

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

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

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

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

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

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TOKELAU

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

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

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

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

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

In its original form, the legislation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Reference

Levine, Stephen. 1996. Political Review: Tokelau. *The Contemporary Pacific* 8:197–202.

THE KINGDOM OF TONGA

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