosse realized that several factors were operating in favor of his plan to secure greater autonomy for the territory.

Since its inception, Flosse's Tahoe-

raa Party has been allied with the Rassemblement Pour la Republique, which by March 1995 controlled both the parliament and presidency in France. Moreover, Tahoeraa had lobbied earnestly on behalf of Chirac during the presidential election campaign and went to great lengths to justify the nuclear test resumption, both locally and within the region. The Tahoeraa government expected a quid pro quo for the loyalty demonstrated to its metropolitan allies. France for its part was keen to keep the territorial government on side, particularly as it was experiencing international isolation as a nuclear pariah.

For months, Flosse and his aides worked behind the scenes in negotiations with state authorities to reform the statute. The Territorial Assembly then adopted its version of the revised statute in November and forwarded it to Paris for approval. It constituted an ambitious wish-list, parts of which France agreed to, while other demands were deemed politically unacceptable or incompatible with the French constitution. Both the National Assembly and the Senate made amendments, but the revised statute was later subjected to further amendments by the Constitutional Council before it entered into force on 23 April.

Aspects of the original draft to be rejected included a request to elevate the Tahitian language to equal status with French. The territory renewed a long-standing demand to exercise complete control over immigration, but obtained a lesser power in its stead, the right to issue work permits to foreigners. A proposal to institute a territorial audio-visual council to regulate televi-

sion and radio transmissions was also refused. Other claims by the territory to assume control over areas such as the criminal code, the oversight of public freedoms, the licensing of private associations, and the regulation of land and property transactions were similarly denied.

The most significant reform to the statute was that France relinquished to the territory control over exploitation of marine resources in the exclusive economic zone. In theory the state retains sovereign rights over the zone, but in practice the territory has unfettered freedom to exploit the five-million-square-kilometer zone, provided France's international treaty obligations are respected. Another advance was a clearer specification of the territory's powers in areas where France may not intervene or retrospectively annul legislation, which had often been a cause for conflict between the state and the territory in the past.

One statutory change that provoked controversy in the territory involved a substantial expansion in presidential powers. For example, the president was given the power to approve government contracts, public service appointments, and to authorize the official journal. Critics were concerned about the greater opportunities for corruption if too much power were concentrated in the hands of one individual. Another controversial measure removed the limit on the number of ministers the president could appoint to his cabinet. This too was perceived as potentially increasing the scope for political patronage, not to mention considerably increasing the cost of government.

In view of political developments over the preceding year it was difficult to predict the outcome of the territorial elections held in May. It was widely expected that Tahoeraa would retain government through its strong performance in the June 1995 municipal elections and its demonstrated ability to obtain economic and political concessions from Paris. However, its unpopular stance in supporting the final series of nuclear tests could have alienated support. Conversely, the pro-independence party, Tavini, had capitalized on the strength of internal and external opposition to the tests and received unprecedented publicity for its cause. But with the permanent closure of the test center more than three months before the poll, residual resentment against France over the nuclear tests could not be relied on to boost Tavini's fortunes on polling day.

As in the past, this election campaign was remarkable for the paucity of coherent or detailed policies offered by the political parties. The virtues of independence versus autonomy and the state of the economy were the main topics on the agenda, but even these key issues did not provoke a significant policy debate. The Tahoeraa Party focused on its record in government and its good relations with France, and employed scare tactics over the perils of putting another party in government. In the absence of nuclear testing, Tavini sought alternative nationalist symbols to attract support for independence. One such issue was the long-standing grassroots campaign to prevent the Meridien chain from building a hotel at Rivnac in an outer suburb of Tahiti. Nationalists have decried the

project as a desecration because the construction site is on an ancient Maohi burial ground.

The elections not only confirmed Tahoeraa's status as the dominant party in the territory, but gave it an absolute majority with 22 of the 41 seats in the Territorial Assembly. Yet this victory was not achieved at the expense of the independence movement. Tavini more than doubled its share of territorial councilors from 4 to 10 seats. Soon after the elections, Tavini's representation rose to 11 seats with the addition of an independent. The only other party to gain meaningful representation was Emile Vernaudon's Ai'a Api, which held on to the 5 seats it had won in the last elections in 1991. Once again, Ai'a Api opted to join in a coalition government with Tahoeraa.

The main casualty at the poll was Here Ai'a. Once the foremost autonomist party in the territory, Here Ai'a had been debilitated by poor leadership under Jean Juventin and factional in-fighting. New leader Tony Hiro revised the party platform and contested the elections under the banner of Alliance 2000, but won only one seat in the Austral Islands. The remaining seats went to Boris Léontieff, an independent but conservative voice; Tinomana Ebb, nominally in favor of independence but also an ally of Flosse; and Lucien Kimitete, who won on a platform that the Marquesas should stay within the French Republic in the event that Tahiti gains independence.

The strength of Tahoeraa's win can in part be attributed to the electoral system in French Polynesia, which

favours the outer islands. These sparsely populated electoral districts may need only several hundred votes to elect a representative to the assembly. In the urban areas, where support for independence is the strongest, over 2000 votes are necessary to acquire a seat. The densely populated Windward Islands comprise 74 percent of the population but account for only 54 percent of the seats in the assembly. Tahoeraa thus concentrated its campaign in the other largely conservative archipelagos, which have exhibited most loyalty to France. As the incumbent government, the party was able to tour the outer islands and distribute largesse before the elections.

The electoral gains by Tavini demonstrate a groundswell in support for independence that can no longer be confused with the antinuclear vote. This trend was most marked in Tahiti, where poor urban Maohi are less convinced of the benefits derived from remaining with France. In this election the party also benefited from greater pragmatism in building alliances with individuals who could attract votes. This collaboration was in part a consequence of links forged during the anti-testing campaign in 1995.

A notable addition to Tavini's list was Jacqui Drollet, hitherto leader of Ia Mana, the main party competing with Tavini for the independence vote in previous elections. Temaru and Drollet thus finally put aside their ideological and personal differences to further the campaign for independence. Hiro Tefaarere, who was leader of the territory's largest trade union, A Tia I Mua, until his implication in the riots, also joined Tavini's team. A sur-

prising convert to the nationalist cause was former Territorial President Alexandre Léontieff who, until recently, had been a staunch opponent of independence. Drollet and Léontieff, whose respective parties appeared to be in irreversible decline, no doubt judged that their only chance of reelection was to join forces with Tavini.

The independence movement has cause to celebrate its gains in the 1996 elections, which were far better than anticipated. The extent of this increase was especially surprising given that French testing had been officially terminated in January, after which France signed the protocols to the South Pacific Nuclear Free Zone treaty in March. For thirty years nuclear testing had constituted a focus for territorial nationalists in their campaign against the French presence. In the absence of this powerful and evocative symbol the Tavini Party not only maintained, but significantly increased, its level of support. Nevertheless, in the short term, prospects for advancing the independence cause are limited in view of the size of the loyalist Tahoeraa's win and of France's commitment to continue providing high levels of financial assistance.

KARIN VON STROKIRCH

#### MĀORI ISSUES

Ongoing tension between government and Māori over unsatisfactory progress in settling Māori claims continued to dominate the Māori political scene. By September 1995 both sides had become entrenched. Paramount chief of a central North Island tribe Sir

Hepi Te Heuheu had called two national *hui*, both of which were attended by over a thousand Māori from across the political spectrum and from a full range of tribal and pan-tribal bodies. Despite a wide range of opinion, there was consensus that constitutional change was required in order to give appropriate recognition to and status for the Treaty of Waitangi. Since the signing of the treaty in 1840, Māori have sought to ensure that the guarantee of *tinio rangatira-tanga*, or Māori sovereignty or autonomy, is upheld. Denial of this guarantee by successive New Zealand governments, including the present one, has ensured that Māori have been unable to fully participate in New Zealand society.

In order to advance the debate on constitutional change, the national Māori forum established working parties. Māori from a wide range of political and intellectual backgrounds pooled their energies and expertise to help develop robust strategies aimed at enabling Māori to regain control of their own lives. When the working parties reported back in January 1996, the third national Māori *hui* resolved to mount an extensive education program for Māori around the country to prepare them for constitutional change.

Meanwhile Prime Minister Jim Bolger was declaring that no one, including Māori, really knew what Māori sovereignty or *tinio rangatira-tanga* was, and he refused to enter into, or even permit, any discussion on the matter. He confidently asserted that the sovereignty of the New Zealand parliament is, and will always



be, indivisible, despite advice from several quarters to the contrary. The tension between Māori and the government was heightened when he announced that, despite the unanimous rejection by Māori of the government's proposed policy for settling claims, the government would press on with developing the proposal into full government policy. His government's refusal to consider abandoning the proposal sent a clear message that Māori policy would continue to be developed and determined by those who know little or nothing about the realities of Māori history, culture, and social circumstances. It also guaranteed ongoing demonstrations of Māori anger and frustration.

The prime minister's attitude toward Māori over recent years drew severe criticism from several opposition members, with charges of racism being leveled at him and other government members on more than one occasion in the House. Support for Māori from non-Māori outside the House came from a range of sources, including many churches, the Combined Trade Unions, the Federated Farmers, and several international visitors. In particular, South African President Nelson Mandela went out of his way during his time in New Zealand for the Commonwealth Heads of Government meeting in November to acknowledge Māori as the indigenous people of New Zealand and accord them the respect they deserved. He went so far as to abandon his prepared speech notes in Auckland to suggest to the government that it has a lot of work to do to improve the plight of Māori and rectify their marginalization in their

own country. Despite the deliberately pointed nature of his comments, Auckland's (and the country's) most widely read daily newspaper did not report them. Māori media, on the other hand, gave them full coverage.

Māori remained unmoved in the face of the prime minister's onslaught. Different *hapū* (subtribal groupings) throughout the North Island continued to occupy lands taken from them in breach of the Treaty of Waitangi, although media interest in them declined. But with Māori-government relations severely strained immediately after the September national Māori *hui*, the government's attempts to quell one particular protest backfired badly. The result of the actions left permanent scars and divisions in the small community at the center of the protest.

The protest had been mounted by members of a *hapū* from Takahue in the Far North, where they had taken over an old school site that they wanted returned to them. The government was goaded into action against the protest by the national news media giving prominent coverage to the refusal of Māori to move off the site. On the same day, the media also broke the news of a report to parliament by the auditor-general that severely criticized the government's proposed claims-settlement policy. The next day, the government instructed the police to remove the Takahue protesters from the school site. The police did so, and the school was burned to the ground.

For the second time in 1995 the media and parliament focused on and sensationalized Māori protest. The prime minister used the incident to

lambaste Māori activists visiting the site when the fire was lit. Both he and the media were very quick to blame the Takahue protesters for the fire, although the protesters were equally adamant that they had nothing to do with it. Māori radio stations throughout the country were the only news media to broadcast the protesters' statement that two of their party had seen a member of the police squad setting the school alight. Tribal leaders from the area were divided, some placing complete blame for the loss of the school on the protesters, while others blamed the government and its determination to maintain unquestioned control over Māori.

When all the smoke surrounding the incident finally cleared several months and several court cases later, no one was charged with arson. Those arrested at the site were simply convicted of relatively minor offenses and discharged or given suspended sentences. What the government had not taken into account in its actions at Takahue was the well-documented level of animosity that has existed between Māori and the police force in the Far North for many years, arising as a result of the depressed economy and widespread Māori poverty in the area. At the end of day, the protesters' report on who they had seen setting the school alight that day was never disproved. A call by the opposition for a full inquiry into the incident was quickly quashed by the government.

In contrast to the Takahue incident, a second torching of a government building received almost no media attention. It came this time in the central North Island after the government

had been warned about increasing and potentially explosive situations involving the Department of Conservation and Māori throughout the country in a June 1995 report. The report, from a Māori member of the New Zealand Conservation Authority, was extremely embarrassing for the government. It outlined a broad spectrum of issues that needed urgent attention and laid responsibility for existing levels of conflict between Māori and the department squarely on the shoulders of the director-general of conservation. The department's biggest problem is that it administers almost one-third of the land in New Zealand, almost all of which is under claim by Māori. The department's refusal to allow Māori to participate in the management of those lands, or even to collect their customary food and other flora and fauna from them, has angered Māori for many years. The department's attitude in these matters is largely dictated by the very strong environmentalist lobby, the more powerful of whom have argued strongly against any Māori involvement anywhere in the conservation estate.

While the minister of Māori affairs took the report seriously, the minister of conservation, at the behest of his director-general, dismissed it out of hand, suppressing its publication for several months. As a result, the Māori members of parliament tabled the report in the House in September, and demanded answers from the minister of conservation to a long list of questions. Māori throughout the country backed up the report, demanding that something be done. Following the torching of a Department of Con-

servation office in Taumaranui, Wanganui Māori from the area made direct representations to the minister, who did finally take some remedial action, overruling his director-general in the process.

By May 1996, the government was trying to play down the tensions between itself and Māori in the run-up to a general election. At this time the Waitangi Tribunal, the government-appointed body set up to inquire into and recommend remedies for breaches of the treaty, issued its landmark *Taranaki Report*. In finding in favor of the claimants, it listed numerous horrendous violations of the legal, moral, and human rights of Taranaki Māori by successive New Zealand governments right up to the present. The report sent a very strongly worded and stern message to the government about the unsatisfactory relationship between governments and Māori. Not only did it severely criticize the current government's proposed claims-settlement policy, it also told it that the history of every New Zealand government had been one of dogged determination to destroy Māori autonomy. This had been achieved by removing Māori resources and economic bases from them, as well as by not affording them the recognition and respect owed them as indigenes. The tribunal found that such actions on the part of governments were not only clear violations of the Treaty of Waitangi, and very often also clearly illegal, they were also in breach of the international right of indigenes to constitutional status as first peoples. The tribunal also found that the level of determination with which governments have tried to

destroy Māori autonomy has been more than matched by Māori determination to preserve that autonomy. The tribunal reminded the government that Māori refer to their autonomy as *tino rangatiratanga* or *mana motuhake*.

The government's response to the report was muted. The minister of treaty negotiations urged all New Zealanders to read it, but then would not subsidize its publication. The media complained bitterly at having to pay NZ\$100 for a copy, and rightly pointed out that as a result very few people would read it.

MARGARET MUTU

#### NIUE

Niue's general election, held on 16 February, came in the wake of the political stalemate that had left the Niue Assembly evenly divided since December 1994. Despite the gridlock brought about by the 10-10 standoff, the government of Premier Frank Lui held office to the end of its term.

The election was dominated by party politics. On one side was Premier Lui's government, which rejected the idea that political parties were necessary or useful for Niue's political and economic development. On the other was the Niue People's Party (NPP), led by Young Vivian (who served briefly as Niue's premier following the death of Robert Rex in 1992).

Consequently the election campaign was an unusual one, because in a sense only one side, the Niue People's Party, took part. The party took its message around the island, holding election meetings, giving out party T-shirts and

hats, running advertisements in the island's sole newspaper, the *Niue Star*, and on state-owned radio and television.

By contrast, Premier Lui met with voters solely in his own village constituency of Alofi North, in the capital, running on his government's record. The rest of his team, de facto members of a government "party" but (in the absence of any party organization) at the same time all of them independents, for the most part campaigned separately. Although there were some achievements for progovernment candidates to emphasize, their positions were somewhat reactive, since the Niue People's Party more or less set the agenda. The main issue, seemingly, was whether party politics had a role to play in Niue's future.

Each of the 1259 people on the electoral roll had two votes—one was for one of the fourteen local electorate members of the Assembly, and the other treated the island as a single constituency. Electors had the opportunity to vote for up to six people, known as "common roll" members, who represent the island as a whole. This ballot invites much of the pre-election speculation among Niueans and attracts a large number of candidates. In 1993 a record number of candidates (24) vied for these six at-large positions; in 1996 there were originally 25, but one withdrew prior to the election.

Four of Niue's village electorates went uncontested. At Hakupu, across the island from Alofi, Young Vivian was reelected unopposed. The Niue People's Party gained a second seat before polling day, with the return to

the Assembly for a second term of Pokotoa Sipeli at the village of Liku. At Vaiea, Talaititama Talaiti, at 25 years of age the youngest member of the Assembly, also won his second term unopposed. Talaiti was a government supporter, as was Namukulu's Jack Willie, who was first elected its representative in 1987.

The government and the Niue People's Party thus approached the February election deadlocked 2–2. There was competition between the two sides in the remaining ten village constituencies, although the pre-election loyalties of some of the candidates were by no means entirely clear. In any case, electoral opportunities were not altogether equal in each of these seats: in seven of them, incumbent Assembly members were standing for reelection and, on Niue as elsewhere, incumbents generally have an advantage. Six of these contests were two-person races, and in all but one the seat was held by the incumbent. The winners included Premier Lui (in Alofi North); Cabinet Minister Aokuso Pavihi (in Avatele); Fisa Pihigia (Niue People's Party, in Tuapa); Hafe Vilitama (progovernment, in Mutalau); and Dion Taufitu (Niue People's Party, in Toi). The only seat to change hands was one in which at least one incumbent Assembly member had to be defeated: in Alofi South, the local representative, Tukala Hekau, was challenged by Robert Rex, Jr, who had been elected as a common roll member in 1993 but was now seeking to represent his father's (and, in a sense, his family's) former constituency. Robert Rex, Jr's victory meant that Hekau was the only incumbent member of the Assembly seeking

reelection not to be given another term, suggesting that the voters were unable or unwilling to punish either progovernment or pro-NPP members for Niue's deadlocked Assembly politics.

The overall election result was decided in the three village seats in which there were no incumbents seeking a further term. In two of these, Tamakautoga and Lakepa, elderly or unwell Assembly members had decided to step aside, and in each seat three candidates strove to succeed them. In Tamakautoga, Umuti Makani was elected, replacing the retiring Ikifotu Manamana (an NPP supporter). In Lakepa, John Tiakia won his three-way race, keeping the seat safe for the government. At Makefu, the local representative, Uluvili Tohovaka (Niue People's Party), decided not to seek reelection in the village after being influenced to stand for a common-roll seat instead; he withdrew that candidacy as well prior to the election. Tohovaka had defeated Ataloma Misihepi in 1993, but this time Misihepi, a progovernment independent, gained a narrow victory.

In the remaining village, Hikutavake, the election-night result was a tie: 20 votes each for incumbent Assembly member Opili Talafasi, an NPP supporter, and Lagaloga Mitikose. As Talafasi had received 36 votes in 1993 (and Mitikose 9), the outcome demonstrated a substantial move of voter sentiment against Talafasi, though not enough to cost him the seat. There had been a tied vote at the 1993 election as well (in Avatele, which was decided in favor of Pavihi after Niue's Chief Justice John Dillon

flew up from Wellington on a special flight in order to resolve the tie through the toss of a coin). This time, with the experience of 1993 behind them—the special flight to oversee the coin toss was said to have irritated the chief justice, and used a procedure not required under either the Niue Constitution or its electoral act—the Hikutavake tie was settled by drawing a name from a hat (under supervision, and with a telephone link to Wellington). The winner was Talafasi, who also survived an election petition challenging the result, but his victory was not enough for the Niue People's Party.

The parties won an equal number of the common-roll seats that had inspired so much attention, but the Lui government won a slender majority of the 14 village seats. Niue's top vote getter was Minister of Finance Terry Coe, who in 1993 had been the first ethnic non-Niuean to win a seat in the Assembly. His cabinet colleague, O'love Tauveve Jacobsen, came second, while in third place was progovernment incumbent Poni Kapaga. That three highly visible progovernment Assembly members, including two cabinet ministers, topped the poll suggests that, overall, Niue's voters had decided that the NPP team was not yet ready to be given control over the island's finances. Coe's 549 votes and first-place finish were a significant improvement over 1993 (when he came third with 430 votes); Jacobsen came second on the common roll in both elections, while Kapaga improved his performance slightly (he had come fourth in 1993).

The weakness of a nonparty approach was also revealed in the

1996 voting, however, for there was no clear government ticket for anti-NPP electors to support. As a result, their votes for the remaining three common-roll Assembly seats were dispersed among a number of independents, none of them incumbent Assembly members. The Niue People's Party—which had a much clearer party ticket, and whose supporters showed considerable discipline in following it—was able to win the fourth, fifth, and sixth common-roll seats. These were won by Toeono Togatule, formerly assistant secretary to government (and ex-director of public works), and a newcomer to the Assembly; Michael Jackson (who had topped the poll in 1993 with 548 votes, but had lost considerable support by 1996, receiving only 386 votes), and, in sixth position, former Finance Minister Sani Lakatani, notwithstanding ongoing legal action being taken against him by the government.

In the immediate aftermath of the election, both the government and the Niue People's Party sought to win wavering Assembly members over to their respective sides. Both the premier and the party appeared confident. Premier Lui had little to offer to ambitious Assembly members. The size of Niue's Cabinet is limited by its constitution to four ministers (including the premier), and all of Lui's Cabinet colleagues had been reelected. A postelection meeting between Premier Lui and Robert Rex, Jr, who had taken an independent stance critical of the government but had an uneasy relationship with the Niue People's Party as well, was unable to win Rex over to the government's side. The Niue People's Party was in a

more flexible position after the election, but attempts to entice progovernment independents to its side proved futile.

When the Assembly convened days after the election, the Speaker of the House, Sam Tagelagi, was voted out of office (after serving for twenty-three years) by an 11–9 margin. He was defeated by High Court Commissioner John Funaki, who was the government's choice for Speaker. The Lui government had become unhappy with Tagelagi's conduct as Speaker and the vote (which preceded the vote for premier) foreshadowed Lui's reelection by an identical margin. Lui defeated Robert Rex, Jr, who was a surprise choice as NPP leader in a move intended to attract independent Assembly members over from the government side. The result meant that Premier Lui was able to begin his second successive three-year term as head of government with the smallest possible majority. But he has already shown that he has the ability, and the tenacity, to stay in power with few votes at his disposal and little room for maneuver.

Lui had been able to secure passage of the government's budget in October 1995 by requiring the Assembly to consider a vote of confidence in the cabinet. The move had revealed a split in NPP ranks and apprehension among NPP supporters about the electoral consequences of rejecting the budget and forcing an early election. As a result Young Vivian had no option but to negotiate a withdrawal of the government's motion, which was achieved in return for the Niue People's Party supporting the budget (which it had ini-

tially blocked at its first reading in the Assembly).

The budget sitting came three days after the Niue High Court found the sacking of three NPP Assembly members to have been invalid. The case came about when the government used a colonial Assembly Ordinance to dismiss party members who had been boycotting meetings of the Public Expenditure Committee. The chief electoral officer had declared their seats vacant but, with a general election only months away, had indicated that no by-elections were to be held. If upheld, the government's move would have broken the Assembly deadlock by giving it a 10-7 majority until the elections.

The Niue Government appealed against the decision reinstating the three members of the Assembly (Lakatani, Jackson, and Talafasi). The appeal became the first to be held before Niue's Court of Appeal, which heard the case in Wellington and upheld the High Court ruling. The three-member Court of Appeal, set up by changes made to Niue's constitution in 1992, also met in November to consider another case involving Lakatani. He had been charged with twenty-two counts of bribery and two of official corruption, had pleaded not guilty, and had been remanded for a hearing before Chief Justice Dillon.

The case rested on interpretation of section 180 of the Niue Act dealing with "official corruption," and essentially rested on the question of whether the Act embraced conduct by members of the Assembly as well as cabinet ministers. The court concluded that members of the Assembly "fall outside of

the provisions of . . . the law of Niue" and therefore "they cannot be guilty of crimes of corruption or bribery." It described the result as one which "may well be unsatisfactory" but stated that "[t]he gap in the Law is one for the Assembly to remedy." Thus it allowed part of Lakatani's appeal against charges brought against him, dismissing those that referred to his activities as an assemblyman but permitting his prosecution for activities as a "servant of the Crown," that is, a cabinet minister.

In December 1995 the Lui government again demonstrated its persistence and commitment, using an opportunity to pass legislation that opened up when one of the NPP Assembly members was forced to leave Niue for medical treatment. In his absence the government was able to secure Assembly approval for the long-delayed Tourist Authority Bill as well as a controversial measure requiring New Zealanders to gain permits to stay on Niue for longer than thirty days (and to apply for permission to work and live permanently on the island).

A child welfare program was also approved, giving each person under the age of seventeen \$100 a year (ostensibly for school uniforms and sports equipment), with another \$100 annually to be given to the Niue High School or Niue Primary School Parent Teachers Association. The program—a financial windfall for Niueans with children at school—was no doubt a factor in the strong electoral performance by the responsible cabinet minister, Tauveve Jacobsen.

Niue's October Constitution Day

celebrations provided an opportunity for the leaders of the Small Islands States (Kiribati, Tuvalu, the Cook Islands, and Nauru, as well as Niue) to meet in Alofi. Topics discussed included reductions in public services, privatization of government-run activities, airline and shipping services in the Pacific, and development aid. The celebrations proved a significant milestone in Niue's national life. About two hundred people attended from overseas (mostly from New Zealand), and guests of honor included New Zealand's then governor-general, the popular Dame Catherine Tizard, as well as representatives of the New Zealand Government and the opposition Labour Party. Representatives from Australia and Papua New Guinea also attended ceremonies, as did the leaders of the Small Islands States.

Some development projects were successfully completed during the period under review, most notably the airport runway resealing and extension project. The runway extension was officially opened by the governor-general, who subsequently boarded a special Royal New Zealand Air Force jet and flew back to Wellington. The project, funded by New Zealand, produced an asphalt runway capable of handling 767 jets; unfortunately, the completion of a world-class runway coincided with the withdrawal from Niue of the one scheduled passenger jet service it already had. Air Nauru's unprofitable flights were discontinued in August 1995 and were succeeded by a much less impressive service from Royal Tongan Airlines. The absence of very many aircraft landings or takeoffs suggests that Niue's runway may be in

good condition for a long time to come, but the same cannot be said of its tourist industry. Unless a new air service is organized, the island's hopes for prosperity through international tourism are certain to be disappointed.

However, work continued on the island's new Matavai resort, a NZ\$2.5 million project on a cliff-top site, a private enterprise investment made possible through government financial support. Income generated by Niue's export taro scheme, as well as further plantings in the afforestation program, may also be counted as development successes. Niue's Broadcasting House, which houses its television and radio stations and can serve as a national disaster center if required, was also completed. It was officially opened by the Australian high commissioner, having been funded in part by Australian aid as well as UNDP assistance.

A setback occurred, however, when the New Zealand Navy's channel blasting program proved a bit too explosive, causing extensive damage to the wharf in the capital, Alofi. The navy was required to carry out necessary repairs, which proved both time-consuming and expensive. The accident meant that cargo ships were forced to anchor offshore and unload onto barges.

Postelection financial developments were also unpromising. Increases in government spending (to NZ\$27 million annually), on projects such as the cross-island road-sealing program, a street-lighting program for Niue's villages, and an islandwide high-tech cell-phone project, all contributed to predictions of an increase in the government's budget deficit. There were



also signs of renewed emigration, particularly among younger, skilled people, and the tourist industry was at an almost complete standstill. Niue's progress toward greater international recognition for its self-governing status was also interrupted when the United States not only blocked Niue's application for membership in the Asian Development Bank, but refused to meet with representatives of the Niue Government at the Manila meeting lest such discussions be interpreted as granting Niue a status that the United States does not agree it is entitled to enjoy.

Niue continued to play a role in regional affairs, however. The government joined antinuclear testing protests against the French, and 17 of the 20 members of parliament signed a petition that was lodged with the French Embassy in Wellington. Niue also withdrew from the South Pacific Games in Tahiti in protest against the French actions.

Niue's Constitution Review Committee was reconvened in 1996 to consider possible constitutional changes, and it was likely that the government would move to amend the legislation dealing with official corruption in light of the Court of Appeal ruling. Government solicitors were working on updating legislation inherited from the pre-self-government period.

Other signs of political change on the island were evident during the election. The three-way race at Makefu village included the candidacy of Stafford Guest, who was the first non-Niuean to stand in a village constituency since self-government. Similarly, in Hikutavake the third-place finisher

was another person seeking to challenge village norms: Salapiga Tutaki-toa, who would have been the first woman to represent a village in the Assembly had she won. Although each candidate was ultimately unsuccessful—suggesting that at this stage the criteria for village representatives are more strict, and more traditional, than for the common-roll seats—their involvement in electoral politics at village level continues a process of social change and communal development that has the overall effect of widening opportunities to take part in Niue's national life.

STEPHEN LEVINE

#### TOKELAU

Tokelau moved closer to responsible self-government in 1995–96. As foreshadowed in last year's review (see Levine 1996, 201), amendments to the New Zealand Parliament's Tokelau Act 1948 seemed appropriate, both to bring the legislation into line with moves being taken in Tokelau toward self-government, and to formally locate legislative authority with Tokelau's supreme national body, the General Fono.

The Tokelau Amendment Bill was introduced in parliament on 19 December 1995. Sir Robin Gray, New Zealand's associate minister of foreign affairs and trade, introducing the measure, noted that the bill had "substantial significance for both New Zealand and Tokelau. It acknowledges that Tokelau is moving through an important process of constitutional change, leading to self-government and an act

of self-determination under the aegis of the United Nations. Equally, it acknowledges New Zealand's responsibility to Tokelau, the international community, and specifically the United Nations to support and encourage the process" (*New Zealand Parliamentary Debates*, 19 Dec 1995, 10860).

The bill, which received the unqualified support of Tokelau's three *faipule*, was also described as part of an evolutionary process, linking the empowerment of the General Fono with earlier moves to establish "a national-level administration on the atolls to provide leadership in areas outside the competence of individual villages." Such measures have included the relocation of the public service from Apia to Tokelau, the delegation of powers from New Zealand's public service to two Tokelau public service commissioners, and the delegation of the Wellington-based administrator of Tokelau's powers to the General Fono (and to the Council of Faipule when the General Fono is not in session)—all of these steps on the path to self-government documented in previous Tokelau reviews for *The Contemporary Pacific*.

Following the bill's introduction (which was supported by the opposition Labour Party) it was referred, as requested, to the New Zealand Parliament's Foreign Affairs and Defence Committee. The committee invited public submissions but did not receive any. It did receive advice, however, from Administrator Lindsay Watt (a member of the New Zealand Ministry of Foreign Affairs and Trade), and from the ministry's legal advisers.

In its original form, the legislation

proposed a number of important amendments to the Tokelau Act. The General Fono was given "a general power to make rules for the peace, order, and good government of Tokelau." This meant that, subject only to certain qualifications, the General Fono was now explicitly identified in New Zealand law as the institution in Tokelau authorized to make "rules" with the force of law on the atolls. The General Fono was also given authority to "determine its own procedures for making rules," and was required to print, "in Tokelauan and in English," every rule made using its powers under the bill.

Consistent with Tokelau's continuing status as a New Zealand territory, the bill stipulated that no "rule" made by the General Fono may be "inconsistent with [a]ny Act of the Parliament of New Zealand that is in force in Tokelau." Similarly, rules passed by the General Fono which are inconsistent with Tokelau's "international obligation[s]" are also "to the extent of the inconsistency . . . of no effect." The bill gave the administrator a veto power over Fono decisions. Nevertheless the administrator is not expected to make much use of the powers that he retains under the Act.

Although the Foreign Affairs and Defence committee supported the passage of the bill, its report back to parliament included a number of recommendations as well as an overall commentary on the bill's purposes and significance. Its most important amendment was an unusual and in some ways extraordinary one, with symbolic importance but also educational and practical value. The com-

mittee proposed the addition of a preamble to the bill, in both the Tokelauan and English languages. As the Standing Orders of the New Zealand Parliament do not give select committees the power to recommend the inclusion of a preamble, the committee recommended that the material be added to the bill at a later stage during its consideration by parliament. The preamble seemed necessary to the committee in part because while the overall purpose of the bill was “to confer greater legislative powers on Tokelau,” the procedure that had to be followed (so long as Tokelau remained a New Zealand territory) was for amendments to be made to a New Zealand statute. A preliminary statement attached to the bill seemed the simplest way to convey to the people of Tokelau that nothing less than a “transfer of legislative powers” from the New Zealand Parliament to the General Fono was taking place.

The text of the preamble was developed in consultation with Tokelau and includes the full text of the Council of Faipule’s statement of 14 April 1995 “explaining the reasons why the General Fono requires its own legislative power.” The preamble reviews Tokelau’s political history and status as part of New Zealand, and as a non-self-governing territory under the charter of the United Nations. The preamble notes that while “the needs of Tokelau at a national level are the responsibility of the Government of New Zealand . . . the elders of Tokelau have for many years wished to have a greater and more direct involvement in the government of Tokelau at a national level.” It records Tokelau’s “wish to

paddle its canoe to the greatest extent possible,” and the “long-standing desire by three dispersed atoll communities to come together and become stronger, on the basis of their shared language and culture, as one family and nation.” The preamble ends with a further affirmation of the *faipule*’s support: “Tokelau also welcomes this Act as a fresh breeze to fill the sails of Tokelau’s canoe, and in the knowledge that the conferral of legislative power is a step of large constitutional significance which strengthens the General Fono in its role as Tokelau’s supreme national body.”

When the bill moved through its final stages in New Zealand’s Parliament, on 23 May, Don McKinnon, minister of foreign affairs and trade, emphasized that the House was sending “a strong and encouraging signal to the people of Tokelau” by passing a measure that “responds to Tokelau’s clearly stated wishes.” Former Prime Minister David Lange—the only New Zealand head of government to visit the atolls—also contributed to the debate, describing Tokelau’s “extraordinary sense of purpose,” its sense of nationhood, its desire to remain linked with New Zealand, and speaking with enthusiasm about the initiative to include a preamble in the Tokelau language. Moments later the bilingual preamble was introduced in parliament and accepted as part of the bill, which was then passed into law.

If this measure was the most tangible step taken toward further self-government in the period under review, it was not the only one. In April 1996 Tuvalu’s Prime Minister Kamuta Latasi made an official visit to Tokelau, the

first visit ever by a Pacific Island head of government. The Council of Faipule had visited Tuvalu in 1994 as part of a study tour to reflect on the post-self-government experience of some of its neighbors. On 22 April a “Memorandum of Understanding Between the Government of Tokelau and the Government of Tuvalu” was signed by Prime Minister Latasi and the *Ulu-O-Tokelau* (on behalf of the Council of Faipule) Pio Tuia, at Nukunonu. The memorandum noted “the very close historical links and great geographical, social and cultural similarities” between the peoples of Tokelau and Tuvalu, affinities that were evident when Prime Minister Latasi’s remarks (in Tuvaluan) were understood by his Tokelauan audiences without any need for translation.

The agreement noted a desire for bilateral ties between the two governments and anticipated cooperation in the areas of shipping (Tokelau already uses a Tuvalu ship, which calls at each of Tokelau’s three atolls four times a year), air transport, trade, tourism, fisheries, and human resources development. Recognizing “the historical links between the two countries” as well as potential “economic and social gains from free movement of citizens of both countries,” the two governments also agreed “that citizens from their countries be authorized a 30-day visa free entry” and promised to explore other ways “to improve the mobility of people and Labour.”

Ulu Pio Tuia was one of the newly elected *faipule* at the elections held between 4 and 11 January. His election in Nukunonu reflected his broad background of community service: he was a

Deacon of the Catholic Church, had been a senior officer in Tokelau’s Public Service, and was the principal of Nukunonu’s school. The other two members of the Council of Faipule, Kuresa Nasau (Atafu) and Falima Teao (Fakaofu), were also newly elected (all three incumbent *faipule* were defeated). Kuresa Nasau had served two previous terms as *faipule* up to 1990 and his victory in 1996 was the most decisive of the three *faipule* elections. An absolute majority of votes cast is required to win office; in the absence of a majority, the lowest-polling (among the perhaps seven or eight nominees) is removed from the ballot until a majority is reached. In 1996 only Kuresa Nasau was able to win a first-ballot victory.

The results continue the trend in Tokelau of electing more formally educated people as *faipule*. Kuresa Nasau was educated in Pago Pago and in Hawai‘i and also served for several years in the United States Army. Falima Teao was trained as a dentist at the Fiji School of Medicine and has been a senior government official on Fakaofu in recent years. All three *faipule* are in their early fifties. There was no formal campaign—candidates are judged by their deeds, reputation, and character—and any “issues” were local matters embracing family ties, personalities, and village relationships.

The three *pulenuku* elections were held at the same time. On Fakaofu and Nukunonu the sitting *faipule*, who had been defeated for reelection, were elected *pulenuku*. On Atafu a former *pulenuku* regained the position.

The process of political development in Tokelau means that the posi-

tion of *faipule* is no longer what it was some years ago. The *faipule* is now not only the elected head of an atoll, but also a member of a national government, with evolving ministerial responsibilities. Each *faipule* also serves for one year as the head of government, the *Ulu-O-Tokelau*.

Following the 1996 election, on 24 January, the administrator sent a message to the newly elected *faipule*, noting that Tokelau's "national government is seen to be complementing [its] village government." He also observed that the Council of Faipule "has sought not only to act within tradition, but to ensure that its decisions are in harmony with the country's values." As Tokelau continues with the process of drafting its own constitution, the administrator noted with satisfaction that it is "not following the example of others who have used borrowed sets of constitutional clothes, often to their later regret. Rather it is working from 'the coral up'."

The administrator's message was translated and read to the 29–31 January Fono and two weeks later the *Ulu* replied, "I wish to stress one very important point which you more than alluded to in your message. And that is: the political process that Tokelau is engaging in . . . reflects accurately the wishes and aspirations of the people of Tokelau. It is a Tokelau driven process. Tokelau is keen for the outside world to know of this." In closing with characteristic eloquence, the *Ulu* used metaphorical language to discuss the process of political change on the atolls. "We fear the unknown, but it will not stop us. We see the woods and thus we are not afraid. But we want to

feel the bark, the skin, of the ancient coconut tree. To know what we are dealing with—whether to chop it, prune it, give it a few more years, or to cut it to make posts for a new house. To make room for the young to grow and prosper to enjoy the new breeze."

The new *Ulu* gave his inaugural address to the opening of the General Fono at Nukunonu in January. At that time, too, he expressed his hopes for the development of Tokelau. In his speech he emphasized unity, describing Tokelau as "the garland that ties us together," observing that "[i]t is my hope that we are of one heart to work together to achieve for Tokelau oneness, goodness and peace." The *Ulu* stressed the need to be "free to make our own decisions" while continuing "to work together with the Government of New Zealand." The speech affirmed Tokelau's basic values—religious commitment, strong family bonds, and a determination "to treasure our culture and traditions as the foundation and prime focus from which Tokelau as a nation is to be nurtured."

Tokelau's maturing as a political entity takes place against a background of United Nations interest. The administrator told a decolonization seminar in Port Moresby in June 1996 that "Tokelau has its own distinctiveness," and drew attention to the dramatic changes evident to the visiting UN mission in 1994 compared to three earlier visits (1976, 1981, and 1986). Tokelau's readiness "to contemplate an act of self-determination" and its "active consideration" of a constitution were "a cumulative response to contact with the outside world," but

also reflected a desire “to find new strength in the reassertion of what is unique in Tokelauan values and culture.”

When the UN Committee of Twenty-Four next gives consideration to “the question of Tokelau” in July 1996, it will be doing so in a new context: Tokelau will be considered by the full committee (rather than by its subcommittee) separately from other remaining non-self-governing territories, and the committee will receive a submission in person from a *faipule* for the first time since 1987. Further constitutional progress is expected in July, when the Special Constitution Committee reports to the Fono (following reports submitted to it from three subcommittees).

Against this background of constitutional progress and institutional development, strides toward greater economic self-reliance are likely to be less impressive. The administrator’s *Annual Report* (for the year ended 30 June 1995) noted the parameters and constraints: a “small population (1600) divided among three widely dispersed atolls, a heritage of subsistence living based on coconuts and fish, paucity of land (tiny islets rarely more than 200 meters wide and not more than five meters above sea level), absence of soil, reliance on rainfall for water, high cost of providing modern services.” The 1991 census described a country with 253 family groups. “Nearly 200 people receive income directly from government, including village officials. In addition 210 people earn much smaller incomes as members of the *aumaga* or village work force. The total earning capacity is

estimated at \$2 million. Yet it costs some \$6 million to run Tokelau.”

The “big gap to fill” is largely met from New Zealand resources. Direct budget support is NZ\$4.3 million, with special project assistance for 1995–96 running at \$1.4 million. Tokelau’s contribution has risen in recent years from around 17 percent to about 25 percent of its budgetary requirements, through taxes on local income and charges on local services. Significant funding from overseas sources will be required for the foreseeable future. Projects underway involve electricity generation, telephone and telecommunications services, and other activities associated with the costs of government. Economic realities as well as shared values are among the factors encouraging Tokelau to look toward a future act of national self-determination likely to affirm the virtues of both self-government and a continued national partnership with New Zealand.

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### THE KINGDOM OF TONGA

On 25 January 1996 Tongans went to the polls to select their representatives for the 1996–98 parliamentary term. Over 49,000 voters, about half the total population, registered, but only 27,935 people voted, 808 fewer than in 1993. Nevertheless, the small turnout led to some surprises. The only

doubt about the 1993 election was the magnitude of the landslide win for the prodemocracy team. In the 1996 election, confusion within prodemocracy ranks and the conflict that dogged its candidates' campaign trail made voter behavior more complex. Seven reformers out of the nine People's Representatives were returned, but they are by no means united as a concerted prodemocracy front. If anything, they are more divided than before the elections, and have been forced to admit that they are unable to work together.

The Tongan Legislative Assembly consists of eleven cabinet ministers, who are personally appointed for life by the monarch; nine Noble's Representatives elected by the twenty or so of their peers who have been installed in their noble title by the monarch; and nine People's Representatives, who are elected by the remainder of the population, approximately one hundred thousand commoners. The selection of a small number of well-educated commoners as cabinet ministers is a relatively recent phenomenon. When they are appointed, they become also honorary nobles (*'eiki minisita*). As a result, the Tongan parliament usually sees twenty nobles arrayed against nine People's Representatives. The way the pack is stacked caused many people in Tonga to take up the catch-cry of "more democracy" and give a greater or lesser degree of support to the prodemocracy movement.

After six or seven years, however, the cry has lost its novelty and much of its appeal. The prodemocracy movement and its parliamentary representatives have shown no program of action, no clear-cut achievable goals,

and no agenda; or, rather, they have many different agendas that are seriously at odds with one another. In 1993, a promising group of reformers was elected to parliament to promote the prodemocracy cause. 'Akilisi Pohiva, 'Uhila Liava'a, and Uiliami Fukofuka were returned as People's Representatives in Tongatapu, 'Uliti Uata and Teisina Fuko in Ha'apai, and Samiu Vaipulu and Masao Paasi in Vava'u. Tui'pulu Lauaki became the member for 'Eua, and 'Ofa Fusitu'a, the only woman among the members, was returned for the Niuaus, the group of small outlying islands in the northernmost part of the Tongan archipelago.

The 1993-96 parliamentary term was marked by vigorous and often stormy debate. Fist fights broke out in the House, a People's Representative was suspended for fourteen days for throwing a law book at the Speaker, and successive motions were tabled by the People's Representatives in an unsuccessful attempt to dismiss the repressively anti-prodemocratic minister of police. Outside the House, one of the representatives was no less aggressive, confrontational, and adversarial, and incurred fines, which amounted to many thousands of pa'anga, for his libellous attacks on several men of note in the realm.

One significant step forward emerged from the tumult: the right for the Noble's and People's Representatives to present private and public bills in the House. Until 1994, only cabinet ministers could present bills for consideration by the Tongan Parliament. Moves to allow the representatives to do so had been under way for years,

and Paasi, a Tongan lawyer, finally pushed it through. The sheer weight of numbers ranged against the People's Representatives, however, makes it unlikely that any of their more "radical" bills will be approved. Instead, the right to present bills has provided the more moderate representatives with the rationale to withdraw even further from what they see as their parliamentary colleagues' excesses.

Paasi distanced himself from a radical prodemocracy position straight after his election in 1993, and recently restated his position. "I believe in working through the House, amending laws and the Constitution . . . we do not have to rally people and to create a situation where we have to confront government, and demand change or else—the outcome of such an approach would be bloodshed, and I don't want that to happen" (*MT*, Oct–Nov 1995, 15).

'Uhila Liava'a, a former accountant general, also feels that political change demands more intelligent, concerted action in the House by the People's Representatives. In 1993, his first year of office, his own technical expertise was displayed during the presentation of the country's annual financial report, when his acute critique led to the minister's withdrawal and redrafting of the report. He found, however, that he could not work with a number of his colleagues and, like Paasi, clashed repeatedly with Pohiva. In August 1994, the five Tongatapu and Ha'apai representatives formed the People's Party, Tonga's first political party, to enable them to present a more united front in the pursuit of prodemocracy issues. The differences

between them soon became so great, however, that major divisions appeared within their ranks. These led not only to the collapse of the party but also to any hope that the five might stand together on a single ticket for the elections. The chairman of the People's Party was 'Uliti Uata, the president was Uiliami Fukofuka, the vice-president was 'Akilisi Pohiva, the secretary was 'Uhila Liava'a, and the treasurer was Teisina Fuko. In the first quarter of 1995, Liava'a left the party because of its failure to censure Pohiva's actions and over their personal and political differences. "We have to cultivate a spirit of co-operation in the House . . . and demonstrate what we can do," he said. "It is difficult talking to them [the People's Party] because they do not have anything else to offer, beside talking about taking power off the King" (*MT*, Oct–Nov 1995, 16).

Uata, Fuko, and Pohiva have spoken of the possibility of the violent wresting of power from the king and his government, although Fukofuka has always remained moderate. His sweet reasonableness earned his disfavor with Pohiva, however, and also with Futa Helu, a leading Tongan scholar and advocate of democracy, who provides much of the intellectual force behind the prodemocracy movement.

The campaigning for the 1996 elections was subdued compared with the run-up to the 1993 elections. Fukofuka withdrew from the prodemocracy movement's decision to mount nominations for candidates and, finally, stood as an independent. He has always opposed the prodemocracy



movement's involvement in elections. He believes that the movement should confine its activities to the political education of the electorate. He said, "The public have grasped the fundamentals of democracy, which is majority rule, but they have no concept of how it can be applied to the formation of a government, and that there is, for instance, Liberal Democracy and Christian Democracy" (*MT*, Jan-Mar 1996, 26). The last distinction masks the deep divide between atheist intellectuals in the movement, who think democracy is an end that will justify radical means, including, if necessary, the sacrifice of family life, and civil disobedience or violence; and others, who revere the more traditional Tongan values respecting the family and the church, even as they continue to strive for lawful political reforms.

Among the former is Professor Futa Helu, director of the 'Atenisi Institute. Given the intransigence of the Pro-democracy Movement Committee, which decided not to mount a team of pro-democracy candidates after Fukofuka's withdrawal, Helu proceeded to announce his own. His political campaign was the most active and best organized of all. He used the 'Atenisi Ex-Students Association to hold kava parties in the villages and also used to good effect radio and *Taimi 'o Tonga* newspaper publicity. He was not as successful as he had been in former elections because, he claimed, "too many candidates went on the Pro-Democracy Movement tickets. They just labelled themselves as Pro-Democracy, but they are not active in the Pro-Democracy Movement" (*MT*, Jan-Mar 1996, 26). Only three of his nominees

were elected: Pohiva in Tongatapu, and Fuko and Uata in Ha'apai. Pohiva later commented, "Because there was a split among us, we could not unite in this election, we all went in as individuals and that's terrible. . . . we can't afford to let the people see us as individuals who are trying to work together and fail to unite" (*MT*, Jan-Mar 1996, 26).

In Tongatapu, Fukofuka succeeded on his own, but Liava'a lost his seat to a surprise candidate, a former minister of finance and a longtime resident of Auckland, Mahe'Uli'Uli Tupouniua. The only woman member, 'Ofa Fusitu'a, failed to gain reelection for the Niuaus and was replaced by 'Aisea Ta'ofi. Local issues, particularly rivalry between Nui'afu'ou and Niuatoputapu, rather than wider political considerations, were probably the decisive factors in her defeat. The strongest feature of the election was the overwhelming support shown for 'Akilisi Pohiva who again gained over 64 percent of the votes in his electorate, this time polling a massive 9145 votes. In its March issue, a local newspaper, *Ko e 'Ofa ki Tonga*, published by the Tokaikolo Church Fellowship, presented the results of a small survey it had conducted after the elections. It showed that personal knowledge of the candidates still plays an important role in their political support: "relatives and friends/acquaintances" accounted for almost 60 percent of the vote for Fuko and over 30 percent for Vaipulu. In Paasi's and Uata's cases, the factor of personal relationships accounted for around 15 to 16 percent of their votes. It accounted for 12 percent of Fukofuka's vote but only 6 per-

cent of Tupouniua's, and a low 2.2 percent of Pohiva's.

The old-style politics has not quite disappeared: over 71 percent of Uata's supporters said they voted for him because they find his boats useful (he runs a small fleet of interisland cargo vessels). His work for democracy and his experience in parliament accounted for almost another 13 percent of his support. The last two factors together accounted for almost 38 percent, however, of his running mate, Fuko's, vote. Paasi, who is Tonga's most experienced parliamentarian, having first entered the House in 1966 at the age of 29, acquired over 70 percent of his votes because of his parliamentary experience. Vaipulu gained over 48 percent of his vote from a combination of his work for change and his experience in parliament, but gained almost another 15 percent of his support from the votes cast by the members of one church in which he and his family are active.

Fukofuka gained almost 50 percent of his vote because he is a Christian and supports Christian Democracy, a movement he began late in 1995. He gained a further 30 percent because of his good parliamentary record. Mahe Tupouniua gathered almost 50 percent of his support from the fact that he is already experienced in the ministerial role, although it is now so long ago that only middle-aged people would be likely to remember it or recall accurately the government circumstances in which it was carried out. He gained another 31 percent because he is a "sensible candidate," a moderate man who conducts himself well. He gained 12 percent because he

is believed to be working for gentle or gradual change. The man who ran away with the votes, however, with a margin of over 4500 votes from Tupouniua, his nearest rival, was 'Akilisi Pohiva. Five percent of his supporters found him moving or inspirational, and to be at the heart of change. Over 83 percent declared, more emphatically, that they voted for him because he "talks straight and is honest" (*Ofa ki Tonga* 11 [March 1996]: 5,16).

Over 60 candidates, including five women, contested the nine people's seats, showing the growth of interest in politics. Some, the people had never heard of; others had professional qualifications, were retired civil servants, prominent businessmen, or agricultural growers. None of them came near 'Akilisi Pohiva. Vaipulu, who moved to the number one position from the number two position in Vava'u, summed up the general feeling, "I don't think the Tongatapu people voted for 'Akilisi Pohiva because he was labelled as a Pro-Democracy candidate, rather it was because 'Akilisi captured their attention with the work he is doing" (*MT*, Jan-Mar 1996, 26). This view is shared by other keen observers of the election (compare Campbell 1996). People in villages dislike what they hear about corruption among officials and the unfair advantages granted to an already prosperous elite, but they are powerless to redress the issues and are reluctant to express their views for fear of the repercussions and retribution that can come swiftly and sharply from those in power. To them, Pohiva is a champion of the underdogs' rights. They do not understand or, in most cases, care

about the strange exotic flower, democracy, but they understand that Pohiva will take on the most powerful men in the land on behalf of the common people.

The People's Representatives for the current three-year term are Pohiva, Uata, and Fuko, who believe that the king should relinquish his power but remain as a figurehead. They want the people to elect all the members of parliament, including nobles, from whom the king could appoint his ministers. They believe that by mobilizing public support at the village level they can force the government to make major changes. Fukofuka might believe this too, but his approach is more moderate; so is Tupouniua's, although he is as yet untried. Lauaki and Ta'ofi see themselves as independents who support change according to their own lights. Paasi and Vaipulu from Vava'u would wish to let the king's appointment of his ministers stand; they emphasize that political changes can be negotiated in the House if the People's Representatives are sufficiently capable and can convince the nobles and government that the laws and constitution should be amended in line with progressive social and economic trends (*MT*, Jan-Mar 1996, 24).

Apart from the three who believe that public pressure can force the government's hand, the others all seem to accept that, given the structure of the House, no change can take place without the assent of the powerful majority. Also, there are certain face-saving exercises to be considered. Tonga has a powerful and paternalistic government and monarch who are very conscious of their dignity. In the greater

interests of reform and of the nation at large, it would be unwise to make either of them look as if their hands were being forced into change. Indeed, as the king has his government in place with all the sanction of law, it is hard to see how their mighty hands could be forced. Widespread civil strife is a desperate option, and unlikely to occur.

One surprise during the election campaign was the sudden appointment as minister of police of one of the candidates, Clive Edwards, OBE, a lawyer who has lived for many years in Auckland. This followed immediately on the death of the previous minister, the Honourable 'Akau'ola, after a long illness. Edwards, who spoke about reform in his election campaign, was not long in making his conservative presence felt. The police have been told to smarten up, people in possession of firearms have been brought in for questioning, and, more particularly, he has come down hard on illegal immigrants in what he maintains is the enforcement of the existing Immigration Act.

By May 1996, about fifty people had been ordered to leave the country. Most of them were Indians, with one or two Chinese, who were illegally running businesses in Tonga while on visitors' permits. Edwards is also targeting people who have permits but whom he thinks should not be there. The future status of over 51 percent of the Tongatapu small business community is in question, and up to a thousand foreign residents may be told to leave. Much of his reasoning seems no more than schoolboy retaliation for the way New Zealand and other Pacific rim governments have cracked

down on Tongan “overstayers” and his recent decisions may be overturned in parliamentary debate in the new Legislative Assembly, which commenced on 28 May 1996. His actions have drawn attention, however, to anomalies in the Immigration Act and the need to establish clear policy guidelines and create new visa categories.

The decisions also have repercussions for the future of foreign investment in Tonga. The actions of the police minister, coupled with a curious statement from the Ministry of Labour, Commerce and Industries listing the ventures that foreigners may not invest in, has led to puzzlement, anger, and unease among the business community. The Tonga Chamber of Commerce has appealed to the government to consider carefully its position with regard to the foreign business people established in Tonga, many of whom have invested a great deal of effort and money in their ventures.

Edwards has also closely monitored the activities of the prodemocracy group and given suspended sentences to two prodemocracy supporters who wrote highly defamatory letters about him to the *Taimi 'o Tonga*. In particular, he warned Pohiva and two others before they traveled to Vava'u to promote the movement that they were not to make criminal statements about the corruption of ministers or create anger and hatred against the government and the king as these were both expressly prohibited by section 48 of the Criminal Offences Act (MT, Apr–Jun 1996, 13). Pohiva claimed that Edwards was effectively muzzling the movement but the minister denied this, and added, “I believe there is a need for some

changes in government, to improve the electoral right of the people and I still believe in that. But we should go through parliament and get the King to agree to changes” (MT, Apr–Jun 1996, 12).

According to its acting chairman, the Reverend Simote Ve'a, the prodemocracy committee is planning a march to the palace later in the year to present a petition requesting that the king make “major political changes” (MT, Apr–Jun 1996, 13). Ve'a denied allegations that the visits to Vava'u (and Ha'apai) were to encourage people to reject the present form of government and said they were part of a long-planned education program to explain the benefits of having the king appoint cabinet ministers from elected members of the House. The Awareness and Education Programme run by the prodemocracy committee is funded largely by overseas organizations, including Bread for the World, which collects money through Christian churches in Germany. Ve'a said the prodemocracy committee is trying to formalize its operation with guidelines and a constitution. Although its main function should be education and not political campaigns, he sees the eventual formation, in perhaps three to five years, of a political wing. It seems clear that some changes will take place in the Tongan system of government, beginning, perhaps, over the current parliamentary term.

It seems equally clear, however, from the numbers of moderate independents among the People's Representatives and the statements of the new minister for police, who is rumored to be planning a committee to consider

reforms, that the changes are likely to be establishment-guided and will have to be establishment-approved.

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### WESTERN SAMOA

Western Samoa experienced a tumultuous year that saw the birth of a new political party and the merger of two others, legal challenges by the government's former controller and chief auditor and an anti-tax group, and an emergency hospital visit by the nation's top politician. Dengue fever and destructive African snails put in sudden and unwelcome appearances. Women's issues, particularly spousal abuse, were also debated, and the independent media took aim at the government for ignoring poverty and the explosion of child labor in Apia. The media also found themselves criticized by the government for being too critical of government activities. All of this was capped off by a highly contentious national election that saw the governing party returned for a further five years.

The Value Added Goods and Services Tax, which adds 10 percent to all

purchases (inaugurated at the beginning of 1995), topped the list of controversial measures introduced by the government. Prime Minister Tofilau Eti Alesana and his party, the Human Rights Protection Party (HRPP), maintain that the public sector requires a source of revenue in order to provide services and undertake public projects. Opponents, including Opposition Leader Tui Atua Tupua Tamasese of the Samoa National Development Party (SNDP), and Matatumua Maimoaga, the founder of the newest political party, the Samoa All People's Party (SAPP), angrily denounced the measure saying it imposes too onerous a burden on the poorest Samoans. While denying they are a political party, Tumua and Pule, an opposition group, took to the streets to demonstrate against the value-added tax in early 1994. They subsequently attempted to deliver a petition allegedly signed by 133,000 citizens to the head of state but were rebuffed by the government. A fourteen-member government-appointed commission of inquiry later dismissed the petition as a fabrication, because they could only verify eleven of the signatures. Two of Tumua and Pule's leaders, Faamatuani Tala Mailei and Toleapaialii Toesulusulu, had sedition charges brought against them by the government, but these were dismissed in June 1995. They planned to counter-sue the government, claiming obstruction of their constitutional rights to free speech and freedom of assembly. Court action on their suit is still pending at the time of writing.

The Samoan business community, which pledged to support implementation of the value-added tax, has also

grown more critical of the government. In September 1995, spokesmen for the Manufacturers Association and the Chamber of Commerce said that they had an understanding with the government that, in exchange for their support on the tax, the government would review current income tax and tariff charges. Local businessmen expected there would be a reduction in the duty on raw materials, a more rational, less complicated system of duty calculation, and a lowering of income taxes. Following the government review, however, the only indication of progress in this direction is a stated commitment to tax reform in the minister of finance's 1995-96 budget.

In February, the government announced a reduction in duties on several imported items. The opposition characterized the move as a means of soliciting votes in the upcoming elections. This was vehemently denied by Deputy Prime Minister Tuilaepa Sailele Malielegaoi, who said the reductions were part of a long-term government program. The government refused to lower tariffs on newsprint despite opposition demands, in an apparent slap at a private newspaper, *The Samoa Observer*, which had been continually critical of the government.

Apia was the venue for the Eighth South Pacific Regional Environmental Programme meeting held in early October 1995. French representatives found themselves the object of angry protests against the resumption of nuclear testing in French Polynesia earlier in the year. Many of the protesters questioned the sincerity of French claims that they were concerned about the environment when they were

simultaneously testing nuclear weapons in the region. Many also found it odd that France should be invited when they had been virtually ignored at the South Pacific Forum dialogue meeting just a month before. Western Samoa joined with six other South Pacific nations at the meeting to issue a strongly worded protest that asked for an immediate end to the test series until a comprehensive environmental assessment could be carried out at the two test sites, Moruroa and Fangataufa. France's permanent secretary for the South Pacific, Jean Bressot, who was at the meeting, indicated the series would end in a few months and the test sites would be closed down. After conducting a total of six tests in the latter half of 1995, French President Jacques Chirac finally announced an end to the test series in late January 1996.

The government of Western Samoa found itself the object of regional ridicule in December 1995 when the news-magazine *Islands Business* named suspended Controller and Chief Auditor Su'a Rimoni Ah Chong its Pacific Man of the Year. Su'a was suspended by the government in June 1995 for issuing a report detailing widespread misuse of public office and money among Samoan politicians. He was suspended from office before the report was made public and action could be taken against those abusing the public trust. Although he has popular support, it is reportedly muted because of a "year of repercussions, both business and personal."

Su'a's fortunes did not improve in January 1996 when the Supreme Court cleared the prime minister, his govern-

ment, and the legislative assembly of a lawsuit charging wrongful conduct brought by Su'a. In early March, a motion to suspend him from his position a second time (the first suspension had lapsed) was enacted by the HRPP-dominated parliament by a vote of 34 to 10. The prime minister told parliament he would resign if his motion failed. At the same time, he accused Su'a of misappropriating government funds to mount his legal case against the government. Su'a has responded with a series of lawsuits, the latest of which was lodged against the prime minister for the personal attack he made in parliament.

Su'a did receive some measure of support later when the Western Samoa Society for Civil Liberties claimed in a widely circulated letter that Deputy Prime Minister Tuilaepa Sailele Malielegaoi should get the full blame for preventing government accounts from 1990-1993 from being audited by the controller and chief auditor. According to the society, this clearly contravened the provisions of the 1964 Public Money Act. The letter argued that the rights of citizens and taxpayers had been "seriously abridged or undermined" because of government refusal to audit public accounts. The deputy prime minister was reelected in the April 1996 elections and retained his ministerial posts.

One recurring debate in Samoa is whether poverty exists or not. HRPP members claimed in parliament that it did not exist in the country if one "compared [local] conditions to places like Bombay or Calcutta or Samoa of the 1920s." SNDP members were quick to point out that neither city nor a

Samoa of sixty years ago provided an accurate yardstick to measure poverty by. They suggested that HRPP members were ignorant of the poverty surrounding them and had done little to alleviate the conditions of the poor. An independent survey by a New Zealand firm, Social Policy 2000, subsequently confirmed poverty existed in the country. The study focused special attention on the plight of children aged ten to twelve selling products in Apia when they should be in school. At the same time the *Samoa Observer*, a local independent paper, ran a series of pictures documenting child labor and denouncing the government for its inaction. While the Social Policy 2000 group did receive criticism for its supposedly unscientific collection of data and its conclusions, no effort has been made to date to rectify the problem of child labor and ensure that all children have access to a proper education.

Women's issues commanded attention several times during the year, most notably as a result of the actions of politicians. Minister of Women's Affairs Polataivao Fosi reportedly swore at a female supervisor of the Western Samoa Shipping Corporation, when there was no room for his vehicle on the ferry to Savai'i. Then Member Tofilau Tauvagaa raised eyebrows in February 1996 when he complained in parliament that too many Samoan women "were spending their time yap-yapping at women's committees and coming home late instead of caring for their families." Finally, a women's group, *Mapusaga o Aiga*, met formally to discuss the issue of spousal abuse at a week-long conference in February 1996. They discussed a report contain-

ing several shocking personal accounts of rape and severe beatings suffered by various Samoan wives.

Several controversial government sell-offs occurred during the year. In October, the government sold its 25 percent interest in the Bank of Western Samoa to the Australia and New Zealand Banking group, which now has 100 percent ownership of the bank. A government spokesperson explained that it was “part of the government’s continuing Programme to privatize its shareholding,” but several financial observers were surprised by the sudden government divestiture of a profitable company. They speculated that the sell-off was necessary to “plug a budget blow-out” that includes paying off the government-owned Polynesian Airlines debt estimated to be in the range of ws\$70–90 million. Similar plans were afoot for the divestiture of the government shares of Western Samoa Breweries, another profitable company, in December. The government has also drawn on the country’s foreign reserves, cut into public expenditure, and borrowed from the National Provident Fund to finance the airline debt.

Medical issues were of major concern to Samoan politicians and citizens during 1995–96. In the fall of 1995, Samoa experienced an outbreak of dengue fever, which resulted in some deaths. Many others fell ill, and health facilities were overrun. Complicating the situation was the initial inability of the Health Department to positively identify the illness and an effective means of treating it. Tests run in New Zealand finally confirmed in late December 1995 that the illness was

a new strain of dengue fever, but this was not announced until well after the illness had run its course.

AIDS continued to worry many Samoans. A study conducted in early 1996 showed that many young Samoan adults remain ignorant of the causes and treatment of AIDS. According to the April 1996 edition of the journal, *Talamua*, one case of death resulting from AIDS-related diseases was reported in June 1995, and a second individual, a woman, is reportedly close to death. Health officials indicated that they were awaiting the results of blood tests for a Samoan rugby player believed to have had relations with the dying woman. The government is looking at various options that would give the Health Department the legal power to test those suspected of carrying the AIDS virus.

Relations with other countries remained unchanged, save Samoa’s relations with France. Given the end of the nuclear testing in the South Pacific at the start of 1996, however, rapid improvement in the relationship seems likely. In other news, Japan has begun another large aid project in Samoa, the construction of the new National University of Samoa. The People’s Republic of China will soon complete its construction project, the Women and Youth’s Economic Activity Centre, which will serve as a major venue for the celebration of the upcoming Seventh Pacific Festival of Arts to be held in September.

The taro blight, which began effectively destroying Samoa’s leading export crop in mid-1993, continues unabated into its third year. In May 1996, former Minister of Agriculture



Misa Telefoni claimed that the blight might have been the result of economic sabotage. Telefoni said the blight had not only diminished Samoa's export earnings, but also resulted in a marked increase in rice imports, further aggravating Samoa's already serious negative balance of trade. Local businessmen were skeptical of Telefoni's claims, citing the lack of supervision at ports of entry as the most likely culprit. Producing taro in Samoa is still feasible, but the recommended chemical treatment is expensive and the labor is both intensive and time-consuming. Thus, a rebound for Samoa in this particular export crop does not seem likely in the near future.

Samoa is facing a potentially more destructive agricultural problem this year. African snails, introduced in 1991, have suddenly exploded in numbers, and efforts by the Agriculture Department have failed to stem the infestation. The same snail has plagued American Samoa since the 1940s. In January, the government revealed a plan to pay citizens for collecting and destroying the snails.

Prime Minister Tofilau Eti Alesana had a rocky political year. In October, he was embroiled in a land dispute pitting the government against its citizens. Vaiusu village claimed three hundred acres of land at Tuana'imoto, which they said had been taken by force from them during the German colonial occupation of Samoa. However, the land, which has been administered by the Western Samoa Trust Estate Corporation since 1962 when Samoa became an independent state, is considered government property. Villagers have sought the land's return

since 1991, and recently began dividing up and illegally settling on the land in question. The prime minister ducked the issue by stating that he would need to meet with the government's Land Board before making a final decision. At the time of writing, no decision had been announced.

In November 1995, the prime minister lashed out against Samoa's media while on a visit to New Zealand, claiming that all were politically motivated. The charge was ironic given that the government controls most of the Samoan media, the only exceptions being the *Samoa Observer* and Magik FM 98, a local radio station. In the same interview, Alesana also stated the need for stricter government control of the media. In February, he again blasted the media, but was more selective about his targets. This time he blamed the *Samoa Observer* and Magik FM 98 for "being lackeys of the opposition."

In March 1996, Prime Minister Alesana was admitted to the intensive care unit of Green Lane Hospital in Auckland, where he has been a regular patient since undergoing a heart bypass operation some years ago. His two-week hospital stay, just prior to the election, raised once again the issue of whether his health was adequate for another five-year term of office. The issue became moot, however, when he returned to campaign for reelection.

The campaign effort was capped by a marathon five-hour televised speech in mid-April 1996 extolling HRPP achievements, and announcing the party's manifesto and promises for the coming five-year term. Later the same month, the prime minister claimed in

parliament that the opposition had plotted to assassinate him during a Tumua and Pule political rally a couple of years earlier. The assassination conspiracy claims, which supposedly involved members of the SNDP and the recently suspended government controller and chief auditor, were met with laughter from the opposition.

A lot of maneuvering by opposition parties and political candidates preceded the election. The Human Rights Protection Party lost one of its own when Matatumua Maimoaga resigned her seat in early March 1996 in order to lead a new party, the Samoa All People's Party. Matatumua has been known to vote against her own party on what she considered matters of principle. She was, for example, the only HRPP member to vote against the suspension of the controller and chief auditor. Matatumua cited government corruption and the poor quality of education in the country as the motivating factors in her decision to create a new party, which she promised would be people oriented. The party platform did not call for the abolition of the value-added tax, although taxes on basic necessities would be immediately removed. Matatumua Maimoaga was not reelected in the April elections.

At roughly same time, another opposition party, the Samoa Liberal Party, announced that it would merge with the Samoa National Development Party. Aiono Nonumalo Leulumoega Sofara, founder and leader of the Samoa Labour Party since 1993, explained that the two parties had taken similar positions on issues and

that "it was only natural that the two parties would come together." He was not reelected in April.

Meanwhile, the main opposition party, the Samoa National Development Party, stated that it would set up an anti-corruption panel if it were elected. The tribunal would investigate corrupt government practices, process complaints of unethical practices by politicians and government employees, and develop a code of conduct and ethics for government departments and heads. The party also called for abolishing the value-added tax and instituting a transparent and accountable financial management system in government, and committed itself to a free press.

The national elections were held on 26 April, and preliminary results indicated that the ruling Human Rights Protection Party had lost its absolute majority of 34 seats. The opposition parties, Samoa National Development Party, Samoa Liberal Party, and Samoa All Peoples Party, did not capitalize on this turn of events, however, as voters turned out in large numbers to elect independent candidates. Initial results showed the Human Rights Protection Party with 23 seats; the rival SNDP-SLP with 12 seats; the SAPP with 0 and independents totaling 13. Prime Minister Tofilau Eti Alesana boldly claimed victory that same evening, insisting several independents had joined the Human Rights Protection Party. Political observers believed that even if that were the case, the party's hold on power would be tenuous because of its dependence on the support of independents in parliament.

The election results did not become

fully clear until recounts and legal proceedings were carried out in the two weeks afterward. Official results were finally announced on 15 May with the HRPP receiving 24 seats, SNDP receiving 11, SLP 1, and independents 13. The HRPP was then able to convince enough independents to join its ranks to regain a majority (34 seats) and form a government. Prime Minister-

elect Tofilau Eti Alesana and his newly realigned cabinet were then sworn into office on 19 May by His Highness the Head of State Malietoa Tanumafili II. In a speech prior to being sworn in, Tofilau promised that his government would work to improve the nation's education system, health system, and roads.

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