by encouraging some manufacturing, introducing some land reform (to be carried out by the purchase of Crown land, which would then be leased for business purposes), and by a possible further round of corporatization or privatization of state-owned activities. The overall aim is to generate employment outside the public service, and to permit reductions in the government payroll. The government’s budget is about NZ$17 million, while New Zealand aid provides NZ$2.5 million for special projects and NZ$3.75 million in budgetary assistance. Strains on the budget have been intensified by the new government’s increases to pensions and child allowances, offset in part by the reduction in salaries for the four-person cabinet.

Signs of economic distress are not difficult to observe. The number of businesses registered on the island has declined in two years from 157 to 88. Among those to close during 1999 are the venerable Niue Trading Store (formerly Burns Philp SS Company) and the long-established R R Rex & Sons, after forty years, an establishment that was something of a landmark in the island’s history, economy, and politics.

On the positive side, some increased business activity and visitor flow is expected from the America’s Cup competition in Auckland in the year 2000. The possibility of a new Niue airline has been raised, and there have been additional flights to the island as a result of connections established through Air Rarotonga.

Other bright spots for Niue include its significantly improved water system, made possible through technical assistance from Australia and responsible for saving of millions of liters of waters annually, as well as thousands of dollars in pumping charges. Niue is also (oddly enough) the first country in the world to offer its entire population free email and Internet access (courtesy of the Internet Users Society). This action may have the effect of easing any sense of isolation, but can also have the effect of further nurturing the desire of young people to leave the island for a more exciting life elsewhere.

Finally, although the island’s health service is not free from criticism, Niue remains one of the few places in the world where the population is identified as being completely AIDS and HIV-free (others include the Cook Islands and Tokelau, each associated with New Zealand in one way or another).

STEPHEN LEVINE

SAMOA

Among the issues that made headlines in Samoa in 1998–99 were those related to by-elections, party politics, Tofilau’s resignation as prime minister and his succession by Tuila’epa Sa’ilele Malielegaoi, Tuila’epa’s cabinet reshuffle, Malietao’s “royal” decrees (malelega), the ban on new religions at Salamumu village, Tofilau’s controversial decisions as prime minister, Tofilau’s police card, and the action by the leader of the opposition, Tupua Tamasese Efi, against the government’s alleged media ban against him.

Following the appointment of Matai’a Visesio Europa to the council of deputies on 6 July 1998, the parlia-
mentary seat of Faleata East became vacant. Matai’a was elected to Parliament in the 1996 general election as a member of the opposition Samoa National Development Party (SNDP) whose leader, Tupua Tamasese Efi (one of four tama-a-aiga—paramount titles), is his first cousin (their fathers were brothers). He became an independent member following a disagreement with some of his party colleagues on SNDP-related issues. Thereafter Matai’a became a vocal supporter of the policies of the governing Human Rights Protection Party (HRPP). His elevation to the council of deputies was thus seen by the SNDP and some sections of society as a reward for his political support of the Human Rights Protection Party and also as a way of hurting Tupua and his supporters. Worse still from the point of view of his critics, Matai’a accepted the government’s political carrot ahead of the party he rightly belonged to, and its leader, who is not only his “brother” but the incumbent tama-a-aiga titleholder of his family. In short, Matai’a should have refused the government’s offer in loyalty to and respect for his brother and the title he held.

The constituency of Faleata East comprises the two villages of Lepea and Vaimoso. In preparation for the by-election to elect a new member of Parliament, Matai’a’s village, Vaimoso, held a meeting to request the support of its voters for the proposed candidate. The meeting was called by two matai (chiefs) of Vaimoso who jointly hold the title Vaiotu’u. One of them is the incumbent deputy speaker of Parliament and represents the Human Rights Protection Party under his other matai title Mulitalo. Mulitalo (or Vaiotu’u) is married to a Vaimoso woman whose brother was the HRPP candidate whom the two Vaiotu’u wanted Vaimoso village to support in the upcoming by-election. The Vaiotu’u meeting was quickly followed by another, called by Vaimoso matai who, in accordance with traditions and village customs, were the only people who could legitimately call meetings of the Vaimoso Council of Matai at traditionally allocated venues. Because of “Vaiotu’u’s insensitivity and total disregard of village authority” (SO, 7 July 1998), he was ostracized by Vaimoso’s village council. Vaimoso (except the two Vaiotu’u and their supporters) in its “official traditional meeting” had endorsed the SNDP candidate as their preferred member of Parliament.

The Faleata East by-election, held on 28 August 1998, was a victory for the Samoa National Development Party. Its candidate, Patau’ave Etuale, topped the poll by 1,112 votes to 433 for his only rival, the HRPP candidate. Following the official announcement of the election results, the SNDP candidate said “We forgive our brethren who had destroyed the district ban.” He was referring to his opponent’s decision to run against him after Faleata East authorities had chosen him to be their representative in Parliament (SO, 30 Aug 1998). Rumors were that the outgoing member and his supporters were among the supporters of the unsuccessful HRPP candidate. The victory of the Samoa National Development Party brought the number of its supporters in Parliament to ten (SO, 11 Aug 1998).
Patau'ave was sworn in on 23 November (SO, 24 Nov 1998).

The second member for A'ana Alofi number 1 constituency, Su'afoa Lautusi, lost his seat when he was convicted of a charge in connection with a fatal traffic accident (SO, 26 July 1998). The by-election for his seat was held on 24 July. Maiava Visekota Peteru, a lawyer whose husband is also a lawyer and the incumbent minister of public works, topped the polls with 1,019 votes (SO, 4 Sep 1998). Her nearest rival managed only 206 votes. Maiava becomes the third woman member in the present Parliament. Her victory retained the number of HRPP members, as the outgoing member was a party supporter following his decision to switch allegiance from the Samoa National Development Party sometime after the 1996 general election.

Ai'ono Sia and Matatumua Maimoaga, two of Maiava’s three rivals in the by-election, challenged the 1995 amendment to the Electoral Act in the Supreme Court. The amendment states that only candidates who polled more than half the number of votes polled by the winner may challenge the election results. The complainants’ lawyer argued that the 1995 amendment was discriminatory, essentially because Parliament’s intention in passing it was unknown. Justice Young ruled that it was clear that the purpose of the amendment was to minimize the number of election petitions by reducing the number of those who may file petitions. Before the amendment, voters too could file election petitions, and many did. The numerous petitions that were lodged prompted then Chief Justice Anthony Ryan to suggest to the Speaker of Parliament that a legislative amendment be passed to limit them (SO, 4 Sep 1998).

The death of former Prime Minister Tofilau Eti Alesana on 19 March 1999 left vacant one of the two seats for the electoral constituency of Fa’a-salele’aga number 1. A by-election held on 21 May was won by Seumanu Aita Ah Wa, the former minister of cabinet under Prime Minister Tupuola (now Tupua Tamasese Efi) in the 1970s, with 830 votes. His two rivals, Gatoloai Ala’isea Nele and Tafa Sa, polled 690 and 169 votes respectively (SO, 23 May 1999). Seumanu contested the seat this time around as an HRPP candidate, to capitalize on the popularity of the former prime minister in the constituency. His victory maintained the number of HRPP supporters in Parliament.

Tofilau’s death also created an opening for one parliamentarian to be appointed to cabinet. New Prime Minister Tuila’epa Sa’ilele Malielegaoi selected Gafa Ioelu. Gafa, a newcomer to politics, won the Satupa’itea seat in a by-election that followed a court decision on an election petition filed by the only other contestant, Asiata Dr Sale’imoa Va’ai, against the election-night winner in the 1996 general election, Tuato Leti. The same decision disqualified both Tuato and Asiata from standing as candidates in the by-election. Described by members of his family as “a very quiet achiever,” Gafa’s elevation to cabinet on 12 April 1998 “propelled him unexpectedly to what promises to be a hectic life constantly exposed to the scrutiny of the public” (SO, 16 Apr 1999). Gafa admitted after his elec-
tion victory that his success was made possible by the support of Asiata and his supporters. Interestingly, Asiata’s appeal against his disqualification from standing in the by-election was upheld by the Supreme Court in December.

Asiata was not able to contest the parliamentary by-election, however, as his name had been removed from the electoral roll for four years following an earlier finding of bribery. Furthermore, he became the subject of inquiries for disciplinary action by the Samoa Law Society. When asked about his reaction to the new decision Asiata said, “I felt relieved that my name and that of my family have been cleared and it is one of the best Christmas gifts I have received; praise the Lord” (SO, 27 Dec 1998).

Anapapa Laki contested the seat for Fa'asalele'aga number 2 in the 1996 general election as an independent member of Parliament. He later joined the Human Rights Protection Party, then became an independent again following his sacking by the party for not turning up to caucus meetings for months. In Parliament on 17 August 1998 Anapapa claimed that he only found out from the Speaker that he had been expelled from the Human Rights Protection Party, and that he was now an independent. Following a question by the leader of the opposition, asking why Anapapa was now sitting on the opposition side of the House, the Speaker explained that he had removed Anapapa to the independent ranks after receiving notice from the Human Rights Protection Party that they had sacked him. The Speaker further explained that should the member reject his independent status he would have to go to the polls in a by-election to ask his constituency if he could join the Samoa National Development Party. “Stopping MPs from changing parties before the end of their terms was to protect the dignity of Parliament which is threatened, as shown by MPs changing sides too much,” the Speaker said (SO, 19 Aug 1998). In the May sitting of Parliament, Anapapa criticized the minister of finance for, among other things, failing to table an audit of public accounts for close to nine years. The critics of the government were certain this was the reason behind Anapapa’s sacking (SO, 19 Aug 1998). Anapapa’s dismissal reduced the number of HRPP parliamentary seats to 37 out of 49.

Prime Minister Tofilau Eti Alesana’s long illness sparked speculation about his likely successor. When Tuila‘epa Sa’ilele, the deputy prime minister and government spokesman, said that the prime minister’s life was in God’s hands, the implication was that Tofilau would not regain his health to continue as prime minister (SO, 8 Nov 1998). Unbelievably, some of his political rivals reportedly went to the head of state asking that the prime minister’s services be terminated because of illness and their chosen successor be appointed to take over. His Highness, of course, did not grant the request, noting that he was not satisfied that illness had prevented the prime minister from performing his official functions (10 Nov 1998).

Speculation about the prime minister’s future and his likely successor ended on 23 November 1998, when he braved his illness to attend Parliament, where he officially tendered his
resignation (SO, 24 Nov 1998). Immediately afterward, his successor, Tuila‘epa Sa‘ilele Malielegaoi, was sworn in as the country’s sixth prime minister since independence in 1962. Tuila‘epa’s appointment put to rest rumors that the other candidates vying for the prime ministership included Tupua Tamasese Efi (leader of the opposition Samoa National Development Party), Misa Telefoni (minister of health), and Mafasolia Papu (minister of agriculture and fisheries) (SO, 22 Nov 1998), and that speculation about Tofilau’s successor was breaking his party into factions. The choice of Tuila‘epa as Tofilau’s successor was unanimously agreed by the party.

The choice was no surprise. Tuila‘epa had been deputy prime minister since 1993, and had been Tofilau’s finance minister since 1982, one year after he was elected to Parliament for the first time, following a by-election in his constituency, Lepa. Born on 14 April 1945 and raised as a Catholic, Tuila‘epa was educated in Samoa by the Marist brothers at Mulivai, and later at St Josephs College, Lotopa. He won a scholarship to study in New Zealand under the bilateral aid scheme, and attended St Paul College in Auckland and later Auckland University. He was the first Samoan to graduate with a master’s degree in accounting and economics. In 1970, after returning from overseas studies, he was employed in the Treasury Department, and later became the director of the Economics Department. From 1973 to 1977, he was deputy financial secretary. In 1978, he and his family moved to Brussels, where he worked in the General Secretariat until his appointment to the European Economic Community in 1980. He entered Parliament in 1981, and for a while worked as a partner in the accounting firm of Coopers & Lybrand, a job he later surrendered in order to devote more time to politics. In 1982–83, he was minister of economic affairs, and in 1984–85 he was appointed minister of finance (SO, 24 Nov 1998), a portfolio he still holds.

Although Tofilau resigned as prime minister, he retained his parliamentary seat. In Tuila‘epa’s cabinet reshuffle, the former prime minister became the first person to be appointed to the newly created position of senior cabinet minister without portfolio, and was sworn in on 8 December 1998 (SO, 10 Dec 1998). On 19 March 1999, he died peacefully at his official residence at Nafanua, aged seventy-four. Tofilau’s long and distinguished political career, which went back to 1957 when he first entered Parliament at the age of thirty-three, was over. Except for two years in 1986–87, when a coalition government was in office, Tofilau was prime minister from 1983 until his resignation in 1998. In a tribute, the Observer listed some of Tofilau’s best-known achievements and flaws (21 Mar 1999). It concluded that not only had there been “commendable improvements under Tofilau’s tutelage [but] history will remember [him] well. His achievements will overshadow any faults he might have had.”

Tofilau’s death left vacant one place in cabinet, to which Gafa Ioelu was appointed. One noticeable change in Tuila‘epa’s cabinet reshuffle was the allocation of portfolios under
Le’afa Vitale. Having been minister of public works from 1991 to 1996, Le’afa was given the portfolio of Electric Power Cooperation, among others, in the current Parliament (1996–2001). Following Tofilau’s resignation, Tuila’epa added the Ministry of Post and Telecommunication (SO, 25 Nov 1998). With the addition to the cabinet of Gafa Ioelu, Le’afa was reallocated to the Ministry of Women’s Affairs and the Statistics Department (SO, 14 Apr 1999). The shift from the powerful portfolios to ones that “are generally regarded as portfolios for new ministers supports speculation that Le’afa has an edgy relationship with the new Prime Minister” (SO, 14 Apr 1999).

Le’afa’s declining popularity probably had something to do with the traditional affairs of his village Malie, one of the three villages in the electoral constituency of Sagaga-le-Usoga, which he has represented since 1988. Malietoa’s initial plan to build himself a house at Malie was later called off by him. He wanted another house at Sapapali’i village on Savai’i Island completed first, because its dedication ceremony had been planned for December 1998. Le’afa ordered the builders he had organized to go ahead with the construction of the house at Malie, against Malietoa’s directive. The angry people of Malie, who supported Malietoa, Samoa’s head of state since independence in 1962, not only pulled down the newly constructed building overnight, but stoned another house in which the builders were staying. They packed their bags and left (SO, 16 Oct 1998). The pulling-down of the head of state’s house was one of a series of episodes, whose origin is traced to 1997, in which Le’afa, the head of state, and certain matai of Malie village had been involved.

In 1997, two of the seven highest-ranking orator titles (tulafale) of Malie were conferred on eight people by Le’afa and his supporters, allegedly on instructions from the head of state. The Toelupe title was conferred on four people, and the Si’a title was conferred on another four. The current holder of the Toelupe title contested in the Land and Titles Court the right of the head of state to confer the title without his consent, let alone consultation. Toelupe argued that the head of state had honorary caretaker authority over the matai of Malie only, and not the authority to confer titles, which rightly belongs to the immediate families of the titleholders. Malietoa could not appear in court because of his position as head of state. He was represented at the hearing by a party led by Le’afa, which argued that the holder of the Malietoa title had sole authority over all Malie people including “sand and shingles” (SO, 5 May 1998). The court ruled in favor of Malietoa, a decision that was later reversed following a successful appeal by Toelupe, confirming that Toelupe and his family have sole authority over their title and that the conferral of the Toelupe title on four people in 1997 was illegal.

An interesting aspect of the hearing was the question of the validity of directives (malelega) from the Malietoa titleholder dictating his wishes to Malie people, directives whose weight and acceptance are rooted in alleged century-old traditions. The successful appeal by Toelupe implied the victory
of Samoa’s legal system and its constitution against alleged ancient traditions. Like Toelupe, the current holder of the Si’a title will contest Malietoa’s right to confer the Si’a title in the Land and Titles court. Understandably, Si’a will argue along the lines already established in the Toelupe hearing. The hearing has been scheduled for 1 September 1999 (SO, 5 May 1999).

At the time of the Toelupe title hearing, and the illegal conferral of that title on four holders in 1997, Toelupe and his family had stopped participating in Malie village affairs. That action followed a village ban on him relating to a different title court hearing in which Toelupe and another matai of Malie were involved. The Land and Titles court in that hearing granted authority over the disputed title to Toelupe. The village ban followed Malietoa’s directive that the conferral of the disputed title, in spite of the Land and Titles Court ruling in favor of Toelupe, be rendered valid by Malie village. Malie village wanted to abide by Malietoa’s directive, thereby undermining the court’s decision and Toelupe’s rights to the disputed title. In defiance of Malietoa’s directive, a son of Toelupe, who holds one of the highest ranking ali’i (chiefly) titles of Malie, uttered rude words against Malietoa. The unbecoming behavior of Toelupe’s son became the stated reason for Toelupe’s dismissal from participating in Malie’s village affairs. The cultural reasoning behind Toelupe’s dismissal was that he was responsible for his son’s behavior.

The pulling-down of Malietoa’s house illustrated a turnaround of events in Malie village. At the Toelupe court hearing, Le’afa and his supporters, along with the Malie village council (which was another party in the hearing), supported Malietoa’s directive. This time Le’afa and his supporters were defying the directive. For their unbecoming behavior Le’afa and his supporters (who are some of the highest-ranking matai of Malie) were on 2 December 1998 banned from participating in village affairs. Not long after the decision to oust Le’afa and his supporters from village affairs, Malie’s village council seated themselves in front of Toelupe’s residence asking forgiveness and requesting that Toelupe return to the village. Understandably, Toelupe politely turned down their request, as the hearing of his appeal against the court decision that ruled in Malietoa’s favor was only a few months away.

It was generally thought that Toelupe had a good chance of overturning the court’s decision in the upcoming appeal hearing. One of the deputy presidents of the Land and Titles Court had already been dismissed on an issue directly related to the court decision that took away from Toelupe the right to confer the title he held. Le’afa’s support in his village and in the government seems to be slipping away. As well as his relegation to less important cabinet portfolios, Le’afa and his supporters are still banned from participation in the affairs of Malie village. It is doubtful also that he still has the ear of Malietoa. Meanwhile Toelupe and Si’a and their respective families are back in the village with the rest of the Malie village council. Although the village council supported Le’afa at the Toelupe title hearing, their allegiance
had changed by the time of Toelupe’s appeal hearing. Si’a and his family voluntarily stopped participating in village affairs following the conferral of their family title on four holders by Le’aafa and his supporters, allegedly at Malietoa’s directive (SO, 5 May 1999).

Village traditional governments continue to have an overriding influence on the lives of people under their jurisdictions. While Malie was effective on both occasions in banning Toelupe and his family, then Le’aafa and his supporters, from participating in village affairs, Salamumu village was not. There the village council decided that only the Methodist religion would be allowed, although non-Methodist villagers were allowed to join their own faith outside the village. When one family violated the taboo by holding Bible studies and prayer meetings in their home, the village council ordered the burning of a family home and the tying up in ropes of five others.

Cardinal Pio Taofinu'u, head of the Catholic Church, indicated his support for the constitution of Samoa, which provides for religious freedom, and said he was sad that the incident indicated that the country was reverting to century-old customs that were clearly in conflict with Christian teachings (SO, 25 Oct 1998). Fifty-six defendants appeared before the Magistrate’s Court on 18 January 1999 on charges of assault and property damage in connection with the eviction of the religious group (SO, 20 Jan 1999). The Supreme Court’s decision was handed down on 23 June 1999. Of the 44 men who were charged, 33 were found guilty. Sentencing was scheduled for 20 August 1999. In handing down his decision, Judge Enoka Puni said, “This case deals principally and solely as to whether any of these defendants committed any of these offences” (SO, 24 Jun 1999). The 33 men were found guilty of either arson or partially assisting arson and assault with the intention of causing bodily harm.

The late Tofilau Eti Alesana will be remembered not only for his impressive record as prime minister, but for the controversial issues he was
involved with. Among those was his defamation law suit against the Samoa Observer, the dragged-out debate on his police card, and the passport scandal. Tofilau’s s$400,000 defamation lawsuit against the Samoa Observer followed a story that appeared in the paper. It alleged impropriety in the funding of work on a hotel Tofilau owned that was to be visited by Britain’s Prince Edward (SO, 16 Jul 1998). Sir Gordon Bisson’s decision, handed down on 6 July 1998, claimed that defamation had been established and awarded the plaintiff general damages of $50,000 (SO, 8 July 1998). Another $75,000 was later awarded against the newspaper for costs (SO, 18 Sep 1998). The second defendant, and publisher of the Observer, Savea Sano Malifa, “had said in the witness box that he had heard the matter complained of on the radio proceedings of Parliament.” But there was no record of it in Hansard (cited in SO, 8 Jul 1998).

Some of the important issues that arose out of the prime minister’s lawsuit included the payment of his legal fees with public money (and those of any minister of cabinet who might decide to sue the media for defamation), allowing the plaintiff the right not to take the witness box, and the freedom of the media. In anticipation of the prime minister’s court costs, the HRPP government in its 1998–99 budget allocated the amount of s$783,000 for payment (SO, 8 July 1998). The Observer argued that this was unfair, given it had so far paid s$230,000 for its own legal fees (8 July 1998). The government argued that paying the prime minister’s legal fees out of public funds was necessary because it has a responsibility to protect the good name of the prime minister (SO, 8 Jul 1998).

The issue of Prime Minister Tofilau Eti Alesana’s police card made the headlines back in 1997 during a debate in Parliament when the leader of the opposition, Tupua Tamasese Efi, accused the prime minister of theft. The prime minister denied the allegation. Sometime later, the leader of the opposition tabled the prime minister’s police card in Parliament saying “that Tofilau had been convicted of cattle theft” back in June 1966 (SO, 18 Aug 1998). Thereafter, as the report of the Commission of Inquiry into the whereabouts of the prime minister’s police card stated, Acting Police Commissioner Semi Lesa, on 2 July 1997 at the request of the prime minister, issued a statement that “the Prime Minister had a clean police record” (SO, 15 Oct 1998). Police Commissioner Asi Blakelock issued another statement stating that “I haven’t any knowledge of the existence of any records in relation to the issue in your letter of 21 January 1998” (SO, 6 Sep 1998). At about the same time, the secretary of justice issued a statement to the same effect. The basis of the two statements was that Tofilau’s police card (if there was one) could not be found in the records of the Department of Police. However, on 20 February 1998 Tofilau’s police card was discovered by an officer of the Police Department’s Criminal Records section. The sudden discovery of the card became the subject of a Commission of Inquiry headed by the ombudsman.

The findings of the commission cleared the prime minister of any
wrongdoing and blamed two senior police officers for the concealment and release to people outside the Police Department of the prime minister’s police card. With regard to the accusation leveled at Tofilau in relation to cattle theft, the findings stated that he and eighteen other matai of the same village who were similarly involved “were not convicted of committing theft. They were convicted of abetting theft.” As to Tofilau’s recall of the 1966 cattle affair, the findings stated that: “We are satisfied that the Prime Minister had no interest in concealment and there is no evidence whatsoever to suggest that he ever tried to direct or influence the Police in that direction.”

A legal action by the leader of the opposition, Tupua Tamasese Efi, in relation to an alleged government media ban against him drew much attention. Tupua believes there is a government media ban against him, thus violating his constitutional right to freedom of expression. He also believes that the government is using TV Samoa as a political tool. As he pointed out “TV [Samoa] is having problems because of political propaganda” (SO, 4 Feb 1999). He cited as good examples of this state of affairs TV Samoa programming that has been dominated by long government presentations and speeches. According to Tupua, one of the reasons for denying him access to TV Samoa is that “These guys [implying the government] must be really frightened to discuss issues” (SO, 4 Feb 1999).

A hearing in the Supreme Court relating to Tupua’s legal action ended on 21 March 1999, following Tupua’s request to the court that the government’s media ban against him for the last sixteen years be lifted. As Tupua’s legal counsel stated, “The relief sought by the Opposition Leader was not total uncontrolled right of access to government media, but access which is fair, constitutionally proper and appropriate to the role of the Opposition” (SO, 21 Mar 1999). Prime Minister Tuilaepa Sa’ilele said in court that Tupua “has no intention of using government-run Televisite [TV] Samoa and national Radio 2AP to air his views, but wants the ban to gain political points” (18 Mar 1999). Reports that Tofilau “repeatedly said that the opposition leader would never be given access to government media, until Tuialua [Tupua] changed his ways and stopped ‘stirring up the country’” were confirmed in court by Tuilaepa (SO, 18 Mar 1999). Tuilaepa also confirmed in court that Tofilau had said that the opposition leader had to first meet with him before access to government media might be granted (SO, 18 Mar 1999). Tupua testified that this condition was unacceptable and he never went to see Tofilau about it. If Tupua had asked Tofilau for access but was denied, “that’s the final proof [a ban existed],” Tuilaepa said (SO, 18 Mar 1999). The director of Radio 2AP and the chief executive of TV Samoa both testified that there is no written record of any directive to them to ban Tupua, and as far as they are concerned “there was no ban on the opposition leader.”

In response to government claims, which are already public knowledge, that Tupua when he was prime minister in 1981 denied members of the opposition media access, Tupua
insisted that he had a better record. “I appointed Tofilau Eti Alesana to chair the commission of inquiry on PSA [Public Service Association] but imagine them putting me to chair the commission investigating the passport scandal?” (SO, 4 Feb 1999). To date the Supreme Court has not handed down its decision.

ASOFOU SO'O

Reference


Tokelau

The “return to the village” theme continues to affect political development in Tokelau, but is operating under a new name—“the modern house of Tokelau.” The vaka (canoe) metaphor of the early 1990s is now being partnered by the new “modern house” ideology. The term is used by the political leaders to promote self-determination by equating the planned “new house” to Tokelau’s future self-governing status. The idea is to incorporate all the institutions that serve Tokelau under the authority of the traditional leaders in an attempt to fakafale uma ia ika i be lalofatu e fokotahi (literally, to house all fish under one stone, coral rock). The emergence of the concept modern, and its association with the “house” planned for Tokelau can be seen as one way of setting off the process of decolonization. This view is based on the comparison between Tokelau’s current “house” and the proposed one as portrayed in official documents (OCF 1998). The current one has a hierarchical structure connected by vertical, horizontal, and criss-crossing arrows. The queen (of England) is at the top, followed by the New Zealand governor general. The third level includes the Tokelau Public Service Commissioners, the New Zealand State Services Commission (SSC), the General Fono (equated with Parliament), the New Zealand–based administrator (a Ministry of Foreign Affairs and Trade official), New Zealand’s minister of Foreign Affairs and Trade, and the New Zealand Parliament, all of equal standing. At the fourth level is the Council of Faipule (equated with the cabinet or executive). The three Taupulega follow, on the fifth level. This last group is being targeted for empowerment and capacity building in the new “modern house.”

Most of the posts of the “modern house” have been identified, but some are being redefined in the first draft of the constitution. The “unknowns” may bring further changes to the “house building” process. The posts identified and redefined thus far include the General Fono of elected village representatives. In previous years, representatives were selected from the three Taupulega. The new elective process makes members of other long-standing community bodies eligible for selection as village representatives to the General Fono. Local women’s and men’s organizations now elect one member each. However, this new “post” needs time to settle and possibly some reshaping to fit the foundation, as these new members are not selected from the locally recognized decision-making body.