

Political Reviews

Micronesia in Review: Issues and Events,
1 July 2014 to 30 June 2015

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COOK ISLANDS

On the eve of celebrating half a century of constitutional self-governing in the Cook Islands, the period in review was dominated by the aftermath of the July 2014 general election. This included nine court petitions, two by-elections, and one defection. The results saw the Cook Islands Party return to power with a one-seat majority to lead the country for the remainder of the four-year parliamentary term. Public voices were raised and rallied during the year under review. A key area of concern included marine resource management and purse-seine fishing. Along with preparations for the celebrations of fifty years of independence, the relationship of the Cook Islands with New Zealand came under scrutiny. Eyebrows were raised over the Cook Islands' interest in pursuing United Nations (UN) membership. The portability of the New Zealand Superannuation for Cook Islander residents in New Zealand also stirred interest. Both of the latter issues highlighted the fact that the Cook Islands can certainly be heard but not necessarily heeded in the domestic and international policy spaces of its sovereign partner and colonial master, New Zealand.

Electoral uncertainty pervaded the

year. In order to form a government, a political party needs 12 of the 24 parliamentary seats. The general election saw fifty-four candidates, including seven women, contest the twenty-four constituencies. The preliminary results had the Democratic Party ahead with 11 seats, the Cook Islands Party with 10 seats, and the One Cook Islands Party with 2 seats. The Tamarua seat of the island of Mangaia was tied.

Counting of special and postal votes saw the final results swing to give the Cook Islands Party 13 seats. The Democratic Party losses included the defeat of their leader, Wilkie Rasmussen from the island of Penrhyn. The Mitiaro Island seat was also tied.

Of course, matters did not end there, with nine petitions lodged in court. Three petitions were withdrawn, with the remaining heard by the court. Petition dismissals saw Nandi Glassie and first-timer Rose Toki Brown survive petitions alleging bribery. They took up office as Cook Islands Party representatives for the Island of Atiu (*CIN*, 18 Sept 2014). The petition concerning the Manihiki seat held by Prime Minister Henry Puna was also dismissed following claims of bribery and unqualified voters (*CIN*, 10 Sept 2015). The Tamarua seat petition based on voter ineligibility was proved. This enabled the seat to be secured by Tetangi Matapo as the third female Member of Parliament for the Democratic Party, following a recount.

By this stage of the proceedings, Finance Minister Mark Brown called for electoral reforms, as a number of petitions were based on voter ineligibility. He advocated the “establishment of a fulltime electoral office and chief registrar” (*Pacific Scoop*, 28 Sept 2014). By October 2014, the Cook Islands Party held a one-seat majority as it awaited the outcome of the court action to decide on the Mitiaro draw and a Vaipae-Tautu petition.

The tied Mitiaro result of 50 votes each saw the Democratic Party first lodging in court a petition claiming bribery and treating in the run-up to the election and then withdrawing the petition. In November, this late withdrawal was successfully appealed by the Cook Islands Party. On hearing the matter, Chief Justice Thomas Weston deemed one voter ineligible. The subsequent recount saw long-serving Democratic Party member Tangata Vavia receive 50 votes, just ahead of Tuakeu Tangatapoto’s 49 votes. In December, High Court Judge Hugh Williams dismissed the Cook Islands Party challenge over the eligibility of three voters, thereby upholding the recent recount results. Not content to let this result lie, the Cook Islands Party unsuccessfully took the matter to the Court of Appeal in New Zealand, as one voter had chosen to leave Mitiaro for medical reasons (*CIN*, 18 Feb 2015). Once all petitions had been heard in December, the Cook Islands Party had 11 seats, the Democratic Party had 10, One Cook Islands Party had 2 seats, and a by-election was ordered for the Aitutaki electorate of Vaipae-Tautu.

Sadly, February 2015 saw the unexpected passing of Democratic

Party candidate Kete Ioane. In the midst of his campaign for the Vaipae-Tautu by-election, Ioane, age sixty-four, died in New Zealand following a short illness. He was known as a quiet achiever and humble man whose organizational skills brought many projects to fruition. He was considered a man of the people and for the people. His career as a Member of Parliament began in 1999. His portfolios included Environment, National Heritage, House of Ariki, Parliamentary Services, and the Outer Islands (*CIN*, 16 Feb 2015).

As many mourned Ioane’s passing, a new date for the by-election was set for 31 March 2015. Previously the Democratic Party–One Cook Islands Party coalition had Teina Bishop acting as Ioane’s campaign manager. However, instead of supporting Kete Ioane’s replacement, the One Cook Islands Party named retired school principal Amiria Davey as its candidate. Davey had originally been in the running to be the new Democratic Party candidate (*CIN*, 4 March 2015). In honor of her husband, Teinakore Ioane was named the Democratic Party candidate to stand against Davey and the Cook Islands Party candidate, Mona Ioane. This inclusion of a third candidate gave an inkling that all was not well in the Democratic Party camp or in its coalition with the One Cook Islands Party.

Unfortunately the Democratic Party suffered yet another loss. Despite his win as a Democratic Party candidate for the Avatiu-Ruatonga-Palmerston electorate, first time Member of Parliament Albert Nicholas then crossed the floor to join the Cook Islands Party. This one seat shift took the

Cook Islands Party numbers from 11 to 12, giving it enough to form a government. Enticed by a seat in cabinet, Nicholas now held portfolios including Internal Affairs, Ombudsman, Youth and Sports, and the government-managed marketplace in Avatiu, the Punanga Nui.

Nicholas's party hop had been two months in the planning. He considered this move as representing a coalition between his constituency committee, the Cook Islands Party, and the people of his constituency. In addition to being an arrangement that would benefit the constituency, he believed that he was "doing this in the hope that it gives political certainty to our country" (*CIN*, 25 March 2015). This sentiment was shared by Prime Minister Puna. Of course this was not the view of the Democratic Party, which condemned Nicholas for his actions. Under the anti-party hopping provision of the 2004 Electoral Act, Members of Parliament who switch parties cannot vote on matters of appropriation or confidence in the prime minister. This effectively means that if Nicholas votes to support the government on such matters, his seat can be declared vacant, forcing yet another by-election (*CIN*, 16 March 2015). However, no such opportunities arose. Days after Nicholas's move, the Aitutaki by-election saw Cook Islands Party candidate Mona Ioane voted back in. The remaining votes were split between Davey and Teinakore Ioane. The win gave the Cook Islands Party a thirteen-seat majority and the ability to govern unencumbered.

Despite the win, all is not settled for the troubled seat of Vaipae-Tautu. After initially winning the seat in the

general election, former policeman and lawyer Mona Ioane was accused of bribery in December 2014. The matter was referred to the police commissioner for investigation, and the election result was declared void. At the time, Ioane had been appointed as the cabinet minister for Education, Justice, and Marine Resources; however, Prime Minister Puna considered it improper to bestow a cabinet seat on Ioane while the case was under police investigation (*CIN*, 27 April 2015). By the end of the period under review, no charges had been laid. If charged and then found guilty, Ioane would have to vacate his seat and a by-election would have to be held.

A second police investigation of a political leader also remains unresolved. The corruption investigation of Aitutaki Member of Parliament Teina Bishop continues to linger into its second year. Since July 2013, investigators have continued to look into allegations of bribery and corruption leveled against Bishop when he was minister of Marine Resources. Included in the investigation are his relations with Huanan Fishery (Cook Islands) Company, a subsidiary of Luen Thai Fishing Venture. No charges have been filed in connection with the long-running investigation, and Bishop has frequently expressed his exasperation at the delays in bringing the matter to a close (*CIN*, 16 March 2015). As with Ioane, if he is charged and then found guilty, he will also have to vacate his seat and another by-election must be held.

Overall, the results have shown that all has not gone well for the Democratic Party, despite its retaining the confidence of the majority of Cook

Islands voters. In departing from his seat and role as party leader, Wilkie Rasmussen called for a new governance model that better suits our type of small island state, like the democracy in Jersey, United Kingdom, where members are independent with no political parties, the queen is head of state, and the government is split with 12 senators, 12 constables, and 29 deputies. Rightsizing Parliament with seats based on quality and merit rather than quantity was also advanced (*CIN*, 24 Jan 2015). With William “Smiley” Heather appointed as the Democratic Party leader and Ngatangiiia rookie Member of Parliament Tama Tuavera named deputy leader, there has been no indication that such a transformation has found favor with the new-look party or with the Cook Islands Party as it gets on with serving out the remainder of its four-year term in power.

Besides electoral politics, the year under review also saw attention focused on the fiftieth anniversary of independence. All kinds of events have been planned for a year of constitutional celebrations. A New Year’s Day music festival was already held but much is centered on the annual constitutional anniversary, to be held on 4 August 2015. This will include the participation of each island at national cultural and sporting events as well as commemorative services to be attended by local and international supporters of the country.

The annual Development Partners meeting held in February 2015 and themed “Journey to Development” was attended by a number of international partners. The weeklong meeting provided an opportunity for the gov-

ernment and its development partners to consider the country’s progress and commitments to the country’s development agenda. This included making “island sense” of development with increased use of national systems in addressing the ongoing challenges of depopulation, a fragile environment, and limited economic base. Also during February, the University of the South Pacific and the Office of the Prime Minister convened a series of climate-change fora aimed at building awareness about its potential impacts. Well supported by local individuals and organizations, the fora drew on the substantial knowledge and experience of Cook Islands experts.

During the year, government attention continued to focus on climate finance as a potential resource for the Cook Islands development agenda. Over the medium term, the Cook Islands as a middle-income country will no longer be eligible for development assistance from the Organisation of Economic Cooperation and Development. Officials have set their sights on accessing potential climate finance through global funds such as the Adaptation Fund and the new Global Climate Fund with US\$10 billion in pledges. Globally, the Adaptation Fund has over US\$265 million dollars allocated for forty-four countries to increase climate resilience. However, of the seventeen national implementing agencies already accredited, none are from the Pacific. In order to be accredited, the Cook Islands Ministry of Finance and Economic Management made an application to the Adaptation Fund board to become a National Implementing Entity. According to ministry official Lavinia

Tama, if successful, the Cook Islands will be able to move funds directly into government systems. This will do away with the middleman and the ticket clipping that currently happens with funds managed by third-party organizations (*CIN*, 15 Dec 2014).

The Cook Islands-style sovereignty of free association with New Zealand also came into focus this year. While it was reported that the New Zealand government was not looking to change the existing relationship, media claims surfaced that the Cook Islands “was pushing for independence from New Zealand at the cost of losing New Zealand citizenship” (*CIN*, 10 June 2015). However, it would seem that the interest was actually in obtaining a seat as a member state of the United Nations, without necessarily losing New Zealand citizenship.

Over the last fifty years, the Cook Islands has shown its ability to act like an independent state. It has established diplomatic relations with forty-three states and is a member of over forty-two organizations, including United Nations specialized agencies. It has also signed more than two hundred multilateral and bilateral treaties (Cook Islands Ministry of Foreign Affairs and Immigration 2015). UN membership was considered by the prime minister’s chief advisor, Trevor Pitt, to be a natural progression for a maturing country and to have more to do with diplomatic competency to participate in international affairs than with obtaining aid (*CIN*, 30 June 2015; *Stuff*, 31 May 2015). The current government, like previous ones, has yet to apply for UN membership, so the Cook Islands’ eligibility remains unresolved (Igarashi 2001).

The nature of Cook Islands sovereignty was also highlighted this year in its ability to present its views on New Zealand domestic policy issues that cross international borders. One such issue was the eligibility and portability of superannuation payments from Cook Islanders back to the Cook Islands on their retirement. Prime Minister Puna presented the Cook Islands case to the Social Services Select Committee on the Social Assistance bill. Currently Cook Islanders are required to live in New Zealand for five years after the age of fifty to be qualifying residents for Superannuation. The Cook Islands, along with Niue, sought the removal of this requirement. The Cook Islands submitted that an amendment would enable the earlier return of Cook Islanders as well as prevent the negative impacts experienced by some Cook Islanders having to return to New Zealand to qualify.

Noting the issue of depopulation (Cook Islands Government 2011), high levels of human mobility, and the changing demographics of the Cook Islands population, such a submission can be seen as addressing ongoing challenges associated with the economies of “large ocean-states” (Stone 2012). Furthermore, the Cook Islands submission highlighted the Cook Islands’ place in the “realm” of New Zealand (whereby the Cook Islands, with its agreement with New Zealand, shares the queen of the British Commonwealth as head of state) and the existing principle whereby foreigners are able to qualify for New Zealand citizenship by maintaining five years’ residency in the Cook Islands. As such, this principle could be applied

to the New Zealand Superannuation with the five-year requirement also fulfilling the qualifying requirements (*CIN*, 23 Feb 2015). The Cook Islands call to amend the social assistance bill gained support from New Zealand Parliamentarians such as Winston Peters and Cook Islands descendant Poto Williams, Labour Member of Parliament for Christchurch East (*CIN*, 2 May 2015). In the end, the New Zealand Parliament passed the bill without the changes.

Civic actions were stirred with public opposition to the issue of overfishing. Purse-seine fishing and fish-aggregation devices are believed to have resulted in the reduced access to fish stocks for subsistence fishers and game-charter fisheries (*CIN*, 16 April 2015). In April 2015, more than one hundred protestors took to the main street of Avarua, Rarotonga, calling for a total ban on purse-seine fishing in Cook Islands waters. In May, a long-awaited meeting was held with the prime minister and Secretary of the Ministry of Marine Resources Ben Ponia and representatives of Te Ipukarea Society (TIS). In representing the environmental group leading the lobby for fishery reforms, TIS President Ian Karika and technical director Kelvin Passfield were able to put their side of the debate to the prime minister. However, any possibility of a ban must contend with Secretary Ponia's view that "we are dealing with a regional fishery and if we wish for it to be managed responsibly, our challenge is to engage with industry and other Pacific Islands and not simply disengage and demonise fishing" (*CIN*, 27 April 2015).

Further action in the anti-purse-

seining campaign saw a petition initiated. Four thousand signatures were collected from across the country. As a first for Te Ipukarea Society, the petition has gained a lot of support, although this was not the case on the island of Aitutaki. The Island Council there would not allow the petition to be placed in major stores on the island, thereby limiting opportunities; and only 20 percent of the voting public's signatures were gathered (*CIN*, 9 June 2015). The petition was presented to Parliament during the June 2015 sitting, which was the first since October 2014 when Parliament passed the budget. Democratic Party Member of Parliament for Murienua James Beer undertook to table the petition and ensure that the concerns of the campaign were dealt with in Parliament.

The long-awaited family law reforms took one step closer to becoming reality. The Family Law Bill has inched through the lawmaking processes with its second hearing. A select committee chaired by Member of Parliament Mona Ioane has been established. The legislation intends to modernize laws related to divorce, child support, parenting arrangements, domestic violence, and the care and protection of children (*CIN*, 29 June 2015). However, its progress is seen as frustratingly slow by those who tirelessly advocate against family violence and provide support to victims of domestic violence (*CIN*, 29 May 2015). Let's hope the public outcries afforded political, economic, and environmental concerns can be equally invoked when it comes time to make public submissions to the select committee.

Overall, the Cook Islands has

managed to get through its election-year controversies despite two by-elections still possibly in the cards. With the fifty-year sovereignty celebrations now underway, it is likely that further political disruptions will be pushed to the backburner until all celebrations have been completed.

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FRENCH POLYNESIA

Politics in French Polynesia during the year under review was dominated by a profound leadership struggle between veteran politician Gaston Flosse, who lost his position as president of the country, and his successor and former son-in-law Edouard Fritch, who successfully freed himself from his former mentor's overbearing influence. Yet it came at the price of breaking up the solid majority arising from the 2013 election and throwing the country into a new period of political instability.

It all started in July 2014, when the French justice system finally started catching up with Flosse's various cases of corruption after decades of ineffective handling. On 23 July, the Paris Court of Cassation, a court that examines prior cases for procedural errors, confirmed a previous criminal conviction that Flosse had first appealed, to no avail, and then re-appealed. While the court suspended Flosse's jail sentence, it confirmed a fine of 125,000 euros (US\$138,000) as well as a deprivation of his civil rights. The president was thus legally barred from voting or serving in an elected office for a period of three years (TI, 23 July 2014).

The substance of the charges was the so-called fictional employment affair, going back to the late 1990s and early 2000s, when various politicians and trade union leaders had been given paid jobs at the presidential office without ever working there, a

scheme of corruption popular among French politicians.

Under normal circumstances, Flosse would immediately have been notified of the final sentence and removed from office. However, his lawyers tried to use any and every means to evade the sentence, first by asking yet another court to reexamine the sentence; second by filing a complaint with the European Human Rights Court (if either court would rule in Flosse's favor, it would lead to a suspension of his sentence); and finally by petitioning French President François Hollande for a presidential pardon (TI, 23 July 2014).

As a matter of procedure, French High Commissioner Lionel Beffre was notified of the sentence and tasked with enforcing it by formally declaring Flosse ineligible and therefore removed from office. However, Beffre first refused to do so, arguing, on shaky legal grounds, that the demand for a presidential pardon had to be heard first. This was interpreted as an indication that Flosse's protective network was still operational. It was indeed unheard of that a convicted criminal, whose conviction has been confirmed for a third time, could evade his sentence simply by asking for a presidential pardon. The more usual procedure would be that a pardon would be pronounced afterward and might, for instance, lead to an early release from jail or, in Flosse's case, might reinstate his civil rights earlier than originally intended.

The high commissioner's stalling tactics scandalized the local opposition. Opposition Union Pour La Démocratie (UPLD) leader and former President Oscar Temaru argued that

Beffre's behavior undermined the rule of law, stating that with this precedent, all convicted criminals could now refuse to accept their sentences by asking Hollande for a presidential pardon (TI, 29 July 2014). Similarly, Teva Rohfritsch of the small pro-French opposition party A Tia Porinetia (ATP) expressed being "shocked" at what he perceived as a plot by the French government to protect Flosse (RNZI, 6 Aug 2014).

While still acting as though the confirmed conviction did not exist, Flosse undertook at least one positive step when he dismissed the controversial former French overseas minister, Brigitte Girardin, from her position as the country's "special representative in Paris," admitting that the post was superfluous (TI, 6 Aug 2014)—a fact that had been pointed out numerous times before by the opposition and by independent observers.

Later in August, President Hollande commented on the pardon petition, stating ambiguously that "the decisions of the Judiciary should be applied" (TI, 23 Aug 2014). Beffre interpreted this as a refusal of Flosse's demand and at last initiated Flosse's removal from office. On 6 September, the president was thus declared removed by decree of the high commissioner and prohibited from holding any political office for the next three years (DT, 6 Sept 2014).

With Flosse's party Tahoeraa Huiraatira holding a two-thirds majority in the Assembly of French Polynesia, there were initially no surprises in managing Flosse's succession. Following Flosse's directions, his former son-in-law, Assembly Speaker Edouard Fritch, was elected to the

country's presidency on 12 September (TPM, Oct 2014). Unlike Flosse the year before, Fritch was able to gather an ultra-majority of 46 votes (out of a total of 57 assembly members) since the ATP caucus supported the new president. This seemingly confirmed rumors already spread during the 2013 elections that, despite its opposition rhetoric, ATP was nothing but a "fifth column" of Tahoeraa. Fritch's new cabinet remained for the most part identical to that of his predecessor, with Nuihau Laurey continuing as vice president. Former cabinet minister and Flosse confidant Marcel Tuihani succeeded Fritch as assembly Speaker (TI, 15 Sept, 16 Sept 2014).

Having thus barely been removed from local politics, Flosse reentered it a few weeks later through the back door when on 26 September the Tahoeraa assembly caucus hired him as "special consultant" and placed a luxury office in the assembly building at his disposal using a legal loophole, since his conviction forbade the holding of an elected office but not a job as an employee of a political institution (TI, 26 Sept 2014). As Flosse apparently continued to exercise significant influence over the government, many people asked the question, reiterated on the October cover of *Tahiti-Pacifique Magazine* next to a picture of Flosse and Fritch, "Who is the real president?" (TPM, Oct 2014).

As a consequence of the confirmed conviction, Flosse also lost his seat in the French senate, which he had held since 1998. This was rather a formality, however, since the term expired at the end of September and Flosse had not planned to run for another term.

The senatorial election of 28 Sep-

tember—which is done indirectly by an electoral college of 714, consisting of the territory's three French national assembly members, the 57 members of the assembly of French Polynesia, and delegates from all 48 municipal councils—was won as anticipated by the Tahoeraa ticket consisting of Iriti Teura and Vincent Dubois, the latter being another son-in-law of Flosse. Since several Tahoeraa electors had worn their party colors during the vote, which is prohibited under French law, UPLD filed a complaint demanding an annulment of the election results (TPM, Oct 2014).

Senator Richard Tuheiava of UPLD, who had been elected as Flosse's ticket mate when Tahoeraa and UPLD were allied in 2008, missed being reelected. The pro-independence opposition thus lost an important voice in Paris, as Tuheiava had been a very active advocate of the territory's decolonization, both nationally and internationally, and it was mainly thanks to his efforts that the country won reinscription as a non-self-governing territory by consensual decision of the United Nations General Assembly in 2013. In various follow-up meetings of the decolonization committee and other UN agencies, Tuheiava had always been present to represent the pro-independence section of the country's population, often in tandem with ex-President Temaru.

In early July, Tuheiava had first attended the UN Decolonization Committee meeting in New York, where he testified, together with Temaru, in favor of more UN scrutiny over France's administration of the territory (OTR, 1 July, 2 July 2014); he then represented the territory at a meeting of the Parliamentarians for Nuclear

Non-Proliferation and Disarmament in Switzerland, where he delivered a speech calling for the nuclear powers to take up their responsibilities for the people victimized by their thousands of atomic weapons tests, including France in French Polynesia between 1966 and 1996 (OTR, 20 July 2014).

Shortly thereafter, on 25 July, the UN secretary-general released the long-awaited report on the effects of nuclear testing in French Polynesia that had been announced in a previous General Assembly resolution of December 2013. The report was rather a disappointment, as it did not contain any new research but instead only summarized old reports on the topic, including one by the International Atomic Energy Agency from 1998 that is heavily biased toward the then official French position that the tests were “entirely harmless” and a more recent one by the Office of the United Nations High Commissioner for Human Rights that is generally critical of nuclear weapons and admits heavy health impacts deriving from test explosions (United Nations 2014b). References to the detailed reports produced by French Polynesia government agencies during Temaru’s five presidencies were not included. Despite this disappointment, the fact alone that negative health impacts of nuclear testing are now part of the official UN record pertaining to the territory should be seen as a step in the right direction.

Losing his senate seat did not discourage Tuheiava from continuing his UN decolonization work, as he and Temaru once more went to New York to address the General Assembly’s Fourth Committee in October (OTR,

22 Oct 2014). Partly influenced by their testimony, the General Assembly passed another resolution on French Polynesia on 5 December, in which it once more denounced France’s lack of cooperation with UN decolonization agencies—including Paris’s continuing refusal to submit information on the territory as is obligatory under article 73e of the UN Charter—and reaffirmed its call for the French and territorial governments to collaborate with UN agencies in educating the people of the country about their right to self-determination (United Nations 2014a).

Meanwhile, at home, the ongoing UN debate on decolonization and nuclear testing effects was having unforeseen and profound impacts on local politics. Once locked out of the presidency, Gaston Flosse, who as recently as June 2014 had insulted significant sections of the population by ordering the removal of the monument commemorating the nuclear-test victims from a prominent position in a Papeete seafront park, suddenly rediscovered his anticolonialism. Following Hollande’s refusal to grant him a pardon, Flosse first publicly proclaimed that he felt entitled to such a pardon because he had served French national interests by supporting the nuclear-testing program. Then, to protest against the way he was treated, he returned his Legion of Honor medal (the highest order of merit of the French Republic) in an open letter to Hollande, whom he blamed personally for his removal from office (*TPM*, Oct 2014). From then on, Flosse’s discourse turned increasingly hostile toward the French government, to the point of rhetorically outdoing UPLD.

The release of the UN report, as weak as it was in substance, helped to put the plight of former test workers suffering from radiation-caused illnesses back in the headlines. The so-called Morin Act of 2010 that provides compensation for health damages caused by nuclear testing has been largely ineffective, since only fourteen individuals have as yet received compensation under its terms. A new version of the law that supposedly facilitates compensation claims was passed in 2013 but was only enacted by decree of French Prime Minister Manuel Valls on 15 September 2014, and nuclear-testing victims' association Moruroa e Tatou spokesperson Roland Oldham stated that he was doubtful whether the new version would be any more effective than its predecessor (TI, 17 Sept 2014).

Meanwhile, Flosse, through his protégé Tuihani, had discovered the nuclear issue as a new warhorse. In mid-October, President Fritch traveled to Paris on his own and met with French government officials to obtain new funds for the permanently bankrupt territorial government without coordinating these efforts with Flosse beforehand (*TPM*, Nov 2014). Flosse felt bypassed, and the display of good relations with Paris by his successor added insult to injury. By November, tensions among Flosse, Tuihani, and the majority of Tahoeraa assembly members on one hand and Fritch and his cabinet on the other, had reached such heights that Flosse was ready to topple his successor and break up the party.

On 21 November, Tuihani thus introduced a resolution asking France to pay the territory compensation for

the environmental damage caused by the tests, in addition to the yearly lease plus interest for the land on which the testing facilities were built, which France had never paid. In total, the resolution asked for 90.4 billion CFP francs (US\$900 million). Unrealistic as the demands were in substance, Flosse's political goal was to introduce a resolution in line with UPLD's anticolonial rhetoric that would be too tempting for Temaru and his supporters not to vote for, while his own Tahoeraa members would be forced to vote for it out of loyalty. The plan worked; on 27 November the resolution was adopted with a majority composed of 25 Tahoeraa members as well as the entire UPLD caucus, while 11 Tahoeraa members (those loyal to Fritch) and members of ATP voted against. To increase pressure on Paris, Senator Iriti Teura, another Flosse loyalist within Tahoeraa, introduced a written question to the French government that was identical to the assembly resolution. High Commissioner Beffre called the resolution an "unfriendly gesture" toward the French state (*TPM*, Dec 2014).

Flosse had thus reached his first goal of severely annoying Paris in a spirit of revenge for his dismissal. His second goal—to create a new majority out of his Tahoeraa loyalists and UPLD based on a common anticolonial rhetoric (as he had already done in 2007–2008) in order to topple Fritch—was more difficult to reach, as Temaru was not ready to commit to such an alliance.

In late December, Flosse was offered another opportunity to sideline Fritch when a pay raise for the president came up in the assembly's finance

committee. In 2013, Flosse had his presidential salary cut in half due to a new French law limiting the salary a senator could receive for local political offices held concurrently. This had the effect of having the president paid only 380,100 CFP francs (about US\$3,500) per month, while his cabinet ministers were paid 680,580 CFP francs (about US\$6,300). Not being paid a senator's salary concurrently, Fritch considered this situation unjust. While the Tahoeraa majority in the committee, likely on Flosse's directives, voted against the pay raise, UPLD refused to vote with them, arguing that Fritch was justified in being paid the same as his ministers (TI, 18 Dec, 19 Dec 2014). The fact that UPLD supported the president against Flosse was the first indication that Flosse's plan to forge an alliance with UPLD was indeed not working. Barely two months later, the assembly's permanent committee voted unanimously to adjust the president's salary as originally planned (TI, 5 Feb 2014).

While at first glance the salary adjustment appears a just cause, it was in fact symptomatic of the country's political elite living in a luxury world completely disconnected from the common people. Instead of "adjusting" Fritch's salary to that of his ministers, it would have been far more useful to "adjust" their salaries to the 2013 level of the president's salary, which is clearly no small amount. Furthermore, the argument that, unlike Flosse before, Fritch had to survive on the "meager" presidential salary alone was also flawed, since Fritch, while not a senator, still concurrently holds a second salaried office as mayor of Pirae and would thus have earned

more than enough even if the presidential salary had been kept at the lower level. Lastly, the fact that UPLD, as a supposedly anticolonial party working toward establishing a sovereign country not dependent on French subsidies, evidently supports extravagant elite salaries that the country could never afford if it were independent sheds a bad light on the party's credibility.

That Flosse was by no means more principled and insisted on austerity in this case only in order to score off Fritch became clear when the ex-president and his partner Pascale Haiti were arrested and detained on 12 December on charges of theft of public goods after being accused of having taken custom-made china and silverware from the presidential palace to their private home (RNZI, 12 Dec 2014). Apparently, since Flosse was unable to ally with Temaru to overthrow Fritch, he could at least humiliate him by blocking his pay raise and leaving him without the luxury presidential dishes and silverware, while symbolically maintaining a "presidential" lifestyle for himself.

For a few months, the situation remained calm, but on 29 January, Tuihani introduced a proposal to amend the organic law of French Polynesia, including an increase in the country government's prerogatives as well as a passage allowing a nonmember of the assembly to be elected president. This was clearly meant to enable Flosse to regain the presidency while his rights to vote or run for office remained suspended, and it led to severe criticism not only by the opposition parties but also by pro-Fritch members of Tahoeraa (TI, 29 Jan, 30 Jan 2015).

Tensions between Flosse and Fritch further increased when, on 6 February, the French Constitutional Council ruled in favor of the opposition's complaints from September and declared the senatorial election invalid. As a consequence, Senators Teura and Dubois were removed from office and a by-election was called for May (*DT*, 6 Feb 2015). Flosse immediately assembled the Tahoeraa steering committee to have Teura and Dubois reconfirmed as senatorial candidates, while Fritch, seeing the upcoming election as a chance to increase his own power, suggested Vice President Laurey and assembly member Lana Tetuanui as candidates. A meeting on 20 February between Flosse and Fritch, who had not personally communicated since September, was held only to put a good face on the matter and did nothing to ease their steadily deteriorating relationship (*TI*, 20 Feb 2015; *TPM*, March 2015).

The assembly session of 2 April became another test for the changing political majorities. The assembly voted to accept a convention signed between Fritch and the French government at the end of the previous year, under which the French state would financially contribute to the social solidarity scheme provided by the country government. UPLD voted with ATP and 16 Fritch supporters for the resolution, giving it a strong majority of 35 votes (*TI*, 2 April 2015). Once again Flosse's strategy to use UPLD to form an antigovernment majority with his Tahoeraa loyalists had failed.

During the next few weeks, Flosse attempted to strengthen his influence by using a heavy-handed approach toward party discipline. Insisting on

a strict application of Tahoeraa's by-laws, an extraordinary meeting of the steering committee expelled Laurey and Tetuanui from the party because they refused to comply with orders to withdraw from the senatorial race and were thus considered running on an opposing ticket. This was later formally confirmed by the party leadership (*TPM*, May 2015).

In early May, the split between the two factions of Tahoeraa became finalized. At the senatorial by-election of 3 May, the Laurey-Tetuanui ticket won a clear majority in the first round, as not only electors of the Fritch wing of Tahoeraa but also many ATP and even some UPLD electors voted for them (*TI*, 3 May 2015).

Strengthened by this clear verdict, Fritch and his supporters formed a new assembly caucus named Tapura Huiraaatira ("People's List") on 5 May. Fifteen assembly members joined the new group, while twenty-three remained loyal to Tahoeraa. In coordination with the two opposition caucuses, the members of the various assembly committees were newly constituted and filled proportionally (*TI*, 7 May 2015). Of Flosse's loyalists, only Assembly Speaker Tuihani was able to hold on to his position, since the Organic Law of French Polynesia provides for the election of a new Speaker in between terms only in the case of the incumbent's resignation. Of the five parliamentarians representing the country in Paris, only National Assembly member Jonas Tahuaitu remained loyal to Flosse, while, besides the two new senators, the two other National Assembly members, Maina Sage and Jean-Paul Tuaiva, were also supporters of Fritch.

A few days later, the Tahoeraa steering committee expelled all founding members of the new caucus. President Fritch, on the other hand, was a more complicated case because he was last elected deputy leader of the party by a convention in 2014, an election that according to Tahoeraa's by-laws can only be nullified by another party convention (TI, 12 May 2015). While Flosse repeatedly called on Fritch to resign, he refused to do so.

After a short period of stability of approximately two years, the country thus descended back into a political chaos without clear majorities. Instead of the two-thirds majority stemming from the May 2013 assembly elections, the president now only held a minority of fifteen members. Referring to the constant changes made in the electoral system in order to create stable majorities, to no avail, an observer commented sarcastically that "no matter what the French do to create stability, our politicians manage to turn it into instability" (anonymous, pers comm, 25 June 2015).

With Fritch thus being a president without a majority, it came as little surprise that on 27 May he formed a coalition government with ATP, whose pro-French, anti-Flosse platform is almost identical with his own, and ATP leader Teva Rohfritsch joined the cabinet as minister for economic affairs (TI, 27 May 2015).

The coalition with ATP gave Fritch eight additional assembly members, but with twenty-three members total it is still a minority coalition and would need the support of either UPLD or Flosse's "rump-Tahoeraa" to pass laws and resolutions. As a reconciliation between Fritch and Flosse seems

increasingly unlikely, UPLD has thus become a courted party that tips the scale, forming ad hoc alliances with either the Tapura-ATP government or the opposition Tahoeraa remnant depending on the circumstances. According to a local journalist, UPLD is thus enabled to play a "subtle game of liar's poker" (TI, 3 July 2015).

While another switch in majorities cannot be ruled out for the near future, Flosse's plan to woo UPLD with anticolonial rhetoric into a permanent coalition and overthrow Fritch in a no-confidence motion has not worked out so far. Considering the political culture of the country and its dynamics, it appears a far more likely scenario that further Tahoeraa members will cross the floor if offered ministerial portfolios or other offices by Fritch. This already happened in early June, when another Tahoeraa member crossed over to join Tapura, increasing its strength to sixteen (TI, 9 June 2015).

Fritch—who like the other historical Flosse-dissident presidents, Alexandre Léontieff and Gaston Tong Sang, is not as charismatic a leader as either Flosse or Temaru—clearly entered the presidency only by particular circumstances, and whether he will be able to maintain himself in the face of possible intrigues by others is far from sure. Whether Flosse, now 83 years old, will ever regain the presidency remains to be seen, but his longevity, both physically and politically, should not be underestimated, as so far he has returned in full force each and every time the end of his political career seemed imminent.

With the most able political leader a notoriously corrupt figure like Flosse

and with few emerging politicians with leadership qualities yet in sight, French Polynesia finds itself in a deep-seated leadership crisis. This can be observed not only in politics but in other fields as well, such as sports, where one of the saddest failures of leadership has occurred. Fédération Internationale du Football Association (FIFA) official Reynald Temarii, former professional football player and then minister for sports and youth under Flosse in the early 2000s, became one of the few Tahitians ascending to a high-profile international role when he was appointed FIFA vice president a decade ago. However, being a true product of the political system of French Polynesia, as an international sports official Temarii has done nothing but be involved in corruption affairs. In the latest FIFA scandal about the bribes that attended the awarding of the 2022 World Cup to Qatar, Temarii was once more summoned and interrogated as a major suspect and ended up being suspended from any association football activities for eight years by the FIFA ethics commission (TI, 13 May, 30 May 2015; *TPM*, June 2015).

Leadership failures also became evident in the virtual inaction of government institutions in the face of the Chikungunya epidemic that ravaged the country during the review period. Imported from Africa via other French overseas territories, the mosquito-borne disease was already affecting over 11,000 people in November (TI, 21 Nov 2014). Efforts to curb the epidemic by eradicating the invasive mosquito species responsible for its spread were done only perfunctorily. By the end of the year, there were more than 130,000 cases (out of an

overall population of 270,000 for the entire country) and 14 deaths (PIR, 9 Jan 2015).

The deaths included famed singer Barthélémy Arakino, who passed away on 16 February at the age of 59 from Chikungunya-derived complications (*TPM*, March 2015). Also among those who joined the ancestors during the review period were veteran pro-independence leader Tetua Mai of Huahine, who died at the age of 76 (*TPM*, June 2015), as well as Papa Mape of Moorea (age 82) and Coco Elacott of Bora Bora (age 64), two prominent experts of Polynesian tradition and ancestral knowledge, which, unfortunately, is less frequently passed down to younger generations as time goes on (*TPM*, Dec 2014, Jan 2015).

What exactly the future will hold for the country seems less clear than ever, but the French colonial “motherland” is so crisis affected itself that it appears increasingly unable to contribute to the territory’s economic development. If anything promising can be seen on the horizon in that sense, it will most likely be intensifying economic relations with China. In early June, President Fritch, after having consolidated his power base for the time being, visited various parts of China to negotiate investments in tourism and other industries (TI, 4 June, 6 June 2015).

Meanwhile, two big projects financed with Chinese capital are already underway in the country. The first is the “Tahiti Nui Ocean Foods” complex on Hao Atoll in the Tuamotu Archipelago, a gigantic aquaculture farm to be funded through an investment contract of 150 billion CFP francs (US\$1.5 billion) over fifteen

years by Chinese company Tian Rui International Investments, with construction officially inaugurated on 6 May (*TPM*, June 2015).

Second, Flosse's last big pet project, a large-scale tourism development also to be funded from China named "Mahana Beach" in Punaauia, is in its planning stages. The envisioned mega-complex of hotels and resorts is meant to imitate that of Waikīkī in Hawai'i, and the construction design was awarded to the Honolulu-based architectural firm Group 70 International. As it would surpass everything ever built on Tahiti before and include for the first time high-rises and a casino (both currently illegal under local laws), *TPM* editor Alex Du Prel called it a "pharaonic project" (*TPM*, Aug 2014). UPLD denounced the project as being too costly as well as discriminatory to the local population, as it is planned to suspend the local minimum wage on the construction site and bar local residents from visiting the casino (TI, 12 Sept 2014). Also, the profitability of the project is still doubtful, since the tourism industry in the country has been generally failing due to cheaper and more efficient competition on the part of other Pacific destinations such as Fiji, the Cook Islands, and Sāmoa, and as a consequence, dozens of hotels have closed in French Polynesia during the past few years.

In any case, the geopolitical reorientation of the Pacific Islands from the colonial and neocolonial West to East Asia and other emerging or reemerging non-Western powers such as India and Russia, as is most visibly articulated by Fiji and its neighbors in the southwestern Pacific, is becoming evi-

dent in French Polynesia as well. With its weakened economy, France itself is unlikely to remain an important player in the region. While a few years ago there were unconfirmed rumors about the United States building a military installation on Mangareva in the east of the country (TI, 12 July 2013), a recent move of the Teva I Uta municipality on Tahiti's south coast to twin itself with the Russian town of Kronstadt appears quite interesting from a geopolitical perspective (TI, 24 June).

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HAWAIIAN ISSUES

This year has been a milestone for Native Hawaiians. New voices are emerging in the community, and the debate is no longer whether there will be a Hawaiian nation; the struggle now is over what form it will take. Key events included protests against the construction of new telescopes on Mauna Kea and Haleakalā, several important new publications by Kanaka Maoli authors, and controversial efforts toward nation building and federal recognition.

On day 68 of the ongoing vigil to protect Mauna Kea, Ku'uipo Freitas, a student in the master's program at Ka Haka 'Ula O Ke'elikōlani (the College of Hawaiian Language) at the University of Hawai'i–Hilo and one of the young leaders of the vigil, wrote: "There's a difference between protesting (western perspective) and aloha 'āina (Hawaiian perspective). We love our 'āina [land], our language, our culture, our keiki [children] and we will do whatever it takes to protect our future" (Freitas 2015).

No'eau Peralto is a scholar engaged in kuleana-based research and activism in Hāmākua on the island of Hawai'i, his kulāiwi (homeland). "We are the Mauna," he proclaimed, "and our treatment of it reflects a deeply ingrained notion of the ways in which we now view and treat ourselves and

each other. In neglecting our kuleana to mālama this 'āina [our responsibility to care for this land], we ultimately neglect our kuleana to the future generations of our lāhui [our nation]" (Peralto 2014, 241).

Ku'uipo and No'eau are but two of the next generation of Native Hawaiians raised in aloha 'āina and well schooled in contemporary politics and traditional values. They arise out of a legacy of Native Hawaiian activism that was the Hawaiian cultural and political renaissance of the latter half of the twentieth century. These children and grandchildren of the first aloha 'āina warriors are showing up at rallies for Hawaiian independence, making impassioned pleas to the trustees of the Office of Hawaiian Affairs (OHA) to stand with them in the struggle to regain control of Hawaiian lands, and, under the watchful eye of their kūpuna (elders), these young people are leading the movement to prevent construction of a thirty-meter telescope on Mauna Kea as well as the Daniel K Inouye Solar Telescope on Haleakalā. This review focuses on the resistance on Mauna Kea, but it must be noted that similar arguments are being made on both mountains concerning state stewardship of resources. (For more on the Haleakalā telescope project, see Associated Press 2015; Cocke 2013).

Much of the work of Native Hawaiian activism over the past sixty-five years is documented in *A Nation Rising: Hawaiian Movements for Life, Land, and Sovereignty* (Goodyear-Ka'ōpua, Hussey, and Wright 2014). This book is one of a number of groundbreaking works

by Native Hawaiian scholars published in 2014, including volumes by Kamanamaikalani Beamer, Katrina-Ann Kapā Oliveira, Aiko Yamashiro and Noelani Goodyear-Ka'ōpua, and Iokepa Casumbal-Salazar. Collectively these works contribute to the growing body of scholarly works grounded in Native Hawaiian knowledge systems and beliefs.

Through essays and photographs, *A Nation Rising* paints a vibrant and dynamic picture of the emergence and growth of the Hawaiian independence movement. One of the major themes in the book is Native Hawaiian political activism to regain control of the Hawaiian Kingdom Crown and Government Lands, also known as the ceded lands. The contested sacred site, Mauna Kea, is included in this inventory of lands.

Another Native Hawaiian issue that has heated up this year is the realpolitik of building a Hawaiian nation. The US Department of the Interior (DOI) and the State of Hawai'i, including the legislature, the governor's office, and the semi-autonomous state agency OHA, have attempted to address the mechanics of nation building. OHA, in conjunction with the state, stepped up efforts to create a roll of Native Hawaiians and to organize a structure for Native Hawaiian governance. Meanwhile, the DOI took initial steps toward federal recognition for Native Hawaiians through executive order. Hawaiian independence advocates are contesting both these efforts, arguing that neither addresses a critical element of self-determination: control of one's own lands and resources—for Native Hawaiians, that would be the Hawai-

ian Kingdom Crown and Government Lands.

Many years ago, traditional navigator and former University of Hawai'i Regent Nainoa Thompson made the connection between Mauna Kea and this larger issue of land and sovereignty: "Mauna Kea is the center of our spirituality. For it to be the place we debate this issue is not by chance," he said in a *Los Angeles Times* article (McFarling 2001).

The movement to protect Mauna Kea is arguably the Hawaiian issue that has garnered the most attention locally, nationally, and internationally in the past year. Although the dispute has reached a critical juncture this year, the presence of telescopes on the mauna has been contested for decades. The 2005 video *Mauna Kea: Temple Under Siege* documents early efforts to rein in development on the mountain (Lander and Puhipau 2005). In this film, defenders of Mauna Kea, including a wide range of Native Hawaiians and allies, speak out against the desecration and environmental degradation of the mountain, making cogent arguments about religious freedom and the responsibility to protect a fragile ecosystem. In the end, though, these voices were powerless against the economic and scientific interests that control land use on the mountain. The video ends with these words: "In 2004, for the first time in thirty-five years, NASA completed a study on cumulative impacts of astronomy development on Mauna Kea and found that the impact was significant and adverse. NASA and the University of Hawai'i continue with plans for more astronomy development" (Lander and Puhipau 2006; see

also Hawaii State Auditor 1998, 2005; Ho 2003; McFarling 2001).

In following years, the defenders of the mountain did thwart the expansion of one telescope array on the mauna. In 2007, a group of petitioners successfully sued to overturn a Board of Land and Natural Resources (BLNR) permit for additional telescopes at the W M Keck Observatory. The judge's ruling stated that the project did not have an adequate management plan in place. In 2011, this same group of petitioners entered into a contested case proceeding to challenge a Conservation District Use Permit granted to the University of Hawai'i–Hilo to build a thirty-meter telescope on Mauna Kea (*Hawaii Independent Staff* 2011; Casumbal-Salazar 2014, xxxi). The plaintiffs have taken this contested case to the Hawai'i Supreme Court, and oral arguments are scheduled for 27 August 2015.

TMT Observatory Corporation (TMT), an international consortium based in Pasadena, California, proposes to build and operate the thirty-meter telescope within the Mauna Kea Science Reserve. Advocates in the scientific community argue that this telescope is “an essential tool to address questions in astronomy ranging from understanding star and planet formation to unraveling the history of galaxies and the development of large-scale structure in the universe” (Thirty Meter Telescope website 2015). Local supporters of the project argue that astronomy brings needed economic stimulus to West Hawai'i Island (Ramonés 2014). For Native Hawaiians, Mauna Kea is a wahi pana (storied place) and a sacred place. They argue that the astronomy

community is not fulfilling its kuleana to protect sacred sites and fragile habitats (Casumbal-Salazar 2014; Lander and Puhipau 2005).

In 2014, contention between opponents and supporters of TMT heated up when TMT scheduled a groundbreaking ceremony for the site despite ongoing litigation (Caron 2014). Native Hawaiians disrupted the ceremony, putting TMT, the University of Hawai'i, and the BLNR on notice that they would not allow the telescope project to move forward. In April and June 2015, operating under a strict discipline of kapu aloha (respectful, ritual restraint), demonstrators put their bodies in front of construction equipment on the mountain.

Political debate on the development on Mauna Kea is closely tied to the question of control of lands and the shared sense that a grave injustice was perpetrated on the Hawaiian people in the aftermath of the 1893 coup that deposed Queen Lili'uokalani. Many agree with former Governor John Waihe'e's observation: “I know very few Native Hawaiians who aren't moved by the fact that the United States illegally took over Hawaii” (Bussewitz 2015). This fact of history, as Waihe'e referred to the illegal taking of Hawai'i, has generated many possible ways to move forward as a Hawaiian nation.

Hawai'i's congressional delegation, led by US Senator Daniel Akaka, attempted to resolve the issue by means of federal legislation to recognize a Native Hawaiian governing entity. The Native Hawaiian Government Reorganization Act, also known as the Akaka Bill, would create a nation-to-nation relationship between

the United States and the Native Hawaiian governing entity similar to that of Native American governing entities (Kauanui 2014, 313). Proponents of the legislation argued that it would protect Native Hawaiian entitlement programs and foreclose the possibility of future lawsuits claiming that these programs are race-based and therefore illegal. When it became clear that the US Congress would not enact the Akaka Bill, the State of Hawai'i and the administration of US President Barack Obama embarked on different paths for recognition of Hawaiians as Native peoples within the United States. J Kēhaulani Kauanui has pointed out the limitations of either a state or a federal process for creating a Native Hawaiian governing entity. First, these processes would “undercut the restoration of the Hawaiian nation under international law” (Kauanui 2014, 312). The Native Hawaiian governing entity created under either of these frameworks, Kauanui also argued, would represent “a collective acquiescence [by Native Hawaiians] to the US government or its subsidiaries” (2014, 314).

The advantages and drawbacks of federal recognition (also referred to as a nation-within-a-nation, domestic dependency, or a tribal model) have been debated in the Native Hawaiian independence movement since its early days (Ka'iama 2014; Kauanui 2014; Bussewitz 2015). The summer of 2014, though, opened up the debate on these important issues of land and self-determination to a broader Native Hawaiian public. At the request of Hawai'i's congressional delegation as well as state politicians and leaders in the Hawaiian community, the DOI

held a series of meetings across the state and in Indian Country (Native American communities throughout the continental United States) for the expressed purpose to “solicit comments that could help determine whether the Department develops a formal, administrative procedure for reestablishing an official government-to-government relationship with the Native Hawaiian community and if so, what that procedure should be.” According to the DOI, the purpose of such a relationship would be “to more effectively implement the special political and trust relationship” that currently exists between the federal government and the Native Hawaiian community (DOI 2014a).

To the surprise of both establishment and radical Hawaiian political leaders, thousands of Native Hawaiians attended the hearings. Entire families testified, sharing cross-generational stories of loss and of hope. The hearings were, it seemed, an opportunity for the Hawaiian nation to speak to itself. Digital technology allowed the hearings to be streamed over the Internet via public-access community media organizations. Social networks lit up with conversations about what federal recognition or independence would mean for Hawaiians. The preponderance of oral testimony opposed federal recognition. The DOI stated at the hearings that it will not pursue the rule-making process if the majority of both oral and written comments are opposed to the process. Transcripts of the hearings are available at the DOI website (DOI 2014b).

In August 2015, the DOI press secretary had confirmed “that in response to an extensive public com-

ment period with public meetings, as you are aware, in Hawaii and also Indian country in the continental United States and requests from congressional states and Native Hawaiian community leaders, the Department of Interior will propose a rule that establishes an administrative procedure that the secretary would use if the Native Hawaiian community forms a unified government that seeks a formal government-to-government relationship with the United States” (Blair 2015). On 29 September 2015, the DOI made public its proposed rules that would govern a relationship between the federal government and a Native Hawaiian governing entity (Hawaii News Now 2015). Events surrounding nation building and federal recognition are continually unfolding and will most certainly be reported in next year’s update.

The chairman of the Native Hawaiian Roll Commission, former Governor Waihe‘e, was reported as saying that “the effort [of the Department of the Interior] syncs nicely with the nation-building process overseen by the Native Hawaiian Roll Commission” (Perez 2014). In 2011, the Hawai‘i State Legislature created Act 195, the Native Hawaiian Roll Commission, the purpose of which is “to provide for and to implement the recognition of the Native Hawaiian people by means and methods that will facilitate their self-governance, including the establishment of, or the amendment to, programs, entities, and other matters pursuant to law that relate, or affect ownership, possession, or use of lands by the Native Hawaiian people, and by further promoting their culture, heritage, entitlements,

health, education, and welfare” (Hawaii Revised Statutes 2011). In her essay in *A Nation Rising*, Kauanui provided a cogent summary of the rationales that led up to this legislation. She pointed out the inherent limitations of the state and federal structures for nation building and documented the arguments against the process of recognition outlined in Act 195. She recounted the day when the legislation was signed into law: “In many ways, that historical moment marked the depressed culmination of a decade of resistance to the Akaka Bill and state co-optation of the Hawaiian sovereignty struggle” (Kauanui 2014, 313). These efforts to fold Native Hawaiian sovereignty into the state and federal governments have galvanized Native Hawaiians around Hawaiian nationhood. What form that nationhood will take has yet to be determined.

OHA has taken the lead in organizing the process by which Native Hawaiians on the Native Hawaiian Roll will establish a Native Hawaiian governing unit. In March 2014, OHA announced that it would facilitate the nation-building process but refrain from advocating a specific model. Trustee Haunani Apoliona, chair of an ad hoc governance committee, said, “We will remain neutral and ensure that the people can provide meaningful input on the process and that the outcomes reflect the will of the Native Hawaiian people. Simply put, our commitment is to provide support by letting Native Hawaiians determine the desired outcome” (Essoyan 2014).

OHA has contracted with Na‘i Aupuni to move forward with efforts to convene a constitutional convention

that would create a Native Hawaiian governing entity. According to its website, Na‘i Aupuni is an independent organization made up of a volunteer board of directors from the Hawaiian community. The organization “exists solely to help establish a path for Hawaiian self-determination.” Na‘i Aupuni will facilitate three stages of nation building: electing delegates to a constitutional convention, building a constitution at the convention of delegates, and ratifying the constitution (Na‘i Aupuni website 2015). This process is not without controversy. Native Hawaiians are asking whether the constitutional convention will adequately address these fundamental questions circulating in the Native Hawaiian community: Is Hawai‘i a legally constituted state of the United States or an occupied independent nation? (Sai 2011) and How do we protect Native Hawaiian entitlement programs at the state and federal level? (Apo 2014). These issues are too complex to be addressed in the abbreviated process outlined by Na‘i Aupuni. As Goodyear-Ka‘ōpua pointed out, “the scope and complexity of the issues require ‘Ōiwi [Native Hawaiians] and settlers to continuously and constructively engage in conversations and decision-making processes because the problems cannot be solved or swept under the rug even if full sovereignty, pseudo-sovereign government reorganization, or some other state-initiated settlement is achieved. Like breathing, the work of ea [sovereignty] will continue on and on” (Goodyear-Ka‘ōpua 2014, 30).

Nevertheless, Na‘i Aupuni continues on its timeline for an election, convention, and ratification process.

This timeline calls for convening an ‘aha (meeting or assembly) on O‘ahu between February and April 2016. The ‘aha is, according to the Na‘i Aupuni website, “a gathering of elected delegates who will come together to decide whether or not to create a document or constitution for a nation and its governance. Any document, constitution or structure developed at the ‘Aha may be voted upon in a referendum by registered Hawaiian voters.” The work of forty delegates will be completed over the course of eight consecutive weeks (forty work days, Monday through Friday). If delegates recommend a form of Hawaiian government, a ratification vote will be held among all certified Native Hawaiian voters two months after the ‘aha concludes (Na‘i Aupuni website 2015).

This is a time of great turmoil and great promise for Native Hawaiians. A process for establishing a Native Hawaiian governing entity is moving forward. The protectors of Mauna Kea continue their vigil on the mountain, and the situation remains unresolved. The struggle over control of this sacred site, though, has strengthened the commitment of Native Hawaiian nationals to work toward Native Hawaiian control not only of Mauna Kea but also of all the Hawaiian Crown and Government Lands.

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MĀORI ISSUES

We lost a number of well-known Māori leaders in the past year. Henare Rakiihia (Rik) Tau, a Ngāi Tahu leader, passed away at the end of June 2014. He filed the Ngāi Tahu claim against the Crown in 1986 and was the driving power behind the success-

ful hearings of the claims and their eventual settlement. Amster Reedy, a Ngāti Porou leader, passed away in September. He was an expert in ancient Māori rituals and was called on as the kaumātua (expert elder) and cultural advisor to New Zealand teams for four Olympic games. In October, Jonathan Mane-Wheoki, of Ngāpuhi, Te Aupōuri, and Ngāti Kuri descent, passed away. He was a professor of fine arts and one of New Zealand's leading art historians. Rāhera Barrett-Douglas, Ngāti Maniapoto, also passed away in October. She led her iwi (nation) as the chair of the Ngāti Maniapoto Trust Board in the 1990s. In November, it was Eru Thompson, a Tainui leader. He was an acknowledged and respected historian and traditional expert whose knowledge and wisdom were sought after throughout Tāmaki Makaurau (Auckland). In February 2015, both Apirana Mahuika, Ngāti Porou, and Tama Huata, Ngāti Kahungunu, joined their ancestors. Apirana Mahuika led his iwi as chair of Te Rūnanga o Ngāti Porou from its establishment in 1987 until his death. Tama Huata was an outstanding leader in Māori performing arts; he founded the Kahurangi Māori Dance Theatre and the Waiata Māori Music Awards. In May 2015, there was the sudden passing of Erima Henare, a Ngāti Hine leader. He was an acknowledged expert and authority on Māori language, history, traditions, genealogies, and laws, particularly in Te Tai Tokerau (the North); he was also the chair of the Māori Language Commission. Mauriora Kingi, Te Arawa, passed away suddenly a month later. He was a respected and influential advisor of local and central

government on Māori law and culture and served as the Rotorua Lakes Council's director on Māori matters. We bade each of them a peaceful journey as they traveled to rejoin their ancestors in far-off Hawaiki.

Leaders of the caliber of these people—who spend a great deal of their lives in the service of their whānau (extended family), hapū (grouping of whānau), and iwi (grouping of hapū, nation) as well as the wider community—are greatly sought after. Most often in the Māori world they are identified at a young age and trained by their elders to take over the mantle of leadership at an appropriate time. Whakapapa (genealogical) links are very important. The English words *lead* and *leader* are considered inadequate descriptors for the role and the people we refer to as our rangatira. This word provides some insight into the role: *ranga* is a shoal of fish that swims in unison; *tira* is a group of people. The derivation *raranga* is to weave. Rangatira are those who weave the people together so that they move in unison (Mutu 1992, 60). Their role has nothing to do with either the assertion of power by one (or some) over others or notions of hierarchy, superiority, and dominance (Mikaere 2010)—meanings that are inherent in the English word *leader*. Rangatira require attributes of integrity, generosity, and humility, the abilities to listen to and take the people with them, to keep their word, and to enhance the mana (power and authority derived from the gods) of the people (Diamond 2003). Māori societal values including mana, tapu (spiritual power or protective force), tikanga (correct way of doing things, law), whanau-

ngatanga (kinship), and rangatira-tanga (exercise of mana) determine how rangatira conduct themselves and carry out their roles.

True rangatira these days are the heads of their whānau and hapū. Sometimes iwi leaders are rangatira, but the imposition of Pākehā (European) legal structures on iwi bodies as part of the treaty claims settlement process makes it difficult for them to adhere to Māori values that define the role of a rangatira. Processes imposed by these structures for appointing the organizational leaders favor those who have experience in Pākehā organizations, particularly government departments. Those who are able to get around the assimilationist aims of these structures are the ones who put their people's needs ahead of Pākehā demands, who know and understand their people and their whakapapa, their customs and traditions, their lands and resources, their relationships and obligations to neighboring and related whānau, hapū, and iwi; how to settle disputes; and how to represent their people with pride and dignity. They work for little or no financial reward, their hours of work are endless, and most are only known within the Māori world (Knox 2003; H Mead and others 2006; A Mead 1994).

Part of the colonizing agenda of the British was to replace Māori society and culture with their own and in doing so to assimilate and redefine Māori leadership. British histories written about early European encounters with Māori denied the role of women as rangatira (Mikaere 2010), inflated the status of those rangatira who were willing to accede to the

visitors' directives (Mutu 2012b, 103), and demonized those who put the well-being of their people ahead of the desires of the foreigners (Henare 1989). Since the mid-nineteenth century, the British tried either to recruit young Māori leaders to retrain them or to train young Māori and then declare them to be Māori leaders. These attitudes and behaviors carry on to this day.

From the outset of the current drive to extinguish all Māori claims against the British Crown, governments have tried to impose their preferred negotiators on iwi entering negotiations (Mutu 2005, 201) in an attempt to marginalize the rangatira mandated by those iwi as negotiators. Where this failed, they began incentivizing Māori government servants to take over the leadership and control of their own iwi's negotiations with the Crown and to drive them through to government-determined settlements (Mutu and others in preparation). Despite protests from those iwi about conflicts of interest, corruption, and the major upheavals that these divide-and-rule tactics always cause, the practice has become increasingly common (Mutu and others in preparation). One of the incentives provided to government servants and collaborators is the awarding of Queen's Honours to those who achieve settlements—a token of the government's gratitude at having been delivered an escape route from the astronomical liabilities arising from past and ongoing government atrocities against Māori. In the past two years, no fewer than six such awards have been made to iwi negotiators, several of whom are or have been government servants (Department of

the Prime Minister and Cabinet 2015; Waatea News 2014).

Government-appointed Māori leaders often have a high media and public profile, but they are most often “leaders of non-Māori organisations in the non-Māori world” (Knox 2003, 2). They adopt a style of leadership that eschews traditional Māori values, imposes hierarchical notions of superiority and dominance, and mimics British societal values of the right of individuals to personal security, personal liberty, and private property. This prioritizes the pursuit of monetary and material gain and political power. The government has been at pains to emphasize the monetary value of settlements it achieves with Māori and the opportunity of increased political influence for Māori that may result from them (Stone 2012, 140). It is careful to avoid any discussion on the legislative extinguishment of Māori sovereignty, ownership, and human rights that settlements deliver for governments and that many claimants are far more concerned about (Mutu 2012a).

The composition and work of the National Iwi Chairs’ Forum is an example of the dynamics involved when true rangatira and government-favored leaders attempt to work together. The forum is an informal but highly organized group of the chairpersons of sixty-seven organizations from around the country, each mandated to represent their iwi in some capacity (National Iwi Chairs Forum 2015). Almost all its members are men. It was established in 2005 and, while the Labour government refused to recognize the group, the National Party-led government has

worked with the forum since 2008 at the behest of their coalition partner, the Māori Party. Government attempts to attribute the representation of all Māori to the forum have been firmly rejected. There is no body that holds such a mandate. The government’s aspiration has always been to control the forum, but the forum has been resolute in maintaining its independence from the government. Government persistence, however, has necessitated repeated reminders of the need for vigilance in this respect.

A significant number of the members of the forum can be classified as true rangatira: people who have worked selflessly for the whānau, hapū, and iwi, fighting government oppression and denial of their rights, often for many decades, and who have been appointed by their people as their leaders and spokespersons in accordance with traditional tikanga (correct ways of doing things; law). Countering that are members who have achieved their positions as iwi chairpersons through government-imposed structures using processes derived from British culture. There is widespread criticism of many of these structures, especially from the hapū whom they disempower. This criticism has carried over into the forum (Sykes 2010). At least several iwi chairpersons are government loyalists, and a significant number of these are or have been government servants.

The National Iwi Chairs’ Forum has a number of working groups that carry out work in particular areas such as constitutional transformation (Mutu 2015, 276); fresh water; climate change; foreshore and seabed conservation; the recovery of lands

and resources including oil and minerals; housing; and economic development. One or more iwi chairpersons lead each group. A number of technicians and experts in the various fields (working largely voluntarily or funded by iwi organizations) carry out research, ascertain the views of whānau and hapū throughout the country, and draft reports for presentation at the quarterly forum meetings. Chairpersons with government-servant backgrounds tend to target the groups that allow them to interact with government ministers and officials. Their work is then seriously compromised when, for example, they seek ministerial approval for their reports prior to delivering them to the forum (National Iwi Chairs' Forum 2014). The prime minister and a number of ministers of Parliament are occasionally invited to quarterly meetings of the forum but only to answer specific questions. Unresolved problems within and between iwi sometimes surface in forum meetings, although tikanga has prevailed with responsibility for the problem being returned to the iwi concerned. It is the traditional rangatira who lead discussion and steer the forum.

Unresolved problems within the country's largest iwi, Ngāpuhi, continued to attract media attention throughout the reporting period. Government support for its preferred leader and negotiating body and its attempts to bulldoze through a settlement while the Waitangi Tribunal was still hearing the claims (Mutu 2015, 279) resulted in the Waitangi Tribunal granting an urgent hearing concerning the mandating process. In its decision to do so, it noted "that relationships

within Ngāpuhi have been seriously damaged by the mandating process . . . the Crown has pre-determined the outcome by 'picking a winner' and backing the winner through funding. . . . This has resulted in a 'winner and loser' dynamic which has led to the break-down of relationships within Ngāpuhi" (Jones 2014b, 41).

Problems with the settlement process were reported in a number of areas. These included reports of disenfranchised claimants trying to stop settlements for Te Atiawa, Ngāruahine, Rangitāne ki Manawatū, Tūhoe, Te Hiku o Te Ika, and Te Aitanga a Māhaki. In Taranaki, there was protest at the exclusion of the Pekapeka block in Waitara from Te Atiawa's settlement, and the Araukuku hapū unsuccessfully sought an urgent hearing in the Waitangi Tribunal to prevent their claim from being extinguished in the Ngāruahine settlement (Waitangi Tribunal 2015). In Manawatū, there was protest over the mandate of the body settling the Rangitāne ki Manawatū claims. In the central North Island, the Tūhoe settlement was hailed as remarkable in many ways. Its removal of Crown ownership and national park status from the extensive Te Urewera hill country was described as groundbreaking (Jones 2014a). However, it fell short of recognizing Tūhoe ownership. Several hapū whose claims are extinguished by the settlement without being addressed sought to stop its passage through Parliament (Māori Television 2014). In the Far North, Ngāti Kahu told the Māori Affairs Select Committee to stop the passage of the Te Hiku Claims Settlement Bill, which excludes them from large areas of

their lands by vesting them exclusively in the neighboring iwi (Radio New Zealand 2015a). In the same hearing, four of the five Ngāi Takoto marae protested about being excluded from the Ngāi Takoto settlement (Te Hiku Media 2015). On the East Coast, Mangatū Incorporation was successful in its application to the High Court to quash the Waitangi Tribunal decision not to give them binding recommendations over the Mangatū blocks. The government wanted to use these lands to settle Te Aitanga a Māhaki's claim (High Court of New Zealand 2015). Ngāti Kahu took a similar case and are awaiting the court's decision. It is inevitable that the government, which is desperate to retain its stranglehold on the settlement process, will appeal any decision that could lead to the tribunal making binding recommendations that order it to return lands it has stolen from Māori.

Meanwhile, problems were also being reported for iwi who have settled but are having difficulty holding the government to the terms of their settlements. Ngāi Tahu reported having their rights of first refusal to Crown land breached many times (Sherman 2015). Tainui and Ngāti Whātua are heading to the High Court over the government's denial of their rights of first refusal to land in Auckland (Radio New Zealand 2015b). Despite this, the government continues to maximize its revenues from the settlement process, as iwi use income generated from the settlements along with funds borrowed, usually from overseas, to purchase lands the government stole from them. In June 2015, Ngāti Tūwharetoa announced that they were paying the government

NZ\$20 million for 8,500 hectares of land "being returned by the Crown who stole it long ago" (McLean 2015b).

In the face of widespread dissatisfaction and protest against the settlements, the government has remained resolute in its drive to extinguish all treaty claims. It is determined to legislate away the serious flaws the Waitangi Tribunal has identified in the assumptions it makes about its own power and authority. This includes the false claims it makes to the lands and resources of whānau and hapū throughout the country in order to deliver privilege and prosperity to those who came and settled here as a result of the 1840 treaty, Te Tiriti o Waitangi, mainly from England. In 2014, it passed legislation extinguishing all the historical claims of Tūhoe in the Central North Island, Ngāti Hauā and Ngāti Koroki Kahukura of Waikato-Tainui, and the shared interests of the Tāmaki Makaurau Collective of the Auckland region.

In the same year the tribunal issued a report confirming that Māori did not cede their sovereignty in 1840 (Waitangi Tribunal 2014). Pākehā have always asserted that our Māori ancestors ceded our sovereignty to the British when we signed Te Tiriti o Waitangi in 1840. We have always said they didn't. English settlers relied on this falsehood to provide the justification for their claim to power and control over this country through their parliamentary and judicial system. In doing so they wove a complex tapestry of myths about Māori and about their own supremacy, which the tribunal carefully unraveled in its report.

Government reaction was instan-

taneous; they dismissed the report, baldly asserting that “the Crown has sovereignty in New Zealand” (Chapman 2014). However, the report was widely reported nationally and internationally. *The Telegraph* in London referred to it as “the historical bombshell” (Chapman 2014). The Māori world was ecstatic. Shock waves spread through the Pākehā settler community. A number of hui (gatherings) have been held since the publication of the report to discuss its implications. For many, it gave even greater urgency to the work of the group of constitutional specialists, Matike Mai Aotearoa, who have been drawing up models for a constitution for the country based on tikanga (Māori law) and the two documents that were the subject of the Tribunal’s inquiry, He Whakaputanga o Te Rangatiratanga o Nu Tirenī (the 1835 declaration of Māori sovereignty and independence) and Te Tiriti o Waitangi (the Māori-language treaty between Māori and the queen of England) (Mutu 2015, 276).

As the myth of the supreme and indivisible sovereignty of Parliament unravels, expectations of parliamentary members of Māori descent are becoming more realistic. Some may enter the Pākehā Parliament as rangatira, but that role is quickly undermined by the demands of an institution established to service the needs of Pākehā. That frequently involves passing legislation that removes the rights of Māori, such as the legislation related to the foreshore and seabed and treaty claims settlements or extinguishments (Mutu 2011). The September 2014 general election results indicated that no fewer than

twenty-six members of Parliament of Māori descent are now in the House, with all but two spread across the four main parties: National, Labour, the Greens and New Zealand First. These members owe allegiance to their parties first, not to Māori. There are only seven members (in a 120-seat Parliament) who are specifically mandated to represent Māori in Parliament. However, even they must put their party’s wishes ahead of the needs of their constituents. Six of the seven Māori seats contested in the election went to Labour, with the seventh going to the Māori Party, which also gained a list member of Parliament. Once again the Māori Party joined the National Party–led coalition government. Experience has shown that, while this allows them a place in the cabinet, it does severely constrain their ability to be an independent voice for Māori in Parliament. The Mana Party’s one member was not returned, so there are now no independent Māori voices in the House. Māori voter turnout of 67 percent (65% in the Māori seats) continued to be much lower than the overall turnout of 77 percent (Electoral Commission 2014).

One area in which the Māori Party did manage to achieve some gains was its Whānau Ora (well families) initiative. It aims to revolutionize the way government social services are delivered to Māori by having all services focus on the needs of whānau (extended family) rather than the needs of multiple uncoordinated government agencies. Its goal is to empower whānau to take control of their own well-being (Turia 2011) and to deliberately move away from the deficit model, problem-focused

approach used unsuccessfully on Māori by government agencies for many decades. In doing so, Whānau Ora aims to remove the industrialized misery under which Māori suffer and from which many Pākehā social welfare providers prosper and instead empower Māori to direct and control our own welfare systems.

The initiative had a number of teething problems caused mainly by government departments withholding resources and refusing to relinquish control. As a result, the Māori Party moved the initiative out of the government and set up three community-based commissioning agencies whose role is to allocate resources to Māori and Pacific Island-based providers who deliver directly to whānau. A report by Auditor-General Lyn Provost released in May 2015 concluded that Whānau Ora had been a success for many families despite the small amount the government has spent on it (Provost 2015, 4). However, she was very critical of the government departments involved in delivery of the program, noting that nearly a third of the total spending was on administration when it should have gone to whānau and their providers (Provost 2015, 4–5). Provost also noted a reluctance in government agencies to even consider moving away from models that have failed in the past in order to implement the Whānau Ora initiative (2015, 5). Entrenched racism in the public service means that Māori initiatives often fail because they are sabotaged by bureaucrats. The auditor-general concluded that “an innovative idea should not be abandoned just because of implementation problems” (Provost 2015, 5), and moving it away

from the public service has been an innovation that many Māori communities have welcomed.

While Māori representation at the national level is provided for in Parliament, in local and regional government it is left to the discretion of the council. Some councils have permitted Māori to participate, but others have rejected repeated requests to do so. Pākehā determination to exclude Māori from decision-making roles turned ugly in New Plymouth, Rotorua, Papakura, Tauranga, and the Far North. In New Plymouth, the district council voted to allow Māori representation, but the response from the majority Pākehā population was vicious. They campaigned vigorously against Māori inclusion and eventually forced a referendum, which overturned the council’s decision (Tuuta 2015). In Rotorua, an equally determined attempt to keep Māori out of the Rotorua Lakes Council was not as successful, with councillors accepting an arrangement that was described by a Te Arawa spokesperson as a start but far from perfect (Maoate-Cox 2015). In Papakura, Tauranga, and the Far North, superficial attempts to consider Māori representation resulted in each proposal being rejected.

Battles to protect Māori natural resources continued around the country throughout the year. Both the New Zealand Māori Council and National Iwi Chairs Forum are continuing to fight to have the government recognize and acknowledge Māori ownership of water. Protests against mining licenses issued for oil drilling off the south Taranaki bight and off both the east and the west coasts are ongoing. A delegation from iwi of the Far

North visited the Sami Parliament in Norway and attended the annual general meeting of the offending oil company, Statoil, in a bid to stop them desecrating an area sacred to those iwi (Mike Smith, pers comm, 25 May 2015). Following strong objections from Māori, the New Zealand Environmental Protection Agency refused to give consents for sand mining in south Taranaki and for phosphate mining on the Chatham Rise. The battle continued to force the owners to remove the ship *Rena*, which was wrecked on Ōtaiti (Astrolabe Reef) off Mōtītī island in the Bay of Plenty in 2011 (Mutu 2013, 168), with the owners offering financial inducements for Māori to withdraw their objections (McLean 2015a). And in Northland, Ngāti Manu were appalled at a decision to grant a consent to expand the marina in the picturesque Bay of Islands. The existing Ōpua marina has already severely polluted Ngāti Manu's Taumārere River (Nathan 2014).

On a brighter note, the Māori films *The Dead Lands*, *The Dark Horse*, and *What We Do in the Shadows* have been doing well in international film festivals. *The Dark Horse* won an award for Best Film at the Seattle International Film Festival, with Cliff Curtis (Te Arawa) named Best Actor (Māori Television 2015). And Lisa Carrington (Te Aitanga a Māhaki, Ngāti Porou), paddler extraordinaire, won her fifth World Cup gold medal in as many races. Lisa has dominated world championships and the Olympics in flat-water canoeing since 2014 (Balvert 2014).

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RAPA NUI

Rapa Nui politics during the review period centered on the reclamation of ancestral territories that Chile had developed into a national park in 1935 without notifying or consulting Rapa Nui. A 2003 national truth commission on Chile's indigenous peoples had recommended return of

the “park lands” to Rapa Nui along with all island territory (Gobierno de Chile 2008, 570), but this was never realized under the subsequent neoliberal presidency of Sebastián Piñera. The reclamation efforts reflect an intensification of Rapa Nui pursuit of their international indigenous human rights to self-determination in the face of statecraft that continues to foreground the development of economic growth threatening Rapa Nui culture, island ecology, and livelihood. Under the guidance of Ariki Valentino Riro Kainga (appointed king of Rapa Nui in 2011 and descendant of the last Rapa Nui king, Riro), the leadership of Parlamento Rapa Nui President Leviante Araki and Vice President Eriti Teave is distinguished in this review of the conflict and the broader context of the events of the year.

As expansion of the tourism industry in Rapa Nui has intensified annually since the turn of the millennium, questions of sustainability have been constant. The late UNESCO assistant director general, Francesco di Castri, worried about the sustainability of tourism at the beginning of the new millennium, when he estimated 20,000 visitors as the maximum carrying capacity of the island (di Castri 2003, 45). He noted that this number had already been exceeded in 1990 when visitors climbed to 21,000 and by 2005 had reached 45,000 (Gonschor 2007, 244). Australian ecologist Petra Campbell echoed di Castri’s concerns with a 2004 study that projected current tourist development as likely to result in an “environmental catastrophe” that would involve future aquifer contamination, continued land degradation from long-term erosion

and mismanagement, marine resource destruction, and a range of energy failures (Campbell 2006). While recent government statistics registered over 92,000 tourist visits to the island in 2013 (*El Correo Del Moai*, Oct 2014), during the review period the Chilean state continued to pursue development projects that will expand tourism even further beyond the 2003 UNESCO recommendations of di Castri.

Three development proposals are most noteworthy. During October 2014, Chilean President Michelle Bachelet announced an approximately US\$160 million plan for infrastructural changes to the island airport (including a second runway), docking, irrigation, power, and sewage systems to begin in 2015 and be completed by 2020 (GI, 20 Oct 2014). In strong support, island Mayor Petero Edmunds emphasized that the projects were necessary for maintaining the island like a “Rolls Royce”—a goal he conceived as having immeasurable value for Chile’s “image” (LT, 17 Oct 2014). In December, Edmunds announced an additional plan to build a shopping mall on the island. The project proposes to develop a four-hectare plot of land containing some of the world-famous moai statues within the municipality of Hanga Roa into a mall with multiple retail stores. The mayor called for a partnership with billionaire German-Chilean entrepreneur Horst Paulmann, chief executive officer and chairman of the Cencosud Corporation, reportedly “one of the largest and most prestigious retail conglomerates in Latin America” (Cencosud 2015). While the project would require the displacement of some of the moai for mall construc-

tion, Edmunds promised coordination of moai movement by the Chilean National Monument Council, utilizing the most advanced technology in the world (EC, 28 Dec 2014). Rather than address projected aquifer contamination, in June 2015 the Chilean National Corporation of Forestry (CONAF) announced a plan to build a desalinization plant for agricultural development. Carolina Cuevas (who is, ironically, the head of a Chilean sustainability foundation) emphasized that the new desalinization technology will provide more water to help local farmers realize new economic opportunities (Parque Nacional Rapa Nui, 25 June 2015).

State plans to restructure the island ecology, infrastructure, and material culture to intensify economic growth are being coordinated with programs to develop Rapa Nui subjectivity in terms of the principles of “homo oeconomicus” that are increasingly dominant in the era of global neoliberal rationality (Brown 2015, 33). As part of Chile’s broader tourism investment plan, the state has begun to develop Rapa Nui chapters of national programs for the training of entrepreneurs (GI, 19 Nov 2014). The plan is designed to encourage Rapa Nui youth to start their own businesses under the Solidarity and Social Investment Fund (FOSIS) programs that Director Marcelo Aguilar hopes will establish a “permanent presence” on the island (GI, 30 Sept 2014). Apparently anticipating conflict, the development projects and programs have been accompanied by indigenous conflict-resolution classes for state workers in various government offices and institutions (GI, 4 Nov 2014).

In the context of acts of resistance by leaders of the Rapa Nui nation during the land reclamations of 2015, as well as three other significant events, state development plans for transformation of the island infrastructure and Rapa Nui subjectivities for the production of economic growth and a “Rolls Royce” Chilean image appear entangled in a “battle-order” (Foucault 1980, 16). The 9th of September is the annual day of recognition of the 1888 signing of the “Acuerdo de Voluntades” (Agreement of Wills) between Chile and Rapa Nui. While the state used to honor that day with ceremonies and parades on the island, Rapa Nui demonstrations and marches have become an island norm since state violence against Rapa Nui movements for self-determination began in 2010 (see Young 2012a, 2012b). In 2014 the 9th of September was “dis-honored” by three different events organized by the Rapa Nui leadership: a march down main street with Rapa Nui national flags and banners protesting the state; a political demonstration at the King Riro Plaza Civic Center—the site of the prior state celebrations; and another political demonstration in front of the Hotel Hangaroa Eco Village and Spa (EC, 9 Sept 2014). In general, the organizers emphasized that all the issues related to their demands for self-determination in 2010 remain “valid given the lack of response of successive governments” (Cooperativa, 9 Sept 2014). In addition, demonstrators emphasized that they marched in protest of state development policies that are seen as destroying the island. Petero Cardinali, supporting full political independence of Rapa Nui, emphasized that Chilean

policies are unsustainable and “filling the island with garbage,” while Wilo Teao expressed fear that Rapa Nui would become “extinct” as a result of “uncontrolled development” destroying the island (La Colmena, 13 Sept 2014). At the hotel demonstration, Rapa Nui children held banners with slogans like “la gran estafa” (the great hoax), with images of the hotel presented in black covered with red blood-stained moai statues (EC, 9 Sept 2014), and Hitorangi family members installed black flags around the front of the hotel in defiance of armed Chilean police, who stand guard twenty-four hours a day against new occupations of the hotel by the Hitorangi family (Cooperativa, 9 Sept 2014).

As 2014 ended and the New Year emerged, two additional events illuminated deepening resistance to the state’s expansion plans. In late November 2014, Rapa Nui national identification cards premiered on the island with the support of Rafael “Rinko” Tuki, the leading Rapa Nui representative of the Chilean National Corporation for the Development of Indigenous Peoples. The cards code personal information in the Rapa Nui language, and at the top of the cards is a national identification of “Hau” (nation) Maori Rapa Nui. Rinko Tuki emphasized that the cards are intended as an expression of Rapa Nui “territorial sovereignty and the right to self-determination” in accordance with instruments of international law such as International Labor Organization (ILO) Convention 169 and United Nations General Assembly Resolutions 1514 and 1541 (EC, 8 Jan 2015). On 26 January 2015, leaders of the Rapa Nui nation organized

against a newly created state Ministry of Indigenous Affairs, which leaders claimed was constructed without their consultation, in violation of ILO Convention 169 (EC, 27 Jan 2015). Petero Fati, a Rapa Nui lawyer and part of the political organization against the ministry, stressed that the state’s hand-picked representatives reflected an operational pattern of “fraudulence” by the Chilean government in island indigenous affairs (Mapu Express, 1 Feb 2015).

In late March 2015, dialogues between leaders of Te Hau Maori Rapa Nui and representatives of the state of Chile collapsed. Consequently, representatives of the Rapa Nui nation shut down the Chilean-administered national park of Easter Island on 26 March (Save Rapa Nui, 28 March 2015). The major access roads to the park were blocked by felled trees and Rapa Nui bodies, organized in part through the leadership of Leviante Araki and Erity Teave of Parlamento Rapa Nui; approximately thirty Rapa Nui people were posted at three major tourist access points (LT, 29 March 2015). Signs re-territorialized the park tourist sites as “propiedad ancestral” (ancestral property) (Biobio, 15 April 2015). In response to the arrival of state riot police as well as new dialogues with Chilean government authorities, roadblocks were reduced and tourist access to the ancestral properties increased between 29 March and 1 April, and tourists were granted access after registering with the Parlamento Rapa Nui central office or with on-site coordinators. However, guides and tour operators who were not of Rapa Nui ancestry, or with no marital ties to Rapa Nui

people, were denied access (Easter Island blog, 6 April 2015).

Weeks of constant marches, protests, and ten-hour-long dialogues between Rapa Nui leaders and representatives of political offices, councils, and ministries determined by the Chilean government—including the Chilean Ministry of Defense—followed the land reclamations (LT, 14 April 2015). Chilean officials and media stressed concern about the impact of the reclamations on the tourism industry (Noticias Terra, 28 March 2015) and tended to represent the reclamations as responding to state failures to establish laws for controlling Chilean migration to Rapa Nui as well as disagreements over the proper management of the park (LT, 14 April 2015). Mayor Edmunds blamed state failures to finalize migration laws on the Chilean Ministry of Interior (LT, 29 March 2015), but he felt that the disputes over the management of the park were tractable with additional meetings and “streamlining” of the government (Noticias Terra, 29 March 2015). The state thus portrayed the conflict as a technical problem that could be resolved with moderate reform and management of the current system of Chilean governance on the island under the terms of new Chilean laws.

Rapa Nui national leaders agreed that the reclamations were in part a response to state failures to finalize laws to restrict Chilean migration to the island (LT, 14 April 2015); however, the reclamations were also articulated in terms of a more robust historical, political, and spiritual sensibility. Christian Moreno Pakarati, an indigenous Rapa Nui historian at

the University of Chile, foregrounding the reclamations as strongly supported by the overwhelming majority of the Rapa Nui people, highlighted their validity in terms of the aforementioned 1888 Agreement of Wills between Rapa Nui and Chilean representatives. He conceived of current actions of Rapa Nui leadership as being consistent with over a century of Rapa Nui resistance to a Chilean order in violation of the agreement and unsustainably threatening the future of Rapa Nui culture, ecology, language, and people (University of Chile website, 13 April 2015). Focused more on recent history, Anakena Manu-tomatoma, a member of the state-based Rapa Nui development council, the Commission for the Development of Easter Island (CODEIPA), framed the reclamations as a continuation of the Rapa Nui political “awakening” that she traced to 2010 when the state “shot people” (LT, 14 April 2015). Emphasizing that the state “continues to act as colonizers,” Eriti Teave stressed that the reclamations should be understood as an exercise of their “inalienable rights” as an indigenous people (LT, 15 April 2015). Similarly, Santi Hitorangi, Parlamento Rapa Nui member and regular leader of the Rapa Nui nation at the United Nations (see Young 2015a), consistently represented the event as first and foremost an exercise of Rapa Nui rights to self-determination (Save Rapa Nui, 12 April 2015).

Analysis of the language of the re-territorialized signs illustrates that the reclamations are not motivated by strictly economic and political considerations. Local Rapa Nui-determined media refer to the territory

reclaimed not in terms of state tourist discourse that calls it a national park, but in Rapa Nui language terms such as “Hauha‘a Tupuna” and “Kainga Ariki” of “Te Pito o Te Henua” (EC, 21 May 2015). The last term, “Te Pito o Te Henua,” is an alternative name for the island itself, and, importantly, contains the word *henua*, that is roughly translated as “island” yet retains the Rapa Nui concept of placenta, derived from the ancient Proto-Polynesian term *fanua* (Kirch and Green 2001, 103). The second term, “Kainga Ariki” can be roughly translated as “chiefly lands,” but the word *kainga* retains the Rapa Nui worldview of womb or uterus (Huki 1988, 10), which confers English translation as merely “land.” The first term, “Hauha‘a Tupuna,” can be roughly translated as “ancestral valuables,” which include the world-famous moai statues. Yet from a Rapa Nui perspective, moai are not simply aesthetically enchanting monuments, as tourists may see them. Each Rapa Nui family member traces their ancestry to specific ahu (ceremonial centers) where moai are placed. Moai honor deceased chiefs of family lineages; in other words, Rapa Nui consider moai to be “spiritual tombstones” that “protect the land and the blood matrix to which each clan belongs” (Hitorangi 2013). These conceptualizations are not simply cultural memories but are enacted in contemporary spiritual ceremonies and everyday Rapa Nui discursive practices (see Young 2015b). Thus, while Rapa Nui do emphasize the more technical issues of migration in discussing the conflict, ultimately the indigenous politics articulate with a

spiritual ecology that grounds Rapa Nui epistemological and ontological life in their own ancestral heritage and worldview. Hence, for Leviante Araki, the reclamations are first and foremost about a desire to “protect our ancestral property and ancestral lands” and initiate a process that will enable their governance to “pass into the hands of our people” (El Mercurio Online, 19 April 2015).

On 15 April, an agreement was reached regarding the ancestral territory reclaimed by leaders of the Rapa Nui nation and representatives of the Chilean government. There are twelve signatories to the document, including three representatives of the Chilean government and nine representatives from six different indigenous institutions in support of the Rapa Nui nation. Four points of agreement were distinguished in the document: (1) that administration of the territory of the “Rapa Nui National Park,” including rights to all ceremonial sites and ancestral usage, would be transferred to an autonomous body of the Rapa Nui people; (2) that contemporary care of the park would remain in the hands of the Rapa Nui people while the transfer was in process; (3) that Parlamento Rapa Nui would respect the free movement of people within the park during the transfer; and (4) that a formal proposal for administration of the park would be constructed within the framework of ILO 169 within sixty days.

As the period in review came to a close, a formal proposal had not materialized, and the meaning of the conflict, the initial resolution, and the ultimate goals remain disputed and circumscribed by political tension

(Radio University of Chile, 17 July 2015). On 10 June 2015, Parlamento Rapa Nui issued statements to Chilean President Bachelet, as well as to international political institutions such as the United Nations and the Organization of American States, reporting police intimidation strategies as representatives of the Rapa Nui nation controlled access to the ancestral properties visited by tourists and continued to organize leadership for self-determination in accordance with the April 2015 agreement. In July and August, state intimidation escalated to include police arrests of Rapa Nui national leaders Mario Tuki and Leviante Araki (Parque Nacional de Rapa Nui, 15 Aug 2015) and a police “break-in” (allanamiento) of Parlamento Rapa Nui offices, against the will of the organization leaders (Pakarati 2015).

Thomas Friedman famously anticipated globalization would be frequently punctuated with conflicts between investors hoping to develop economic growth by building the next fancy “Lexus” and world peoples struggling to retain or regain the “olive trees” of their cultural identity and belonging (2000). Perhaps fearing that the newly planted “olive tree” of the Rapa Nui nation will stand in the way of their proposed multimillion dollar shopping mall and infrastructure projects, the Rapa Nui Lexus investors—or in Mayor Edmunds’s phrase, the “Rolls Royce” dealers—have more fight left in them; one can bet that Te Hau Maori Rapa Nui does too.

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