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Pacific Way 50 years on

Sémir S. Al Wardi, Jean-Paul Pastorel, Marc Tabani, Serge Tcherkézoff

► **To cite this version:**

Sémir S. Al Wardi, Jean-Paul Pastorel, Marc Tabani, Serge Tcherkézoff. Pacific Way 50 years on. 2024, 978-249-3616050. hal-04939553

HAL Id: hal-04939553

<https://hal.science/hal-04939553v1>

Submitted on 11 Feb 2025

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PACIFIC WAY

50 years on

Proceedings of the Conference

October 18-20, 2022

Punaauia - University of French Polynesia

under the direction of Professors :

Sémir AL WARDI

Jean-Paul PASTOREL

and Research Directors:

Marc TABANI

Serge TCHERKEZOFF



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Mise en page et travail graphique : 'Api Tahiti éditions / Pacific Diffusion (contact@apitahiti.com)



ISBN : 978-249-3616050

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This book brings together the papers presented at the «Pacific Way, 50 years on» conference.

This conference was held from 18 to 20 October 2022 at the University of French Polynesia under the direction of Professors Sémir AL WARDI and Jean-Paul PASTOREL and Research Directors Marc TABANI and Serge TCHERKEZOFF.

In addition to the High Commissioner of the French Republic and the President of French Polynesia, we were honoured to welcome the Australian Minister for Foreign Affairs, Ms Penny WONG, who was keen to publicly express Australia's strengthened commitment to the region. It goes to show that this is a theme that inspires the Indo-Pacific States.

The presentations were given in French or English, depending on the origin of the presenters. For this publication, we have chosen to publish in English, thus unifying the French presentations by translating them into English.

From the outset, the aim of the project was to produce an educational tool that would be useful to all students and researchers of the Pacific. This is why the symposium, and the present book which has resulted from it, has brought together historical studies on the development of the Pacific Way theme since 1970 and studies on the contemporary period, bringing together the political, sociological-anthropological and economic dimensions which reflect the richness of this reference to the Pacific Way and which bring together the disciplines active within the two laboratories, the GDI and the CREDO.

The papers were finalised and sent for publication before the end of 2023 and do not address the developments, positive or dramatic, that took place in the region during 2024.

The Pacific Way, Fifty Years On

Sémir Al Wardi, Jean-Paul Pastorel, Marc Tabani & Serge Tcherkezoff

TABLE OF CONTENTS

Introduction..... 10

Opening Speeches:

1- Eric Spitz..... 28

2- Penny Wong 33

3- Edouard Fritch 38

Regional Comparative issues

Historical

4- Paul D'Arcy..... 42

The Pacific Way's *Longue Durée*: Past Lessons for Pacific Futures from Pacific Regional Networks

5-Michael Goldsmith..... 55

Our Sea of Floating Signifiers: or, the Curious Voyage of the Pacific Way

6- Marc Tabani 70

Melanesian Socialism: Anthropology of a Post-colonial Illusion

7- Serge Tcherkezoff..... 96

Divided Societies? The Pacific Way Spirit of Consensus: Samoa (1962), Aotearoa New Zealand (2018)

8-Elisabeth Worliczek..... 125

Pacific Island Universities in the Past, Present, and Future: the Potential for a Pacific Way forward

Sovereignities

9- Gonzaga Puas.....	140
Is Micronesia Free Under the Weight of the Compact of Free Association?	
10-lati lati.....	149
The Implications of 21st Century Geopolitical Competition on the “Pacific Way”	
11- Jon Fraenkel	174
The Pacific Way, Traditional Hierarchy and Democracy in Fiji, Tonga and Sāmoa	
12- Tamatoa Bambridge, Paul D’Arcy, Alexander Mawyer, Bernard Rigo	211
The Pacific Way and the New Sovereignty in Oceania	
13- Sala George Carter.....	229
In search of the Pacific Way Consensus.	
14- Jean-Paul Pastorel	246
The French Pacific Collectivities in the Concert of Nations	

Case studies: Vanuatu, Samoa-New Zealand, New Caledonia, French Polynesia

Vanuatu

15- Jean-Pierre Nirua et Anne-Sophie Vivier.....	267
The Search for a National Identity Claim alongside the Pacific Way through the Emergence of National Universities of the Pacific: The Case of the National University of Vanuatu	

Samoa-New-Zealand

16- Fonomaaitu Samoatele Tuvalu Fuimaono..... 288
The Pacific Way: O au o matua fanau, the case for Pacific children and young people in Aotearoa New Zealand

New Caledonia

17-Anthony Tutugoro 299
**“Community of Destiny” or “Parallel Paths” ?
The Difficult Breakthroughs of a Pacific Way Unique to New Caledonia.**

18-Patrice Godin 326
The Kanak Path to Independence

French Polynesia

19-Veronique Dorbe-Larcade 345
Learning from the Other in French Polynesia: Past and Present Valorisation of Historical Figures of Contact (Ahutoru, Hitihiti, Tupaia, Mai)

20. Matteo Aria..... 359
In French Polynesia: Ending of Oblivion and Patrimonial Authority on the *marae* of Taputapuātea

21- Sandrine Chaillé de Néré..... 379
**The Pacific Way and Oceanian Civil Identities on French Soil:
Being Oneself within Another**

22- Vincent Dropsy and Sylvain Petit 395
Regional Economic Integration and the Pacific Way

23- Christian Montet and Véronique Selinsky 409
The Compatibility of Anti-trust Law with the Pacific Way

24-Sémir Al Wardi..... 437
The Pacific Way in French Polynesia: Public and Private views, Past and Recent

On August 5 1971 the first meeting of the South Pacific Forum took place in Wellington.

The first meeting of the South Pacific Forum was initiated by New Zealand and held in Wellington, with attendants of seven countries including the President of Nauru, the Prime Ministers of Western Samoa, Tonga and Fiji, the Premier of the Cook Islands, the Australian Minister for External Territories, and the Prime Minister of New Zealand. It was a private and informal discussion of a wide range of issues of common concern, concentrating on matters directly affecting the daily lives of the people of the islands of the South Pacific, devoting particular attention to trade, shipping, tourism, and education. Afterwards this meeting was held annually in member countries and areas in turn. In 1999, the 30th South Pacific Forum decided to transform into Pacific Islands Forum, with a more extensive and formal way of discussion and organization.



This image shown here from the meeting in Wellington is from a Miscellaneous collection of images Archives New Zealand holds.



part of the "Communique of the 2023 Pacific Islands Forum Special Leaders Retreat, Nadi, 24 February";

INTRODUCTION

At the beginning of the move towards decolonization or autonomy, the Pacific States and Territories put forward the ideology of a “Pacific Way”, a way of living together and building a “common destiny”, presented at the United Nations in 1970. Where are we half a century later, after Ratu Sir Kamisese Mara’s call for a “Pacific Way” before the delegates of the United Nations in 1970?

It is with that question in mind that our two research centres, GDI (Gouvernance et développement insulaire, Université de la Polynésie française UPF) and CREDO (Centre de recherches et de documentation sur l’Océanie, Aix-Marseille Université, CNRS, EHESS) co-organised a symposium held at UPF in October 2022, under the direction of Professors Sémir Al Wardi and Jean-Paul Pastorel and Research Directors Marc Tabani and Serge Tcherkezoff¹. This book brings together most of the papers presented at that symposium, after some revision and enlargements by the authors during 2023. In addition to the High Commissioner of the French Republic and the President of French Polynesia, we were honoured to welcome the Australian Minister for Foreign Affairs, Hon. Penny Wong, who was keen to publicly express Australia’s strengthened commitment to the region. It goes to show that this is a theme that inspires the Indo-Pacific States. These official speeches are included here.

The presentations were given in French or English, depending on the origin of the presenters. For this publication available in printed and on-line form, we have chosen to publish in English, thus unifying the French presentations by translating them into English². But a full French version will also be accessible on-line. Indeed, from the outset, the aim of the project was to produce an educational tool that would be useful

¹ Marc Tabani, visiting the UPF in 2021, had proposed the theme, and Serge Tcherkezoff pointed out that we had recently reached the fiftieth anniversary, which justified a retrospective. Sémir Al Wardi, who is in charge of political science studies at UPF had suggested that this should be a joint programme, and Jean-Paul Pastorel, who is both a member of the GDI and Vice-President of UPF, immediately gave his support to the project, which subsequently received material support from the French government’s “Fonds Pacifique” (Fund for cooperative projects in the Pacific between French and other territories/states in the region), from the French Embassy in New Zealand, and from the research budget of the UPF, the GDI, the CREDO and the EHESS@ANU program supported by the French Embassy in Australia (www.pacific-dialogues.fr).

² Many thanks to Professor Gaetano Rando of University of Wollongong who have greatly helped with his advices on English language for all the chapters.

to all students and researchers of the Pacific. This is also why the symposium, and the present book which has resulted from it, has brought together historical studies on the development of the Pacific Way theme since 1970 and studies on the contemporary period, bringing together the political, sociological-anthropological and economic dimensions which reflect the richness of this reference to the Pacific Way and which bring together the disciplines active within the two research centres, the GDI and the CREDO.

*

Ratu Mara, at the time the first head of state of a freshly independent Fiji, commented a few years later that he wished to put forward a common destiny that could and should promote a new Fijian citizenship among a population half constituted by Indigenous people and half by the descendants of initially indentured East Indian workers brought in during the 19th century. Ratu Mara also noted the potential comparisons with neighbouring countries following similar paths. In his words, it was a call to build a society where “people of different races, opinions and cultures, can live and work together for the good of all.” The phrase was often advocated thereafter, on two levels. First, it resonated as a call for decolonization for countries that had not yet achieved formal self-governance. In this sense it encouraged continuing or fresh reflection on the current political statuses of states across the region: independent state, associated state, dependent but “non-incorporated” territory (American examples), incorporated territory but according to various formulas (such as French overseas “departments”, or “collectivities” but not “communities”), with varying legislative degrees of “autonomy”, or the particular case of the “*sui generis* collectivity” that is New Caledonia.

But the call for a “Pacific Way” was also taken up in a widening vision, to designate what would be a characteristic way of a social contract specific to the cultures of the Pacific, a contract enabling inequalities to be managed, overcome or, at least, encompassed. In this sense, we observe a wide field of political studies, from everything that relates to the “common destiny” of societies “divided” into communitarianisms through their history, old or colonial, to the various ways of establishing internal political agreements such as, for example, the method of “consensus” in opposition to majoritarian voting around constitutive (or even constitutional) developments.

The call for a “Pacific Way” has a well-known history, which is briefly recalled in a few chapters of this book, with reference to the main publications: Ratu Mara’s address in 1970 (Mara, 1997), Ron Crocombe’s celebrated essay under the same title (Crocombe 1976), Stephanie Lawson’s reconsiderations (Lawson 2010) distinguishing Ratu Mara’s “chiefly” vision and Crocombe’s (and others at USP) vision openly anti-colonial (Tupouniua, Crocombe and Slatter, 1975). One should also keep in mind the fundamental historical analysis provided by Matt Tomlinson (2019), seriously considering the way that Crocombe (1976) labelled his overview “the ‘Theology’ of the Pacific Way” and noting that Tupouniua *et al.* 1975 included three chapters on the role of churches. Tomlinson’s contribution is also a vast synthesis of further developments, the place of economics and development in the Pacific Way vision, discussing also Epeli Hau’ofa, Malama Meleisea, Bernard Narokobi, Feleterika Nokise, Albert Wendt, etc., up to Marshall Sahlins’s famous “Develop-Man in the Pacific” (Sahlins 1992), before analysing the theologies of the Fijian Methodist Ilaita Sevati Tuwere and of the Tongan Anglican Winston Halapua. The symposium also looked at the way in which the notion of the Pacific Way was taken up in an even more political and regionally more limited way, under the name of the “Melanesian Way”. Did the invention of the “Melanesian Way” complement the “Pacific Way” - the variation of a “Melanesian style” - or does it, on the contrary, represent a real distancing?

But for the most part, this book is concerned with examining the performance of this slogan in the current period, at the level of the region as a whole or in the specific cases of individual states or territories.

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*

Abstracts

The following pages include, for each chapter that follow the Opening Speeches, the abstract that was written by the author for the symposium.

The symposium has been organized in a number of sessions³. For this publication, we have brought together the chapters into two large sections, one dealing with regional comparative issues (firstly more historical, followed by discussions on sovereignty and external relations), another section with more localized analyses: Vanuatu, Samoa-New-Zealand, New-Caledonia (with two chapters on the political situation and perspectives), and finally French Polynesia (with six chapters, on history, anthropology, sociology, economics, and politics).

Regional Comparative issues :

Historical

4- Paul D'Arcy

The Pacific Way's *longue durée*: Past Lessons for Pacific Futures from Pacific Regional Networks

This chapter examines the *longue durée* of Pacific regional networks from 1500 CE (Christian Era) onwards. It argues that these enduring inter-island trade, social and political networks shaped according to indigenous priorities hold important lessons for realizing Ratu Mara's 1970 call for the diverse peoples of the Pacific to use Pacific ways to live together and fashion common destinies. These networks fulfilled key objectives

³ See the full program, with summaries of papers and biodata of delegates, at: https://www.pacific-dialogues.fr/operations_programmes_news_pacific_19.php

and needs that saw them emphasized and maintained even in circumstances of local self-sufficiency, and also endured into the colonial era and after independence. The geographical extent and enduring quality of these networks in global terms challenges political theory arguing in favour of centralised authority harnessing collective resources as vital to meet existential threats. Regular indigenous Tahiti-centred networks, for example, stretched the equivalent distance from Paris to Moscow. These vast networks held together by emphasizing local autonomy, fluid responses to environmental challenges, and trans-local higher authority losing consent if it failed to return local benefit. In this regard, this enduring Pacific Way holds lessons for all of humanity and modern Pacific discourse.

5-Michael Goldsmith

Our Sea of Floating Signifiers: or, the Curious Voyage of the Pacific Way

Through the lens of Lévi-Strauss's notion of 'floating signifier', originally applied to the Pacific concept of mana, I aim to show that the ideology of the Pacific Way has changed its meaning repeatedly over the course of its more than fifty-year career. Such an analysis is not intended to devalue the Pacific Way (by way of parallel, Lévi-Strauss's analysis has not diminished the mana of mana). I will argue, however, that its users have continually responded to changes in purpose and context and some of their uses of the term may be more fit for purpose than others. To make my case, I intend to focus on two historical moments at the beginning and the end of Pacific Way's trajectory so far.

First, the few years after 1970, when the initial (but contested) invention of the term by Ratu Sir Kamisese Mara, which Stephanie Lawson has adroitly shown was conceived as a way of reformulating and reinforcing chiefly hierarchy, underwent a swift transformation into something much more egalitarian through the writings of theologians and intellectuals, many of them associated with the University of the South Pacific.

Second, the present day, where the Pacific Way has morphed into a diverse collection of practices and modes of signification, with a pronounced emphasis on distinguishing between 'true' and 'spurious' claims to Pacific identity, especially in discourses of diplomacy and sovereignty. While the notion of 'floating signifier' suggests that it is

impossible to provide a definition on which all proponents agree, there is one underlying constant, which is that the Pacific Way has always been equally about what it stands *against* as opposed to what it stands *for*. This may help to explain the allusion in my title to Epeli Hau'ofa, whose famous essay 'Our Sea of Islands' was an attempt to shift Pacific Studies away from the politics of despondency and *towards* the politics of accomplishment and rejuvenation.

6- Marc Tabani

Melanesian socialism: anthropology of a post-colonial illusion

Pacific Way, Melanesian Way, Melanesian Socialism: this ethnicist division, which in the 1970s led to a pan-Pacific vision, the Pacific Way, being complemented by a sub-regional ideology, the Melanesian Way, had all the appearances of a reinvention of the colonial Polynesia/Melanesia divide. While historians, economists and political scientists immediately found it a matter of debate, anthropologists stayed significantly away, focusing on the question of identity politics on national scales. They have focused on traditional ways of life as the basis of national construction (*kastomu/Pasin Tumbuna* in PNG, *Kastom/Kastam* in Vanuatu and the Solomons, *la Coutume* in New Caledonia, *Vaka Vanua* in Fiji, *Fa'a Samoa* in Samoa, *Peu Maohi* in Tahiti, *Māoritanga* in New Zealand, etc.). The aim of my analysis is twofold: to trace the disappearance of the myth of Melanesian socialism and to analyse the renewed interest of anthropologists in the ways in which national identities can be transcended regionally in the Pacific.

7-Serge Tcherkezoff

Divided societies? The Pacific Way spirit of consensus: Samoa (1962), Aotearoa New Zealand (2018)

The call for a Pacific Way was faced with the division of Fijian society which gained independence and wanted to promote a way of living together : « people of different races, opinions and cultures, can live and work together for the good of all ». This goal requires admitting the following. From a holistic, or Maussian one could say, sociological point of view, there is no such thing as a « divided society »: it is a contradiction in

terms. If there is 'society', there is necessarily a level of value that refers to the whole of that society, where the unity of living together makes sense to everyone. But, of course, any unity implies that somewhere - I prefer to say less vaguely: "at a lower level of value" - there is room for distinctions, divisions, fragmentations. In this sense, and contrary to what I have just said, there is no society that is not 'divided', if only by what we call social classes, not to mention ethnic or geographical divisions in the population. But there is or will be a society if and only if there is a level of value that makes a totality, is recognised as a link of belonging, and that, as a result, has the capacity to include (encompass in the strong sense) the level where the divisions are deployed. I will briefly recall what the strategy was in the 1950s in preparation for the independence of what would be the state of Samoa, acquired in 1962.

Finally, I will discuss how these questions are being asked today in Aotearoa New Zealand

8-Elisabeth Worliczek

Pacific Island universities in the past, present, and future: the potential for a Pacific Way forward University education has always been a key to upward social mobility in the Pacific Islands.

Over the last decades, a number of universities have emerged across the Pacific Islands and proved to be accessible key institutions for the Islands' citizens. This brought a democratisation of education, as the previous generations relied almost exclusively on scholarships and had to go abroad for higher education. These Pacific universities were created under different circumstances, with different actors and with different supporters and objectives. While long-established institutions such as the University of the South Pacific are currently under scrutiny, new universities (such as the University of Vanuatu) emerge as new players in the field. Regardless their age or challenges, these institutions are important as they also allow to develop curricula that can be framed locally and that correspond to the need of locally trained skilled graduates, while at the same time striving to be internationally recognised institutions. This paper explores the possibilities and possible futures that have emerged out of a Pacific way in higher education, with a special emphasis on collaboration between universities and the relationships with other parts of the world.

Sovereignties

9- Gonzaga Puas

Is Micronesia Free Under the Weight of the Compact of Free Association?

My paper will discuss the underlying issues experienced by the Federated States of Micronesia (FSM) under the Compact of Free Association (Compact) over the last 35 years. It will do so by reviewing the economic, social, constitutional, and political debate affecting its development and its future-outlook. It will then present its answer in relation to the topical question: are the FSM free under the weight of the Compact of Free Association between the US and the FSM?

10-Iati Iati

The Implications of 21st Century Geopolitical Competition on the “Pacific Way”

The recent signing of the Solomon Islands-China security agreement, and visits to the Pacific by Chinese, Australian, and American high-level delegations signal a long-expected elevation in competition between outside powers over the region. These developments occur in the larger context of rising international geopolitical confrontation, particularly between the North American Treaty Organization (NATO) and major Eurasian powers: Russia and China. This paper examines the implications of this geopolitical competition on key aspects of the “Pacific way”: respect for individual country sovereignty; regionalism; strengthening relations between Pacific island countries. Up until the mid-1980s, the Pacific way entailed respect for the sovereignty of Pacific island countries. However, pressure from major Western aid donors like Australia and New Zealand meant that external involvement and interference became more common. The Pacific Islands Forum (PIF) was intended to decolonize regionalism, but throughout the past several decades, Australia and New Zealand have exercised disproportionate influence in this organization. From the independence period to about the 2000s, relations between Pacific island countries (PICs) and former colonial powers have, in many respects, become neo-colonial. Since the 2010s, this situation started to change as Pacific island countries have found greater agency both individually and at the regional level with the development of policies such as the Blue Pacific narrative and the Boe Declaration. Is there a cor-

relation between this change and the increasing presence of China in the Pacific? And, if so, what are the implications for the future?

Specifically, the paper will address the following issues. First, how has China's rising influence on regional geopolitical issues affected the sovereignty and autonomy of Pacific island countries?

Moreover, is China's involvement in Pacific geopolitics likely to give PICs greater individual and regional autonomy, as envisioned in the "Pacific way"? Second, has and will China's presence affect the disproportionate influence exercised by Western countries in regionalism? Since the first major regional organization, the Pacific Community (formerly the South Pacific Commission), regionalism has been dominated by Western countries, in particular Australia and New Zealand, and this has extended to institutions formed by and for PICs themselves. However, ten Pacific island countries now have diplomatic relations with China, instead of Taiwan, and China has moved to strengthen regional cooperation between these. What are the implications of these moves for regionalism, and in particular the pre-eminent regional organization, the PIF? Finally, how might China's increasing presence in the Pacific affect relations between the PICs?

11- Jon Fraenkel

The "Pacific Way", Traditional Hierarchy and Democracy in Fiji, Tonga and Sāmoa

The "Pacific Way" has variously been conceived as an authentically *regional* approach to the management of domestic and international affairs or, alternatively, as an elite project elevating tradition as an obstacle to greater democratization. The latter view was most comprehensively advanced in Stephanie Lawson's 1996 book, *Tradition Versus Democracy in the South Pacific*, which focused on Fiji, Tonga and Samoa and on the allegedly reactionary role played by the chiefly hierarchy in those three countries. This paper also focuses on those three countries and asks whether class-based interpretations of elites manipulating tradition to their own advantage make sense of what subsequently ensued. In Tonga, major elite-orchestrated reforms in 2010 diminished the powers of the monarchy. In Samoa, a universal franchise was introduced in 1990 and the powers of the *tama'aiga* (paramount chiefs) were diminished over time. In

Fiji, the 1987 coup proved only the first of three illegal overthrows of governments. Ironically, it was not a popular insurrection that carried forward the 1980s reformist project, but – after the 2006 coup – the Republic of Fiji Military Forces (RFMF). It did so not as the agent of democratization but as its antithesis. In the process, the RFMF also abolished the Great Council of Chiefs. The paper finds fault with solely narrative-interpretative treatments of the contemporary history of Fiji, Tonga and Samoa and advances the case for a political economy approach.

12- Tamatoa Bambridge, Paul D'Arcy, Alexander Mawyer, Bernard Rigo

The Pacific Way and the New Sovereignty in Oceania

Fifty years after the formula launched by Sir Kamisese Mara, the “Pacific way”, understood as an Oceanian way of solving problems by consensus, has apparently eroded considerably: lack of consensus on matters of regional interest, separatist warfare, ethnic tensions, non-respect of customs related to the transfer of power within the Forum, etc.

The gap between the practices of state elites in the Pacific and those of local populations has never been so wide in the past 50 years. However, this paper defends the idea that the “Pacific way” is even more relevant at a time of global change and the internationalisation of conflicts. First of all, in line with E. Hau'ofa, this article questions the register of analysis. The state conception of sovereignty in use since independence, which for a long time structured a Westphalian and ethnicist vision of social relations, is opposed to a sociological approach in which sovereignty is primarily constructed through exchanges and social relations. However, the recognition of this Oceanian sovereignty anchored in culture and an identity linked to Fenua (land and sea) is a prerequisite for an economy of consensus as promoted by S. Kamisese Mara. In this paper we will discuss a whole series of contemporary consequences of this change of perspective.

13- Sala George Carter

In search of the Pacific Way Consensus.

How is consensus achieved in the most culturally and geographical diverse region in the world? Consensus is not just a value of the Pacific Way, it is also the preferred mode of conducting decision making in Pacific regionalism. In particular, at the Pacific Islands. Forum Leaders Meeting for the past 50 years. This paper explores the processes of consensus decision making by states, leaders and their diplomats in contemporary Pacific regional politics. As a meeting procedure, consensus is a transactional process of negotiations where parties do not necessarily reach an agreement, but rather agree not to disagree.

However consensus is also contextual, that is regional consensus is constructed from societal forms of decision making like *soalaupule* and *wantokism* and regional approaches like PacificWay and Melanesian Way. This paper examines the role of culture and relationship in the building and maintenance of regional consensus decision making.

14- Jean-Paul Pastorel

The French Pacific collectivities in the concert of nations

What international agreements for the French Overseas Collectivities of the Pacific?

The three French COMs in the Pacific are closely involved in the construction of regional dialogue and are integrated into regional institutions in the same way. This presentation will recall the context of the France-Oceania summits, inaugurated in 2003, and present the current place of the three COMs in regional organisations, the common points and differences, depending on the status of each of the three COMs, including the latitude that each can exercise in terms of foreign policy.

Case studies: Vanuatu, Samoa-New Zealand, New Caledonia, French Polynesia

Vanuatu

15- Jean-Pierre Nirua et Anne-Sophie Vivier

The Search for a National Identity Claim alongside the Pacific Way through the Emergence of National Universities of the Pacific: The Case of the National University of Vanuatu

Two years after the fortieth anniversary of its independence, the process of emergence of the first National University of Vanuatu, which has the particularity of offering courses in French and English, constitutes a unique and singular opportunity to rebalance Francophonie in a minority context through its institutionalisation at university level.

Through the promotion of bilingualism and multilingualism, the new university represents a symbolic force for national unity and social cohesion in order to achieve the vision of a “stable, sustainable and prosperous” Vanuatu as envisaged in the Sustainable National Development Plan 2016-2030. The unanimous agreement of the political class when the bill was passed in December 2019 might suggest that the project is not controversial. However, the establishment of a bilingual English-French higher education system is also the subject of pessimism for some and criticism for others who continue to question, in particular, the inclusion of Bislama and vernacular languages. This presentation will first review the genesis of the UNV through a preliminary study of the evolution of higher education in the small Pacific island states, then present the steps that led Vanuatu to develop the project of creating its national university in response to the need for a claim of identity and an assertion of national evolution and maturity, and finally analyse the stakes that this represents in societal, linguistic, political and economic terms at the national and regional levels. The challenge of developing the UNV goes beyond the early years of its establishment, and is to ensure that Vanuatu masters its own thinking by training its own national elites who also wish to become Pacific citizens.

16- Fonomaaitu Samoatele Tuvalu Fuimaono

The Pacific Way: O au o matua fanau, the case for Pacific children and young people in Aotearoa New Zealand.

The idea of « Pacific Way » was and remains a means of finding ways to build a shared future for communities, beyond historical divisions. I will present the case of Aotearoa New Zealand from the specific perspective of our national policy about childrens' well-being, implemented by my Ministry Oranga Tamariki, "Ministry for Children » where I worked as Principal Advisor Pacific.

Child protection, children's rights, is the possibility and even the duty of society to intervene in cases of family abuse, whereby any members of the public, schools and health professions can make allegations that potentially lead to an investigation process by a government statutory agency. The right given to the Ministry to remove a child from his or her family in serious cases is directed by the Oranga Tamariki Act 1989. This is a familiar legal and social landscape in other Western countries. But in New Zealand and elsewhere in countries of the Pacific region, these values are linked to the right conferred on every individual, from his or her earliest years, to enter into a dialogue with a so-called 'traditional' vision or world-view of the « family », or « clan », *aiga* in Samoan, established certainly in the Polynesian region, and perhaps throughout Oceania. What we call the family is also or even primarily a clan, with its hierarchies of status and age, and where the child is not supposed to express a point of view before a certain, variable age. A well-known expression in Samoa for the very general term 'a disobedient child' literally means 'a child who speaks up too early for his age' (*tauta-laitiiti*). As a Principal Advisor Pacific for the Ministry of Children, specifically responsible for the interaction between the state and 'Pacific' communities in New Zealand, an interaction that encompass the cultural worldviews of Te Ao Māori and Pasefika Peoples, I am directly confronted with this difficult intercultural dialogue, and I will present some examples.

New Caledonia

17-Anthony Tutugoro

“Community of destiny” or “parallel paths”?

The difficult breakthroughs of a Pacific Way unique to New Caledonia.

If the Nouméa Accord expressed the fundamental wish to establish from above a community of destiny specific to New Caledonia, the speculators of the “living together” goal in 1998 would have reason to be upset today. Indeed, if the Congress of New Caledonia agreed on identity signs such as the anthem, the country’s motto or the banknotes, the impossibility of giving a flag and a country name to the archipelago progressively gave clues to the difficulty of concluding this social contract through the advent of a new, national and shared sovereignty. Finally, if Ratu Sir Kamesese Mara’s wish was to see a form of Pacific Way become widespread in the Pacific basin and to breathe new life into its archipelagos, New Caledonia, sclerotic as it is by a “Yes” or “No” dichotomy, struggles to engage in a co-constructive approach. Political speeches aiming at convincing one side to vote “Yes” and the other to vote “No”, for the period to come after the Nouméa Accord, have conditioned the populations of the archipelago to a strong political division. However, the social bridges exist. For the independentists, the reconciliation and the unification of the communities requires a majority “Yes” in the referendum envisaged by the Nouméa Accord. For the non-independents, decolonisation can and should take place within the State, a superior continental entity, and therefore in a dominant “No”.

In the cacophony in which the third referendum consultation (provided for by the Nouméa Accord) was organised, how can a society be formed in New Caledonia? This is the question raised by the whole current antagonism that runs through New Caledonia. We will try to highlight and analyse the possible lines of convergence in the discourse and actions, building a parallel path to a political strategy that leads only to rupture.

18-Patrice Godin

The Kanak Path to Independence

Born in the 1970s, the Kanak demand for independence is inseparable, in its various political forms, from the desire to build a new society encompassing all the inhabitants of New Caledonia, regardless of the cultural community they belong to. It is also inseparable from a movement to reformulate the Kanak identity itself. It is these two dimensions of the pro-independence movement that we propose to explore, both in their articulation, in their successive reformulations over the past half-century and in their profound and enduring coherence. We will also try to extract some sociological lessons from them. For the anthropologist, a privileged witness of the 'Caledonian' reality, it is difficult not to wonder about the current place of politics in his society.

French Polynesia

19- Veronique Dorbe-Larcade

Other Ways: Revisiting Major Native Figures of Contact Times (Ahutoru, Hitihiti, Tupaia, Mai)

At the time of the Contact, figures such as those (well known) of Tupaia, Mai (Omai) or those (less known) of Ahutoru and Hitihiti may have been put "in the foreground", that is to say, they may have been at the forefront at the very moment of contact with the Europeans (but not only: Tupaia in Aotearoa-NZ; Hitihiti in Fenua Enata-Marquises...), but they may also have been the object of particular attention from European sources. My aim is to expose what these sources value (...and possibly distort) and what we can perceive of the inventiveness and adaptability of these characters. I intend to echo the reflections of our Australian colleague Kate Fullagar ("Voyagers from the Hawai'i Diaspora..."). We will then evoke the contemporary significance of this valorisation of some great figures of the past.

20. Matteo Aria

In French Polynesia: ending of oblivion and patrimonial authority on the *marae* of Tapupatuātea

This presentation will examine some local variations of the so-called Ma'ohi cultural renaissance as it has been defined locally, in relation to the values of the Pacific way ideology. In particular, the analysis will focus on certain specific phenomena of cultural reappropriation and political demands that have taken shape since the large gathering of pirogues in 1995 in Taputapuātea. The perspective that will be presented is based on extensive field research in Tahiti, Raiatea and Tahaa. In particular, I will discuss the reappropriation of certain places of memory - the *marae* - and traditional practices – such as tattooing, fire walking - and will evoke some characters (cultural mediators) who seem representative of an approach that intends to restore a strong link with the ancestors.

Through the paths of these cultural mediators we will evoke certain developments in the islands of French Polynesia which are gradually leading to the end of the oblivion that has long marked the history and the imagination of these worlds.

21- Sandrine Chaillé de Néré

***The Pacific Way* and Oceanian civil identities on French soil: Being oneself within another**

The Pacific Way has been thought of mainly in political terms, and therefore, from a legal perspective, in institutional terms. In the case of the French Pacific collectivities, the idea of giving a specific place to overseas populations has been constantly affirmed.

But its expression has always been fraught with ambiguity. Sometimes intended to curb indigenous aspirations while taking for granted an inequality that forbids imposing the same civil rules on these populations as those of the metropolitan population, or later devoted to satisfying a need for autonomy while proclaiming the civil equality of all citizens, the institutional provisions specific to the Oceanian overseas territories are marked by equivocation. In this context, the question of the expression of overseas identities in private law has been blurred or even obscured. It was, however, an interesting perspective for this other social contract proposed by the Pacific Way. Fifty

years later, what has become of French civil law's respect for Oceanian identities? Has the Pacific Way found expression in social relations under private law? Certain inter-individual legal relationships (family or economic) can flourish under rules other than those of the Metropole. Does this mean that the culture, social structures and ways of life of the French populations of the Pacific can legally flourish? Has a balance been found in the French legal system that allows each person to be themselves while living a common destiny?

22- Vincent Dropsy & Sylvain Petit

Regional Economic Integration and The Pacific Way

The “2050 Strategy for the Blue Pacific Continent” has been recently endorsed by the Pacific Islands Forum leaders in July 2022 to reaffirm their desire to deepen Pacific regionalism through collective action. Several regional trade agreements (PACER, SPARTECA, PICTA, MGS-TA, PACER+) have been signed to improve economic integration in the Pacific. Yet, trade flows between small island developing states (SIDS) are still very small relative to their economic and financial ties with more powerful partners. This chapter argues that economic and geostrategic forces explain these patterns, because of their common characteristics and challenges, and despite their common values and visions for a Pacific Way.

23- Christian Montet & Véronique Selinsky

The compatibility of anti-trust law with the “Pacific Way »

In its broadest sense, the term “Pacific Way” is used to characterise a behaviour that favours the search for compromise, consensus and flexibility. In business life, this approach, which is linked to cultural traits observed in Pacific island societies, is likely to favour cooperation between companies, friendly sharing of markets, and ultimately agreements that the usual antitrust rules qualify as anti-competitive.

The adoption of antitrust law by several small Pacific island states and territories has not been as successful as expected, perhaps due to insufficient consideration of the compatibility of these rules with the Pacific Way. Most countries still lack effective com-

petition laws, and the authorities in Fiji and Papua New Guinea have remained largely inactive, focusing on price regulation tasks. As for the entities belonging to the French Republic (New Caledonia and French Polynesia), after six years of existence they have only a meagre track record of prosecuting cartels.

Antitrust law, based on its three pillars (sanctioning cartels, sanctioning abuses of dominant positions and controlling mergers), remains essential to the dynamism of these economies. How can we meet the challenge of reconciling its application with the cultural heritage of the Pacific peoples?

Basically, local populations and decision-makers must be allowed to appropriate the rules. This can be facilitated by: 1) a clear definition of the mission entrusted to the independent authority in charge of applying the law, in particular by avoiding entrusting it with ancillary missions outside the field of antitrust; 2) entrusting this task to personnel with an in-depth knowledge of the economic and social life of the small Pacific island countries;

3) implementing simplified procedures and negotiated solutions, both in line with local dispute resolution methods and the international procedural trend; 4) seeking solutions appropriate to the market conditions of the small Pacific islands, avoiding the mechanical transposition of external decision-making practices relating to very different economies

24-Sémir Al Wardi

The Pacific Way in French Polynesia: public and private views, past and recent

The concept of the Pacific Way is frequently used in Oceania. This article proposes to show that this concept is fundamental to the Oceanian imagination because it touches on identity, self-image and the story that Oceanians tell themselves about themselves. It should be remembered that this narrative prescribes an internal and international consensus between Oceanians alone. Nevertheless, the Pacific Way seems more like a utopia and a myth. Utopia, because the proliferation of violent conflicts is a reality. A myth, because the major powers are involved in regional organisations in Oceania, taking advantage of the many weaknesses of the small island states and territories.

Eric Spitz

French Republic's High Commissioner to French Polynesia

In 1970, Fijian Prime Minister Ratu Mara extolled the virtues of the "Pacific way" before the General Assembly of the United Nations, a culture supposedly shared by all Oceanians and a specific means of achieving independence for the Pacific states. With all that it could evoke - from the reminiscences of Senghor's negritude to the third way of the non-aligned countries at the height of the Cold War. A pacifism of the Pacific in the face of the rise of communism in the region, in a way.

Originally from Strasbourg, this concept also reminds me of the thoughts of the German Romantics in the 19th century, who were in favour of German unity at a time when the territory of what was to become Germany was still divided into a multitude of kingdoms. Theorists such as Johan Herder, in Another Philosophy of History, called for these divisions to be transcended and for the German "national genius" to be enhanced. History is made up of invariants, it seems. The sacralisation of cultures to forge a collective identity and encourage joint action would bear witness to this.

In the case of the "Pacific Way", the formula reflects a commitment to a consensual approach to internal affairs and a desire to resolve regional problems by keeping oneself to oneself in the face of possible intervention by non-Oceanic powers (1). I also note the ambiguity of the Anglo-Saxon idiom. The "Pacific Way", both the peaceful way and the voice of the Pacific. In the early days of independence, the challenge was to promote a sense of common belonging among populations of extreme linguistic and cultural diversity. It is no coincidence that this concept was promoted by the Prime Minister of a country where half the population was made up of Indian immigrant workers during the 19th century.

The underlying political philosophy is that there is a social contract specific to Pacific cultures that anthropologists such as Marshall Sahlins - who sadly passed away last year - have never ceased to uncover. A social contract based on a sense of moderation and a consummate art of compromise.

*In any case, the existence of a cultural heritage common to the Oceanic peoples seems to be attested. In his recent book *The Dawn of Everything*, the anthropologist David Graeber rightly points out that the early spread of archaic Austronesian culture from Taiwan and the Philippines and of the Lapita civilisation to almost all the Pacific islands in the second half of the second millennium BC was the last major colonisation of an area previously uninhabited by man. Traces of this passage, of this shared cultural substratum, are still very much alive.*

The challenge is considerable. Sharing common values and the same way of being in the world within the wider Oceania region also makes it possible to establish a solidarity of principle between the heirs of a shared historical legacy and affirms the existence of a collective interest. The work of leading economists - I am thinking here of the research of Edward Miguel of the University of Berkeley - has shown that the existence of organic solidarity within a community of values is likely to increase the interpersonal trust of its members and enhance the efficiency of public policies by reducing transaction costs.

*The concept of the "Pacific Way" is not axiologically neutral, however, and has been criticised by a number of intellectuals as a discourse that the emerging elites of the Pacific countries would have addressed to themselves (II). The fraternity invoked was more ideological than real, and applied more to a minority of leaders than to a majority of islanders whose horizons were still limited to the district to which they belong. It would provide elements of identification with an abstract regional space, with a mythologised historical identity, and would meet a need for political legitimisation. To quote Barthes on Japan, the "Pacific Way" is in fact "a reserve of features whose playfulness and invented playfulness allow us to flatter the idea of an unheard-of symbolic system". It would therefore constitute a cultural reification, a useful fiction, similar to that put forward by Edward Saïd in his book *L'Orientalisme*. It's not for me to decide this debate, and I'll leave that to the researchers present at this venue.*

In any case, this supposed ideological proximity is coupled with formalised regional integration (III). There are now many regional organisations. We have just celebrated fifty years of the Pacific Islands Forum based in Suva, Fiji. Created in 1947, the Pacific Community brings together the English- and French-speaking territories of the region in a single forum for discussion. Although the Pacific Islands Forum quickly took on a more

political essence, reserving access to independent countries, these two organisations are the annual meeting places for the island political authorities, encouraging the expression of the “Pacific Way”, which promotes a common regional interest.

These communities have deepened. Regional initiatives on emergencies, adaptation, mitigation and knowledge sharing have multiplied within the PIF, the Secretariat of the Pacific Community (SPC), the Melanesian Spearhead Group and the Secretariat of the Pacific Environment Programme. I am also thinking of the Alliance of Small Island States.

Nevertheless, today the consensual ideal seems to be in jeopardy (IV). Oceanian solidarity with the great powers was perhaps more often proclaimed and desired than achieved in practice. Yesterday, when Kiribati signed fishing agreements with the Soviet Union. Today, when the Solomon Islands have just signed a security agreement with the People's Republic of China. When Nauru, Kiribati, Tonga and the Cook Islands each sponsored an exploration project validated by the International Seabed Authority, even though the Pacific Islands Forum had called for a ten-year moratorium in 2019. The community of values has sometimes been supplanted by the expression of national priorities.

Beyond that, what would be the embodiment of this ‘Pacific way’ today (V)?

Firstly, the diagnosis made by Ratu Mara 50 years ago is still partly valid. I am thinking here of the attachment to a consensual approach to world affairs. Inter-state conflicts are still rare in the region, suggesting the pre-eminence of the peaceful settlement of disputes, placed at the heart of the United Nations Charter, Article 33 of which calls for solutions to be sought “primarily through negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements”. While we are witnessing the return of tragedy in Europe and we are reminded of the challenges of collective security, Oceania continues to be spared military conflict. Perhaps this is the Pacific Way.

Secondly, the Pacific Way will be embodied in the challenges facing the countries and islands of the region. I'm thinking here, of course, of global warming. It is true that the complex serpentine formations of Papua New Guinea and New Caledonia will not be affected in the same way as the high volcanic structures of Tahiti and

Rarotonga or the coral atolls of Tuamotu and the Marshall Islands. Since 2001, the Intergovernmental Panel on Climate Change (IPCC) has dedicated a chapter to the risks posed by climate change for Small Island Developing States (SIDS). SIDS are threatened by rising sea levels, extreme weather events, rising temperatures and changing rainfall patterns. Rising sea levels (estimated at between 35 and 70 cm by 2100) pose a direct threat to coastal areas and the existence of low-lying islands and atolls (Tuvalu, Kiribati, Marshall Islands). Rising sea levels are compounded by extreme weather phenomena - cyclones, the El-Niño Southern Oscillation - increasing the risk of flooding, erosion and salinization of groundwater. What's more, rising temperatures leading to ocean acidification threaten to cause lasting damage to the coral reef ecosystem on which animal, plant and human life depends.

Rising sea levels can lead to a contraction or extension of maritime territories and can give rise to disputes over maritime boundaries and exclusive economic zones. The 1982 Convention on the Law of the Sea was not designed to deal dynamically with border changes.

In response to this threat, it is my ambition to believe that the Pacific Way, 50 years on, can be translated into concrete leadership on climate issues. Back in 1997, the Tongan intellectual Hau'ofa put forward the hypothesis that regional integration could be based on a common project to protect the Pacific, whose inhabitants would be the "guardians of the ocean". That was his expression. Here too, there is a specific Oceanic dimension. The Pacific has the most marine protected areas in the world. The idea of an ethical responsibility towards the sea, the idea of sustainable governance associating man and the ocean, has been forged by history and constitutes a cultural continuum that runs through the Pacific. It may go by different names - rahui in Polynesia, the tabu zone in Fiji or bul in Palau - but the purpose remains the same. To ensure that solutions based on local traditions and practices contribute to the conservation effort, while at the same time enabling the livelihoods and cultural practices of communities to be sustained.

A few days ago, the Fenua welcomed Olivier Poivre d'Arvor, Ambassador for the Poles and Maritime Issues. He was there at the request of the French President to organise a One Planet Summit for the islands. This summit would be a local version of the recent climate summits organised in mainland France on the initiative of the President. The

aim of the summit is to specifically encourage the various Pacific States to share the solutions, technological or otherwise, that they have found to combat global warming. Polynesia has developed concrete proposals in this area. I'm thinking of the SWAC, which makes it possible to air-condition the Taaone in Pirae and major luxury hotels using cold ocean water. I'm thinking of the solar-powered osmosis plants that make drinking water available in the Tuamotu atolls, which unfortunately have none.

50 years after the Fijian Prime Minister's appeal, we may now have the "Pacific Way". All the countries of the Pacific pooling their resources and ideas to fight together against a common threat - global warming. A threat against which they are on the front line.

I'd like to conclude by wishing you all a very successful conference.

Thank you very much for your attention.

Penny Wong

Australian Minister for Foreign Affairs

It is a great privilege to be speaking today at the Pacific Way Conference, which will celebrate its 50th anniversary next year. Many of the participants at that inaugural conference in 1973 went on to become prime ministers or presidents of their countries, or secretaries-general of what is now known as the Pacific Community.

Fifty years of drawing together all spheres of Pacific society – academics, journalists, faith leaders and civil society advocates.

Fifty years of creativity, resilience and leadership.

Fifty years of working together to ensure your voices and perspectives are heard.

It was Sir Michael Somare the PNG Prime Minister who said at the Pacific Islands Forum (PIF) in 1974 -

PNG acceded to this Forum with the strong desire to contribute and support the Forum Members in the needs of our region. We are not here to rock the boat but add another sail in order that our voyage to that glorious destination may be reached.

And it was Australia's Prime Minister Bob Hawke who said at the PIF in 1984 -

The task of identifying regional solutions to regional responsibilities is amongst our most important responsibilities.

As a founding member of the PIF Australia has been a part of this journey with you. It is a real honour to be here in French Polynesia for the first time as Australia's Foreign Minister – the 12th Pacific Island country or territory I have visited since the new Australian Government was elected in May. 12 visits since May is an expression of the priority that the new Australian Government attaches to this region. Later today, I will have the pleasure of opening the Australian Consulate-General in Papeete. This now makes Australia the only country in the world with a diplomatic presence in every Pacific Islands Forum member country or territory. There is no clearer demonstration of

Australia's commitment to the Pacific as a whole. As a member of the Pacific family, Australia is committed to working with all in the Pacific to achieve our shared aspirations and address our shared challenges.

At every step we will be guided by Pacific priorities.

Like those articulated in the 2050 Strategy for the Blue Pacific Continent and endorsed by Forum Leaders this year. This strategy is our North Star – or as your ancestors would have navigated, our te Matau a Māui. It is a vision for the Pacific's economic, environmental and strategic future – written by and written for Pacific nations and their people. At its heart is a simple concept: that the Pacific knows best what its priorities are. And that the Pacific knows best how to achieve them.

Our region faces many challenges – PIF leaders have described the triple challenges of climate change, recovery from COVID-19, and strategic contest. The most pressing of these is the existential threat of climate change.

“The single greatest threat to the livelihoods, security and wellbeing of the peoples of the Pacific,” as powerfully articulated by the Boe Declaration of 2018.

COVID-19 has set back development gains and contracted economies across the region. Many Pacific economies, like French Polynesia, rely heavily on income from tourism, which shut down during the pandemic or heavily reduced with international border closures. Because the Pacific region was so effective in keeping COVID out, with many countries forced to keep their borders closed for longer, the region has been the slowest to recover in 2022. And the economic recovery is further hampered by global economic volatility, and food security and energy crises driven by Russia's illegal and immoral invasion of Ukraine. The increase in the debt servicing burden will further exacerbate fiscal challenges for Pacific countries. Public debt in the Pacific is expected to almost double by 2025 compared to 2019. This is impacting on the lives of Pacific Island people – on the health, education and social wellbeing of families. We also know that the biggest impacts are felt by the most vulnerable in our communities – particularly women and girls, and people living with a disability. When it comes to climate action, the nations of the Pacific have led the way for a long time. You have called on us to act. We have heard you. And we have responded. We have already enshrined in law our carbon emissions reduction targets of at least 43 per cent by 2030,

and net zero by 2050. Within the decade, 83 per cent of Australia's energy supply will be renewable. And we want to bid to co-host a future UN Conference of the Parties with Pacific Island countries, who have led the way for so long, and who have so much to lose in a warming planet. That's what we're doing at home, but we are also boosting our support for the Pacific region to address the climate emergency and achieve their development goals.

And so today, I am pleased to announce that in the Australian Government's budget, which will be released next Tuesday, we will increase our total Overseas Development Assistance Budget by AUD\$1.4 billion over the next four years. This includes AUD\$900m of additional development assistance to the Pacific over the next four years. This additional assistance will directly support action in the region to strengthen climate resilience, including on climate science and renewable energy. We know how important regional funding is to all Forum members, including French Polynesia, and how this additional assistance will benefit the region as a whole. It will ensure we continue to provide direct budget support to reduce fiscal distress, ensuring critical government services such as health and education continue to be delivered. Restoring connectivity across the region through aviation links is critical to the pandemic recovery and through this additional assistance we will continue to facilitate the movement of people and goods around the region. We know investing in women and girls has a powerful effect on economic growth and wellbeing. Which is why the Australian Government will restore the target of 80 per cent of all Australian ODA to address gender-based issues. At the broader level, we are supporting Pacific economies to grow, unlock opportunities and boost connectivity to priority sectors. This includes increased support for infrastructure in the Pacific and Timor-Leste through the Australian Infrastructure Financing Facility for the Pacific (AIFFP). This Facility will grow from \$3.5 Billion to \$4 Billion to support grant and loan packages and there is additional funds to strengthen project and risk management capabilities.

We are also increasing our investment in climate-related infrastructure and promoting climate-smart enhancements, through the Pacific Climate Infrastructure Financing Partnership. We recognise that as a major lender in the region, we have a responsibility to ensure that Australia is a partner that won't impose unsustainable debt burdens. This is why, amidst global economic headwinds and rising interest rates, Australia will offer

concessional lending and grant assistance to ensure Pacific partners can continue to deliver sustainable and transparent infrastructure projects that meet international standards. We will continue to work with partners like the IMF, ADB and World Bank to support productive, quality assets built and maintained with local content and labour. These new steps are in addition to our commitments to expand and improve our labour mobility programs with participating Pacific countries and Timor-Leste. And our commitment to establish an Australia-Pacific Defence School and to double the aerial surveillance component of the Pacific Maritime Security Program to help tackle illegal, unreported, and unregulated fishing.

So, we will look to you, and our other Pacific partners, as we work towards achieving these priorities. French Polynesia's leadership on protecting our oceans is just one example of the way you, and other Pacific nations, have used your voice and lived experience to shape the global debate. Our region can navigate our shared challenges best when we do it together, through organisations like the Pacific Islands Forum, the Pacific Community and technical agencies. Unified, strong and inclusive Pacific regional organisations like the PIF are critical to maintaining and strengthening Pacific regionalism.

Together, the Forum family has made great strides on the pathway to unity across the region. We are all sovereign nations and territories, but we freely come together through organisations like the PIF to solve problems together. To build a region that is peaceful, prosperous and resilient. Where the sovereignty of nations, large and small, is respected. Where the responsibility for Pacific security remains in the hands of the Pacific.

I also acknowledge the vital contribution that France makes in support of Pacific priorities. As a Pacific country, France has a stake in the peace and prosperity of the Pacific and brings a unique understanding of the region. It is a voice for – an advocate for – the Pacific, including by providing leadership on Pacific issues within the EU. As with all of Australia's partners, we will continue to work with France to advance our shared Pacific priorities.

We demonstrated this most recently following the volcanic eruption and tsunami in Tonga in January this year. Alongside the Pacific partners, France, Australia and New Zealand coordinated our essential humanitarian support through the FRANZ

Agreement, which has just marked its 30th year of combined cooperation in humanitarian assistance and disaster relief. We are also working with other groups, such as Partners in the Blue Pacific, an inclusive group founded by Australia, Japan, New Zealand, the United Kingdom and the United States. The Partners will work with the Pacific Islands Forum and its members to pool our collective strengths to back the 2050 Strategy and Pacific priorities. As with all of our work, Pacific Island priorities and interests will be at the heart of what we do in the region.

We share an ocean, but more than that, we share values.

We share dreams.

And we share a future.

The connections we share across our communities, our families and our cultures – forged and strengthened by institutions like the University of French Polynesia – are central to how we envisage our partnerships with the countries of the Pacific. We have seen this with our Australia Awards and Australia Awards Pacific Scholars, who build networks between their home nations and Australia, and throughout our region. Australia is a better place thanks to the contributions of Pacific diaspora – whether in the arts, business, agriculture, social services, academia, or sport. These connections stretch back through time. The peoples of the Torres Strait Islands in Northern Australia in particular share particularly close cultural and historical links to the Pacific. As the home of the oldest continuous culture in the world and over 300 different ancestries, we want to share the full story of Australia with the Pacific – starting with our First Nations perspectives and experiences. At home, we are continuing the journey of reconciliation with First Nations Australians and are seeking to enshrine an Indigenous Voice to Parliament. And we will appoint Australia's inaugural First Nations Ambassador, who will be a frequent visitor to the Pacific and will foster cooperation between First Nations and Pacific communities in areas such as health security, environmental management and climate change.

The future we share together is bright. And we will be stronger and more resilient when we face our shared challenges together.

Thank you for having me here today as we work. Guided by the Pacific way. Guided by the wisdom of Pacific voices. To build the Pacific of the future, together.

Edouard Fritch

President of French Polynesia

The “Pacific Way” is historically a phrase coined by Sir Ratu Mara, Prime Minister of Fiji, in the early 1970s. His phrase is based on a play on words, on the double meaning of “Pacific Way”, which can mean either “in the Pacific way, in the Oceanian way” or “in a peaceful way, without conflict”.

The concept therefore emphasises the primacy of dialogue and consensus-building to resolve all problems “peacefully, in the Oceanian way”, taking its time, the time needed for reflection, the time needed to make the right decision.

After 50 years, have we kept this spirit of dialogue and consensus?

Through our international encounters, I can see that Oceanians do not have the same vision or the same appreciation of the facts and events of the world as what we commonly call “Westerners”. I can see that Oceanians have a particular sensitivity in the way they see and observe situations. I can see that their approach to the present and the future, and therefore to time, may be different from that of the major countries.

In terms of values, the West bears the legacy of Human Rights, with Liberty, Equality and Fraternity. The Pacific, on the other hand, is less steeped in this European history. The values that bind our island communities together are those of Solidarity, Cohesion, Fraternity and Peace.

Moreover, dialogue and consensus-building are practices that exist in most Pacific communities.

Within the Pacific Forum, this is the case. It is a sacred rule. When certain decision-makers try to deviate from the rule of consensus, they are called to order and the subject of debate, a source of potential division, is postponed to another date.

Again at the Forum, in order to give themselves the best chance of reaching a consensus, the leaders alone, without their colleagues, isolate themselves and go on a one-day retreat. This is what the Forum calls "the leaders retreat" in its agenda.

This day enables each leader to be in a better position to make concessions and accept compromises, without the influence of their teams.

Again recently, this practice of consensus came into full play in the organisation of the USA-Pacific summit in Washington. The leaders of the Forum, led by the President of Fiji, Bainimarama, spontaneously demanded that the US executive invite all 18 members of the Forum. The White House accepted the Forum members' condition.

This recent example shows that the quest for unity and consensus is still very much alive. In this case, it makes it possible to feel stronger when there are several of us together, and to be united in international talks and negotiations.

Consensus, as practised within the Forum, has a virtue both internally in terms of maintaining cohesion, and externally in terms of feeling stronger.

Today, in the multilateral discussions led by the leaders, the Pacific is united around a common set of issues. These include the consequences of climate change ;

- preserving ocean resources ;
- surveillance of our respective EEZs;
- common health pathologies such as obesity, arboviral disease, etc;
- renewable energy production ;
- treatment of modern consumer waste such as plastic;
- regional international transport.

In other words, we take advantage of our smallness to unite, speak with one voice and stand firm against those bigger than us. It's a form of the Pacific Way.

The countries of the Pacific are looking for partnerships with major countries capable of providing us with solutions or supporting us on these issues that affect the daily lives

of our populations. Eliminating our waste and being less dependent on fossil fuels are everyday concerns.

I'd like to stress that seeking partnerships does not mean pledging allegiance.

The Pacific countries, united within the Pacific Forum, want to work with all the major countries of the world. The driving force behind international relations is the triptych of "cooperation, partnership and development". And we're doing it well. The very recent dialogue between the world's smallest countries and the world's largest in Washington is proof of this. We are trying to transform our apparent weakness, which stems from our small size, into opportunities and assets thanks to our unity. Although we may appear to be small island territories, we are in reality, all together with a Pacific way of thinking, one great ocean continent.

As far as Polynesia is concerned, dialogue is one of our methods. It's in our DNA. Consensus is sought, even desired, but it is not a necessary or obligatory condition.

In Polynesia, we have incorporated majority rule, which is less blocking than the consensus rule, and in any case, quicker. Yes, faster, quicker.

This change in our mindset, to go faster and faster, has taken us away from the Pacific Way to some extent.

Personally, I prefer the Pacific Way, which requires more listening, more in-depth and more rewarding dialogue, and ultimately more appropriate solutions.

Moreover, thanks to Autonomy, French Polynesia is itself. This original statutory framework fundamentally respects our culture, our identity and our languages.

As a result, we express ourselves and speak to our friends in the Pacific and to the world with our Oceanian soul, with our sensitivity, with our convictions. We can do this thanks to Autonomy, and we must do it because we are first and foremost Oceanians.

And finally, as a country linked to France, Polynesia is de facto part of the Indo-Pacific. Does the Pacific Way have a place in this axis?

The Pacific Way, as I have just said, is a state of mind, a method, an operating mode.

The Indo-Pacific Axis is a political vision that France and Europe want to share with the countries of the region. This Axis will only have meaning and reality in the Pacific if France and Europe support our countries in the major issues common to the Pacific that I have just mentioned.

President Biden's invitation to Washington was a step in this direction. The same will be true when President Macron organises an extraordinary One Planet Summit dedicated to island countries, here in Polynesia in 2023.

The Indo-Pacific Axis must be an axis of solutions for our small countries and island states. Good solutions will always find a consensual welcome with our friends in the Pacific.

Thank you very much.

The Pacific Way's *longue durée*: Past Lessons for Pacific Futures from Pacific Regional Networks

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While Spain established an imperial toehold in the Mariana Islands in the far northwest of the Pacific Islands, most Pacific polities and societies continued to evolve according to indigenous priorities in this period. Trade and other inter-island interactions were among these priorities. As well as extending potential resource bases, these networks fulfilled key social and political objectives that saw them emphasized and maintained even in circumstances of local self-sufficiency. Long voyages between archipelagos were still undertaken in several areas after 1770. Regular voyaging occurred between the Society Islands and Tuamotus in central Eastern Polynesia, between Tonga, Sāmoa and Fiji in Western Polynesia, and between the coral islands of the Western Caroline Islands and their mountainous high island neighbours in Micronesia. Local traditions, the distribution of cultural traits, and observations by literate outsiders all attest to inter-island voyaging within most archipelagos (Kirch 2002, D; Arcy 2006). The remarkable logistical capacity of these numerically small, largely consensus-based Pacific communities, and the geographical extent of these trading and other exchanges challenge world history literature still dominated by the false perception that enduring ocean voyaging required sophisticated organisation built upon the requisitioning of significant national resources by a centralised state apparatus.

Tahiti and its Wider Regional Networks 1500 CE-1800 CE

As an historian of the Pacific, it is highly appropriate that we gather in Tahiti to celebrate The Pacific Way 50 Years On and consider its present manifestation, as well as future needs and prospects. I have just completed editing a two-volume history of the Pacific for Cambridge University Press. Europeans figure only at the end of volume one as this

work reveals a Pacific world vastly more inter-connected than portrayed in standard textbooks. This Pacific world is more expansive both in the range of indigenous sources utilised and in geographical extent. Tahiti is closer to the geographical centre of this true Pacific world than the usual geographical middle point of most maps centred on Fiji, Tonga and Samoa. Far from being isolated on the eastern margins of the Pacific world, Tahiti was a central gathering place, linked to other gathering places across the Pacific through sophisticated, multifaceted communications infrastructure and diplomatic protocols primarily involving consent, shared identity and mutual benefit rather than coercion.

Much recent historical research on eastern Polynesian navigation and voyaging routes has focused on the testimony of the Tahitian priest and navigator Tupaia who named seventy-four islands for Captain James Cook in the late 1700s. Tupaia accompanied Cook when he left Tahiti and voyaged to a number of Pacific destinations beyond the normal sailing range of Tahitian and other eastern Polynesian seafarers. Europeans divided the Pacific into three cultural-geographical zones that coincided with differences they perceived in appearance. Micronesia stretched from Palau to Kiribati in the northwest Pacific, while the south Pacific was divided into Melanesia west of Fiji and Polynesia east of Fiji. The only Polynesian groups not referred to by Tupaia seem to have been Aotearoa (the Māori name for modern day New Zealand), Hawaiian Islands, and the Gambier Group. However, a recent in-depth study of Tahitian navigation by a Tahitian expert, the late Jean-Claude Teriierooiterai outlined Tahitian navigational paths to Hawai'i. Tupaia conceded that he had only visited nine islands in the Society Group, the volcanic island of Meheti'a 110 km east of Tahiti, Rurutu 570 km to the southeast in the Austral Islands, and 'Manua'. Anthropologist Greg Denning believed that Tupaia's Manua is the small Cook Island atoll of Manuae, three days' sail northeast of Rurutu. Others claim that it refers to Manu'a in Sāmoa. Historian Niel Gunson notes that the chiefly families of Manu'a and the Cook Islands were linked by marriage. The remaining islands were part of the pool of navigational knowledge remembered and passed down between generations of navigators (Henry, 1928, Teriierooiterai, 2013, pp. 206-207, 318-320, 324-329, Gunson, 1997, pp. 142-144).

Tupaia's chart is a small component of the vast corpus of eastern Polynesian navigational lore and traditions on inter-island contacts and alliances available in historical

sources or retained and transmitted by Tahitian experts through to the present. This knowledge reveals an expansive, connected world centred on the Society Islands, or more correctly, centred on the Taputapuātea Marae on the island of Ra'iatea, the religious centre of the eastern Polynesian world by the 1500-1800 CE period under review. Ra'iatea is 234 km northeast of Tahiti. Regular trade exchanges and political alliances and social exchanges took place within and between a number of archipelagos in the region, forming a coherent, known world of shared knowledge. That world centred on the Society Islands. Tahiti is the southernmost island of the Society group whose northernmost island, Motu One, is 579 km to the northeast. This extended cultural world measured 2554km from Rarotonga in the southeast to Nuku Hiva in the northwest and 2198 km from Motu One in the northeast to Mangareva in the southwest. It consisted of the Cook Islands 1155 km southeast of Tahiti, the Austral Islands 570 km south of Tahiti, the 1450 km long Tuamotu Archipelago composed entirely of atolls beginning 339 km northwest of Tahiti and ending near to the Gambier group centred on Mangareva 1619 southwest of Tahiti. The western limits of this area are marked by the Tuamotuan atoll of Reao, 1384 km from Tahiti and the Marquesan group 1399 km northwest of Tahiti. Although the Marquesan Islands and Gambier Islands were relatively isolated from the rest of this wider cultural world in the period under review, they were not totally so. A corpus of traditional knowledge collected in the nineteenth century by Tahitian scholar Teuira Henry also recorded navigational chants referring to Pitcairn Island, 2310km southwest of Tahiti, and Aotearoa, 3791km southeast of Tahiti, although both were not part of the tropical eastern Polynesian world 1500-1800 CE. Recent human genetic evidence from this Tahiti-centred region suggests cultural interaction occurred between this world and what is now modern-day Colombia and Ecuador around 1200 CE (Ioannidis et al, 2020).

Mountainous high island communities and nearby coral island communities regularly exchanged specialist manufactures. Tuamotu atoll dwellers traded pearls, pearl shell, turtles and dog fur and mats for Society archipelago high island products. Food items were also exchanged between mountainous high islands despite their relatively greater resource base. The chiefs of Tahiti procured parakeet feathers and canoes from Leeward Islands such as Ra'iatea, yams from neighbouring Mo'orea and Huahine. Regular exchanges were also made with Taha'a and Borabora, with Tahitian tapa exchanged for those islands' prized manufacture, bamboos filled with coconut oil. Just

as in Fiji and Sāmoa, Tahitians conducted largescale visits between communities and islands that might take one year to plan and last months. These reinforced community ties on islands, and chiefly political alliances between districts and islands. Traditions record chiefly family links between the Society, Austral, Tuamotu and Cook Islands, and occasional recent resettlement of communities from one island chain to another. The English beachcomber Morrison for example noted that the high-status Tamatoa chiefly line connected Tubuai in the Australs to Ra'iatea. Indeed, Captain James Cook noted that the great families of Tahiti, Mo'orea, Huahine, Bora Bora and Ra'iatea were all related (Lewthwaite, 1966, p. 48, 51, Oliver, 1974, vol. 1, pp. 343-348).

Perhaps the most compelling traditional evidence of inter-island links across a vast expanse of eastern Polynesia is the sacred marae network centered on the region's preeminent marae - Taputapuatapea at Opoa on Ra'iatea. Just as the Society Islands were at the heart of a vast trade and navigation network encompassing the southern Cooks, the Austral Islands and Tuamotu, Taputapuatapea was linked to other marae across the Society Islands and beyond. For example, the marae contained sacred marae stones from the Cook Islands. It was initially the most prestigious marae for the cult of Ta'aroa and it maintained its centrality during the emergence of the new religious sect dedicated to the god of war 'Oro, which came to dominate the Society Islands, supplanting the previous dominant god Ta 'aroa. Unique to the Society Islands was the Arioi society associated with the worship of the ascendant god 'Oro, and drawn from all ranks of society across the archipelago. Arioi groups of up to 700 people toured the islands entertaining host communities with dances, songs, plays and social satire. The missionary Thomson dated the arrival of the Arioi cult associated with 'Oro to 1730 or 1740. However, another missionary Davies believed the Oro cult had arisen in Opoa during the 1600s CE and had reached Tahiti in the second half of that century or the early 1700s (Henry, pp. 237-241, Oliver, 1974, vol. 1, pp. 914-928, 1106-1108).

Major Influences Behind Pacific Island Networks 1500 CE-1800 CE

Three influences interacted to create the patterns of trade and exchange across the vast breadth of Oceania prior to European colonisation. The first was resource differentiation between localities in combination with the logistical and skill base requirements needed to move goods and people, between different resource localities. The second was social, cultural, and political drivers for community exchanges for which

the trade of items might form an important component. The last was the necessity of expanding access to resource bases in communities' immediate vicinities due to the threat of natural hazards devastating localities with little warning. In the Pacific Islands in general, trade defined as the exchange of material goods was often as much a means to more valued social and political alliances and exchanges as the means in itself.

Where mountainous high islands existed within archipelagos also containing atolls regular exchanges of atoll shells valued for currency or canoes for high island canoe timber and other flora not available on atolls. However, regular exchanges also took place between island types with largely identical resources such as between atolls and between mountainous high islands. This might occasionally be because of locality specific high-quality resources such as obsidian volcanic glass used for cutting implements from Talasea on the island of New Britain in modern day Papua New Guinea which was traded as far as Borneo in modern Indonesia (Summerhayes, 2009).

More often, however, the exchange of goods also served a social and political purpose in which the item was as much symbolic as practical to forge political alliances between chiefly houses or social alliances between clans through inter-marriage. Inter-marriage extended resource bases by extending kin links that could be called upon in times of hardship such as prolonged drought, or the devastating immediacy of natural disasters such as typhoons or volcanic eruptions. Certain items were valued more for their status value than their practical application or rarity in the recipient's society, although high status did often derive partly from relative scarcity. Examples include chiefly feathered capes made from the feathers of numerous birds or ceremonial staffs.

Exchanges of goods and spouses extended beyond neighbouring archipelagos and beyond the range of any one political ruler. Historian Niel Gunson has documented the extent of the inter-archipelago chiefly marriage links for the eastern and central Pacific, noting marriage connections between Tahiti and Cook Island dynasties, Cook Island and Sāmoan ruling families and Fijian, Tongan and Sāmoan chiefly families (Gunson, 1997). To put this in global perspective, the distance from Viti Levu in Fiji to Ra'iatea in the Society Islands is 3237 kilometers compared to 2839km from Paris to Moscow and 4129 km from New York to San Francisco.

As well as fulfilling social and political needs, long distance exchanges were also a practical necessity emerging from the occupation of a demanding environment. In the Pacific Islands, short-term environmental perturbations and unpredictable changes brought about by external elements fostered expectations of unheralded elements intruding from beyond the horizon, curiosity about where these elements came from, and flexible, opportunistic strategies to cope with an, at times, uncertain world. Once established, most Pacific Islander societies developed some form of magazine economy and inter-island marriage or trade links with other communities to insulate themselves against climatic variability in rainfall, El Niño cycles, and natural disasters such as typhoons and earthquakes.

Many Pacific coastal communities had the capacity to move entire populations by sea for social exchanges but also especially to relocate if hit by natural hazards and climatic threats that were a regular part of island life. The Pacific is regularly subject to geological hazards such as earthquakes and volcanic activity, tsunamis, climate hazards such as typhoons, floods, landslides, drought, and El Niño - La Niña cycles. The Pacific Ring of Fire is a belt of volcanic activity that circles the entire Pacific, while tsunamis generated in one corner of the Pacific can touch shores on the other side of this vast ocean with devastating impact. Major volcanic eruptions can affect global climate and global food production for years. Climate patterns alternating between El Niño and La Niña variations span the entire Pacific and affect climate in the Indian Ocean and Africa as well, while monsoonal weather affects the western Pacific, Indian Ocean, as well as maritime Southeast Asia and much of continental Asia. These climatic forces can cause prolonged drought or heavy flooding. Such natural hazards required economies able to store surpluses in times of plenty and also able to draw on wider regional economies through trade and social alliances in times of need.

The volcanic eruption in 1452 on the island of Kuwae in what is now central Vanuatu was one of the eight largest volcanic events in the past ten thousand years, hurling at least thirty million cubic meters of rock, earth and magma into the atmosphere and creating enough dust to circle the world, remain in the atmosphere for three years, and block enough sunlight to create unseasonal and prolonged winters that stunted crop and vegetation growth in China and Europe resulting in thousands of deaths from freezing and starvation. Disruptions and forced migrations are also recorded in

this part of the Pacific, including the cessation of the trade with distant Tonga of local kava, a narcotic root beverage (Luders, 1996). Seismic disturbances on the sea floor generate shock waves that may give rise to tsunamis. The largest earthquake of the twentieth century measuring 8.8 on the Richter Scale was centered off Chile and yet still generated 25-foot waves along the Japanese east coast some 10,000 miles away (Dudley and Lee, 1998, p. 165).

The Caroline Islands lie within a corridor known as 'Typhoon Alley', where the majority of the world's typhoons either form or pass through on their way westward and northward towards Asia's Pacific Rim. In response to the frequency of natural disasters, many clans had members and inter-marriage links on a number of Carolinian atolls they could flee to if natural disasters struck their home community. Each coral island's potential carrying capacity generally exceeded its actual population during optimum conditions, enabling refugees to be accommodated. This was amply demonstrated in World War Two when many atolls blockaded by US forces were able to feed their own populations as well as Japanese garrisons.

The Pacific Way 1500-1800 CE: Visiting Protocols and Institutions

A core responsibility of Pacific community leaders in this era was ensuring that the complex array of institutions and resources required to maintain community capacity to voyage between locations was maintained. In the Pacific this meant maintaining sufficient navigational expertise, sailing skills, and logistical capacity to supply sufficient nutrition and sailing vessels for large voyaging expeditions that might be absent for lengthy periods, or to host such fleets from elsewhere, and also to overproduce to accommodate the absence of a portion of productive adults at any one time. One of the least acclaimed political achievements of the Indigenous Pacific was the ability to create such surplus capacity through consent-based, mutually beneficial, highly organized community labour (D'Arcy, 2006, pp.70-97). This is perhaps the greatest lesson of the ancestors for today's leaders and advocates of the Pacific Way.

Geographer R.G. Ward noted that the colonial era saw the decimation of inter-island sailing capacity so that by the 1900s most outer islands were much more isolated than they were during 1500-1800 though reliance on infrequent and expensive planes or occasional cargo and service vessels (Ward, 1998). Locally controlled airline and shipping infrastructure remains a relatively low priority for many island nations today,

despite the proven capacity of locally constructable canoe designs using solar and sail to fill a huge need in the outer islands in particular, while the promise of community-based tourism remains uncertain due to the reliance on foreign airlines to deliver tourists.

There is a strong case to be made for emphasizing the construction of Pacific Island craft based on traditional designs which harness locally available materials and are powered by wind and solar power. Most Pacific nations currently rely on aged, poorly maintained and diesel-powered shipping which is becoming more and more economically marginal by the year at a time when most remote Pacific islands need secure transport to survive the consequences of global warming. International decarbonization targets to be implemented over the next 30 years will make these existing forms of transport even more marginal, as will the rising price of their fossil fuels. Without the development of proven, locally made alternatives using local materials, the myriad of outer island communities across the Pacific will grow more isolated from goods and perhaps ecotourist dollars they are unable to access locally, as well as markets for their produce. Traditional vessels could easily hold all the exports and imports needed by most outer islands and last for a generation. Such revived vessels would also improve nutrition by allowing sustainable fishing instead of contracting fishing rights to Distant Water Fishing Nation (DWFN) vessels for only a fraction of the sale price of their harvest.

While regional leaders declared climate change to be the greatest threat faced by the region in the 2018 Boe Declaration (Forum Secretariat, 2018), very little regional resources have been committed to developing sustainable shipping as countless generations of ancestors prioritized. Yet, the urgent needs of outer island communities in particular, and all Pacific nations in general, demand enhanced research into traditional practices and designs that also integrate the most useful and readily applicable elements of modern science and technology such as solar powered computer software for onboard GPS navigation and weather tracking (Nuttall et al, 2014).

Studies suggest that increasing interest in eco-tourism and community-based tourism along with more sustainable harvesting of forest and nearshore fishery resources can return significant local income for communities still controlling the local resources of their ancestral homes, while at the same time preserving and even reviving ecosystems. The key issue for such communities is national and regional recognition of their

ancestral rights to act as guardians for the land and sea of their communities, as well as communications, transport, educational and health infrastructure to both facilitate local empowerment and external visitor access (LaFranchi and Greenpeace Pacific, 1999, Hilmi et al, 2020).

All exchanges and voyaging in the period 1500-1800 required advanced diplomatic skills and social sensitivity to facilitate long stays off island that seasonal winds or unanticipated storms or opportunities might demand, generally in circumstances where the visitor was reliant on the good will of the numerically superior hosts. Master navigators often acted as diplomats and envoys - it is no accident that many of the first Pacific Islanders to become known to the European world were navigators. Maintaining correct relations with other communities was also important. The arrival of outsiders across the sea differed from those overland because there were fewer intermediaries to warn of their approach. Visitor protocol usually consisted of signaling one's friendly intentions, and acknowledging the sovereignty of the host. This often took the form of approaching the shore with sails lowered, and reporting to the local ruler immediately (Chamisso in Kotzebue, 1967, vol.3, p. 207, Lessa, 1966, pp. 17-18, 45-46). Voyagers visiting Chuuk were required to leave their sails with the local chief until they left. By this act, they surrendered themselves to the ruler's protection, as their means of leaving were removed. In return, actual or designated kin treated the visitors hospitably. They were well fed and entertained (Chamisso in Kotzebue, 1967, vol.3, p. 212).

The humbleness and astute diplomatic skills required by navigators to interact with regular and unexpected communities in which they were always the minority is still required by Pacific representatives today in dealings with larger Pacific Rim and global players on matters from trade to global warming mitigation. The same humility and astute sensitivity to personal feelings always grounded in the mana accruing from mastering a skilled profession with humility and dignity that served generations of Pacific navigators still applies today. These attributes also characterised internal Pacific relations though. Pacific communities could construct and maintain far more canoes per head of population than almost any human community in history, but rarely did so by means of coercion. Cooperation and conceding some autonomy in exchange for collective benefit was more the case across the Pacific Islands. Even today, a feature that sets the Pacific apart from other parts of the world is the generally high level of state recognition of customary tenure and the large number of nation-states where

Indigenous peoples form the majority of the population and government representatives.

In this regard, the recent emergence of the concept of Oceanian sovereignty outlined later in this collection (in chapter 12) is particularly germane. By advocating for decision-making environmental guardianship on the basis of tangible actions and community ancestral links rather than the status of office holders, Oceanian sovereignty broadens decision-making criteria. This concept draws heavily upon, and is inspired, by concepts of *rāhui* and community-based environmental guardianship centered on the catchment from which UFP draws its talented student and staff base. In particular, CRIOBE the French Scientific Research Laboratory on Coral Reefs, has developed into perhaps the world's best practice in true partnerships between Indigenous knowledge and Western marine science, with CRIOBE Director of Research, Tamatoa Bambridge and his team working closely with local communities to produce restorations of coastal habitats, facilitated by French Polynesian authorities in ways that can still be improved, but which leave many of us in the Anglophone Pacific wishing our governments and university hierarchy would visit, learn, and build collaborative networks. Such networks were pioneered and funded exclusively by French Pacific academics and governments over a decade ago, most notably the Connecting Moana with teaching initiative which garnered enthusiastic support from most Pacific Island universities from the College of Micronesia, FSM in the far northwest to UPF in the far southeast.

Conclusion : The Ongoing Importance of External Connections

The vast majority of Pacific Island populations inhabited the large continental islands of the Pacific southwest west of Fiji. While this areas' coastal peoples also conducted maritime trade, most exchanges were much more localised than those covered above. The European presence in the Pacific increased dramatically after 1800, creating new opportunities and mediums for exchange, but also eventually restricting the traditional cultural worlds discussed above by imposing colonial boundaries and other administrative restrictions on indigenous long-distance exchanges. This was especially so in eastern Polynesia, and least so in the Caroline Islands due to limited coercive and policing capacity. While thousands of Pacific islanders from Polynesia and to a lesser extent Micronesia served as crew on European commercial vessels and European trade goods entered traditional trade networks, introduced disease decimated island populations and allowed a relatively easy colonial takeover. Hundreds of thou-

sands of Melanesians served as plantation labourers away from their home district or off their home island in the so-called labour trade of the last half of the 1800s, bringing back knowledge of the wider world and payment in western goods (Corris 1973). In the modern, post-independence era Polynesians and Micronesians have exported their labour from crowded resource-poor islands to the economies of former colonial powers to develop remittance economies, while Melanesian nation trade has mainly focused on their abundant mineral, timber and fish resources sought by the booming economies of the Pacific Rim. Long distance trade and exchanges remain central to the vibrancy of Pacific Island societies, but in ways local communities have far less control over.

This chapter has suggested another way forward, one which draws upon past lessons from generations of Pacific ancestors. It is a path that can substantially reduce externally driven dependence and exploitation, emphasizes sustainable economic development based on environmental affinity and guardianship, celebrates and accommodates diversity and multiple voices, and is ultimately consent-based as any action requiring broad adoption must be. The next generation seeking to enhance the Pacific Way, need to remember the importance of maintaining sustainable communications infrastructure, of schooling new generations of diplomats/navigators to be sensitive to negotiating with larger entities, and of reinforcing the consent-based decision making that has served countless generations of Pacific communities.

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Our sea of floating signifiers: Or, the curious voyage of the Pacific Way

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In this essay, I aim to show that the ideology of the Pacific Way (PW) has changed its meaning repeatedly over the course of its more than fifty-year career. While not intending to devalue the notion, I argue that users of the term have continually responded to changes in purpose and context and that some of their uses of the term may be more fit for purpose than others.

PREPARATIONS FOR THE VOYAGE

The phrase 'floating signifier' was coined by Claude Lévi-Strauss (1950, 1987) as a way of grasping the term *mana* – or, more precisely, as a way of elucidating the role that such a famously flexible concept played across a variety of cultures. Lévi-Strauss' phrase is therefore doubly suitable as a navigation point for engaging with the concept of the 'Pacific Way'. Firstly because, like *mana*, it is a notion that has expanded across boundaries and, in so doing, has shifted the boundaries themselves; and, secondly, because the metaphor of 'floating' has maritime connotations. For an ocean voyage to begin, the voyaging vessel (*vaka, waka, va'a...*) must be able to float in the first place. From there it can be steered more or less as the navigator chooses, or it can just drift – but this is not the time to rehash that tired controversy.

By borrowing the term 'floating signifier', I am not saying that the Pacific Way is an 'open' signifier (i.e., open to any meaning at all) and I am emphatically not saying it is an 'empty' signifier (i.e., devoid of meaning). Rather, the Pacific Way has had many possibly related meanings over its career. While that suggests it is impossible to provide a definition on which all proponents and commentators agree, there is one constant – a structural or even structuralist idea at its heart – which is that it has always been equally about what it stands *against* as to what it stands *for*.

In its initial phase, the Pacific Way represented a spirited alternative to the ways and practices of colonialism at the height of independence movements in the region; but, since the social and political contexts have changed over time, it stands to reason that the 'for' and the 'against' have changed as well. Reflecting on this process of change prompted the allusion in my title to Epeli Hau'ofa's famous essay 'Our Sea of Islands' (1993, 1994, 1995, et seq.), which was an attempt to shift Pacific Studies away from the politics of despondency and *towards* the politics of accomplishment and rejuvenation. As we shall see, however, Hau'ofa was ambivalent about the idea of a Pacific Way.

THE VOYAGE BEGINS

By happy coincidence, I came into direct contact with the early wave of Pacific Way theory while teaching at the University of the South Pacific in Suva for six months in 1973, a mere three years after Fiji's independence from Britain. Ratu Sir Kamisese Mara, often cited as the originator of the term Pacific Way (Mara 1979, 1997), was Prime Minister at the time, having earlier led Fiji through the constitutional transition.

USP was an important centre for debates over decolonisation and the future of Pacific states and societies. While I was never more than an onlooker to those initial debates, several faculty members were important early theorists and disseminators of the new Pacific Way paradigm. Among those whom I had most to do with were Ron Crocombe, Professor of Pacific Studies, and Sione Tupouniua, a Tongan lecturer in Politics. They later took part in a conference that resulted in a volume of essays co-edited by Tupouniua, Crocombe and fellow USP academic Claire Slatter (1975). Crocombe then went on to individually author some of the important early statements of PW doctrine (1975a, 1975b, 1976).

Before outlining the positions advanced in those publications, however, it is worth considering the extent to which Crocombe genuinely subscribed to the underlying ideology. At much the same time as his contributions to the PW literature emerged, he issued several publications that took a notably divergent stance. These publications included a two-part essay in *Pacific Perspective* (1972a, 1972b), an almost identical text in the form of a pamphlet delivered to a conference held in Fiji on 'The Catholic Church and the Development of Peoples in the South Pacific' (1972 c) and, expanding on those earlier publications, an influential introductory book, *The New South Pacific* (1973) that

was to go through at least seven editions. The central message of this sequence of publications is a more ambivalent and even sceptical overview of Pacific identity than that which emerges in the specifically PW-oriented publications from the same era. My favourite example of Crocombe's scepticism is the question he posed as a chapter or section heading in all of the texts just mentioned: "Language: are all 1,200 necessary?" Perhaps in recognition of the harshness of this position, in later editions of the book (e.g., 1989), the question was softened to "will all 1200 survive?" Throughout his career, however, a kind of flinty economic rationalism anchored his views of Pacific society and development.

And yet, his early distillations of the Pacific Way were mostly positive. In his view, it comprised a constellation of linked ideas, including: a predilection for consultative decision-making; an emphasis on development concerned with more than just material benefits; an orientation to 'love' (clearly drawing on the many Pacific traditions of *alofa*, *aloha*, *aroha*, *'ofa*, *loloma*, and so on); concern for less privileged members of society; concern for ethics; inclusivity; encouragement of creativity; and an overall political stance unequivocally in favour of national independence and sovereignty.

Whether or not the leaders of the newly independent nations of the Pacific ever put these principles into practice is beyond the scope of this essay and, anyway, is better addressed by those states' citizens. However, the proceedings of a 1980 East-West Center conference on 'Development the Pacific Way' attended by a number of senior Pacific island leaders revealed some disagreement among them about what PW actually meant. The debate hinged on whether to concentrate on particular (national, cultural) identities, on Pacific-wide ones, or wider ones still. In discussion, Toaripi Lauti, Tuvalu's first post-independence Prime Minister, even queried whether PW represented a stable identity, pointing to "a need for a Pacific way of life based on the realization that cultures will change and while traditional ways should be recorded for their preservation, desirable adaptation should also be encouraged" (EWC 1980: 19-20; see also p. 40). With a further degree of caution, Solomon Islands public servant Francis Bugotu went on to comment "that island leaders need to define more precisely what is meant by the 'Pacific Way'. If they knew what is tangible about the Pacific Way, they could then attempt to define their goals more clearly" (1980: 20). In his presentation, Ratu Mara tried to steer the discussion back to his original conceptions, arguing that the leaders "should not be trying to build a Pacific Community. We should be

trying to build upon a Pacific Community which is already in existence.... [W]e [are] not so much establishing new friendships as renewing old ancestral ties which the arbitrary division of the metropolitan powers in the Pacific had weakened" (1980: 72). He summed up with an appeal to history and tradition that was drenched in nostalgia:

life in the rural communities has a quality and a value which cannot be found in the towns. Moreover, I think it is a quality which identifies us in the Pacific and distinguishes us from other people elsewhere in the world. It is part of the Pacific way. [L]et us not lose the vision of a Pacific community where people matter, where kinship and other bonds provide an intricate network of benefits and obligations, and where the spirit of man can expand and develop in a unique way (1980: 76).

Mara's address comes across as an attempt to bring together the 'chiefly' assumptions of his original conception and the more egalitarian assumptions of the ideology that emerged later on in the works of USP scholars, such as Crocombe. At the same time, several complications arise from that body of work.

First, there is the question of how much of this ideology emanated from cultural trends widely analysed and advanced in universities and progressive circles at the time, both in the so-called West and elsewhere. The 1960s and 1970s were decades of what has sometimes been called a 'counter-cultural revolution'. The version of Pacific Way put forward in Crocombe's depiction resonated strongly with that tendency and with critiques of orthodox economic development that were emerging in parallel.

Second, there is the question of how much of the Pacific way derived from longstanding Christian principles and the extent to which its ideas then led to cross-pollination between secular universities and schools of theology. I will expand on this point shortly.

Lastly, there is the question of how much the standard characterisation reflects the philosophy of its supposed source of inspiration in the writings of Ratu Mara (1997). Stephanie Lawson has incisively dismantled the received history of the origins of Pacific Way through an examination of Mara's speeches and official documents from the era of Fiji's transition to independence. In her view, "it was first and foremost a conservative discourse embracing notions of class and hierarchy common to elite elements among both colonisers and colonised" (Lawson 2010: 299). In short, the version of the

Pacific Way outlined by Crocombe and others in the early to mid-1970s can be seen as almost antithetical to the version suggested by Mara.

There may be a point of connection, however, in the way that a growing number of theorists understand ideas of relationship and authority in the Pacific and elsewhere. This recent scholarship on hierarchy suggests that the idea of chieflyness underpinning Mara's interpretation (based on Fijian *vakaturaga*) is not opposed to equality as such but encompasses and entangles it in practices of respect (on Fiji, see Toren 2000; on Samoa, see Tcherkézoff 2009; and on hierarchy in Pacific development ideology and theology see Tomlinson 2019: 26). It is possible to view the approach of these and other authors as akin to Crocombe's criteria of "inclusivity" and "respect for less privileged members of society".

THEOLOGY OF THE OCEAN

I alluded earlier to the connections between the Pacific Way and Christianity. Crocombe referred to religion in his 1970s overviews of Pacific identity and he even referred to the "theology" of the Pacific Way (e.g., 1975b: 5) but his use of "quotation" suggested another kind of scepticism. He went on to explain that what he meant by theology was not so much religion as "the beliefs, values, political and psychological responses to the term [PW]". His remarks on Christianity itself ("The Pacific Way is God's Way") are brief and come late in the piece (e.g., 1975b: 21-22). I think it is fair to say that elaboration of the Pacific Way in religious terms was not his forte or his passion, even though he acknowledged the importance of religion to most Pacific peoples.

At virtually the same time as secular intellectuals were starting to systematise PW philosophy at USP (established in 1968), just down the road in Suva at the Pacific Theological College (PTC, established in 1965), religious intellectuals were starting to rethink some basic tenets of Christian belief and practice. Note that these theologians were primarily Protestant. While there were undoubtedly parallel trends in Roman Catholicism, that is a subject which I will leave to those better versed in that branch of Christianity than myself.

Even before the USP conference on the Pacific Way produced its findings, a Suva-based religious publisher Lotu Pasifika had brought out an important manifesto of what came to be known as 'coconut theology'. It was called that in part because of the

centrality of that tree crop in re-imagining rituals such as holy communion, with coconut water replacing wine or imported fruit cordial, but it was also clearly intended as a metaphor for Pacific cultures in general. The book was Garrett and Mavor's *Worship the Pacific Way* (1973; qv. Healey 1984). Significantly, the same publisher soon re-issued Crocombe's extended essay on PW as "an emerging identity" (1975).

Worship the Pacific Way was the fruit of a fundamental reassessment of Pacific Christianity that had taken place over the previous decade, moving from a view of the church as universal with some local wrinkles to a view of churches as rooted in indigenous ways of thought. We can follow this trajectory in the views expressed over time in the main organ of regional Protestantism, the *Pacific Journal of Theology*.

In its very first issue in December 1961, the editor had begun on a cautionary note:

... the Pacific Journal of Theology must not too fully deserve the alternative title of the Journal of Pacific Theology. Our journal must of necessity be a small and modest island child, but it must also serve to remind us that we are part of the great world-wide church and heirs to an ancient tradition in terms of which our island ways must be judged (Bradshaw 1961: 3).

The journal ceased publication in 1970, possibly because such an editorial line had fallen out of favour. By the time a second series of PJT re-emerged in 1989, an Oceanic theology had taken centre stage, a theology of which *Worship the Pacific Way* was a harbinger. The efflorescence of works in this subject area is too big a topic to address here in detail, but some figures stand out. Tongan Anglican cleric Winston Halapua (1998, 2010) coined the term *theomoana* (i.e., a combination of theology and *moana*, the word for 'ocean' in a number of Pacific languages). Jack Johnson-Hill (1992) argued that the foundational values of Pacific rituals and practices include 'reciprocity', 'consensus' and 'birthing' – the latter a concept borrowed from Keiti Ann Kanongata to denote emerging from the womb of tradition into "a new world of complex realities". Some other works that capture the flavour of an indigenous approach are by Meo (1996), Namunu (1996), and Nofoaiga (2020). I also draw readers' attention to an important essay by Huffer and Qalo (2004) that unites theological and philosophical reflection.

Arguably, the most detailed attempts to connect political and religious dimensions of the Pacific Way emerged in the writings of a senior Fijian Methodist minister, Reverend

Ilaitia (I. S.) Tuwere. In an essay written for PJT in 1995, he expressed regret that the term (PW) had fallen unjustifiably into disuse and defined it as having three main purposes: a quest for regional identity; a recognition of regional commonality; and a desire for self-determination, i.e., for Pacific people “to be actively involved to the fullest possible extent in shaping their own future” (1995: 7). The term has no meaning in itself, he felt, only in its use. It is also a sign of travail, of often inchoate “groanings” that must be translated “into effective speech” or “language of the ordinary people”, not remain the preserve of the educated elites (1995: 7). Tuwere went on to produce his magnum opus, the book *Vanua* (2002), which addressed the polysemous Fijian notion of *vanua* ‘land’ as a placement for indigenous identity and spirituality. Ironically for a work focused on the significance of land, this work’s central symbol truly typifies the idea of a floating signifier.

To round off this section on the religious dimensions of the Pacific Way, I return to Epeli Hau’ofa. Matt Tomlinson (2019) makes a reasonably convincing case that Hau’ofa was a theologian manqué of these theoretical developments. The creative tsunami of works that began with ‘Our Sea of Islands’ (1993, et seq.) led to the equally influential and hopeful essay ‘The Ocean in Us’ (1998) and the collection *We Are the Ocean* (2008). To use a trope common in missionary discourse, it is as though Hau’ofa had discovered a way of light that promised to lead his students out from a place of darkness. That despondency was cogently expressed in an earlier essay on ‘A New South Pacific Society’ (1987), a scathing indictment of regional elites whose privileges stood them apart from the lives of the mass of Pacific islanders. And even earlier came his only piece of writing that, as far as I am aware, directly confronted and critiqued the Pacific Way ideology of the 1970s. I refer to his short story ‘The Glorious Pacific Way’, reprinted in *Tales of the Tikongs* (1983). I won’t reveal the plot in case new readers wish to indulge in the delights of that volume but it is like an amusingly acerbic preamble to his 1987 critique of elitism. I have often wondered if his later writings represented an effort at balancing the satirical edge of this and other Tikong tales. On the other hand, I don’t think he ever backed away from that portrayal, judging by the number of times the story was reprinted in later collections (1997, 2008).

POLITICS OF THE PACIFIC WAY

So far, I have sketched two complementary aspects of the Pacific Way narrative – one that argues for its decolonising potential and another that raises residual concerns

about the feasibility of such a radical rethinking of identity. Which of these is more convincing to readers may reflect where they have floated to – and it is certainly possible to float between them on different days of the week.

I referred earlier to PW being defined by what it is *not* (what we might call ‘non-Pacific ways’) as much as by what it purportedly *is*. That opposition has a religious dimension: the island Pacific is arguably the most Christian region of the world, an identity that its citizens and residents use as a way of distinguishing themselves from less devout societies. As part of the Pacific Way, it is tacit at times and overt at others. The national mottoes of a number of independent Pacific states make it explicit (‘Tuvalu me te Atua’, ‘Fa’avae i le Atua Samoa’, etc.).

That devotion to Christianity neatly aligns with one of the most important tasks of PW rhetoric, which is to distinguish the ‘true’ island nations from their neighbours, the metropolitan and mostly secular states of Australia and New Zealand. Despite their status as founding members of the South Pacific Forum and their continued membership of its successor, the Pacific Island Forum, the two settler dominions with white majorities have often been portrayed by the other members as not ‘really’ Pacific.

Crocombe argued that, from the earliest days of PW ideology, it was used as a “symbol of exclusion” by Pacific island leaders and commentators:

New Zealand has generally not been included in the term – in fact several New Zealand Prime Ministers have expressed either frustration or amusement about the use of the term. They seek a specific meaning in the sense of particular forms of behaviour, but the more common meaning refers not to specifics but to the perception that whatever islands leaders agree on constitutes ‘The Pacific Way’ for that purpose at that time (Crocombe 1992: 153).

This division tends to emerge most starkly at moments of diplomatic tension. Frank Bainimarama’s 2006 Fijian coup, for example, caused the Australian and New Zealand governments considerable angst. The following year’s Forum meeting in Tonga was marked not only by consternation that Bainimarama attended but also by New Zealand Prime Minister Helen Clark’s clear irritation at the rapturous reception he received from the locals. According to journalist Audrey Young, Clark “didn’t want to know about my question asking what it says when Bainimarama has become a hero

apparently because of Australia and New Zealand's strong condemnation of him" (Young 2007).

Some years later, Bainimarama pointedly remarked "that the Pacific way of dealing with issues was not to be ostracising countries" (Fiji Sun 2015). His comment came at a conference of Pacific island leaders hosted by Japan and, while it seems like a back-handed comment on his treatment by Australia and New Zealand, it arose in the context of debates about whether to include Indonesia as an associate member of the Melanesian Spearhead Group on the grounds that the population of West Papua is mostly Melanesian. The episode allowed him to state the orthodox position: "I spoke at length today about the Pacific Way, I heard a lot about families – the Pacific families, and I said that we should continue as one if we want to be a family and if we want to do things the Pacific Way and that is to look after one another and accept the differences that exist" (Fiji Sun 2015).

And, yet, in 2022 regional diplomatic discourse is rife with mentions of a "Pacific family" in which Australia and New Zealand are firmly embedded – or at least their claims to full and equal membership have been met with comparatively little pushback, with the notable exception of Solomon Islands Prime Minister Manasseh Sogavare. No doubt, this rapprochement has been fostered by growing Chinese engagement, which only Sogavare has fully embraced, so far. But there is also an increasing recognition by Australia and New Zealand politicians that 'Pacific Way' rhetoric can be turned to their advantage. The most explicit form of that recognition has emerged in New Zealand foreign minister Nanaia Mahuta's reformulation of her country's vision for the Pacific region. Appointed as the first Māori woman to hold the position after the 2020 election, in the following year Mahuta gave a speech to the New Zealand Institute of International Affairs entitled "Partnering for Resilience" (2021). In her address, she explained the focus on resilience as "a natural next step... to respond to the significant challenges of the here and now, founded on an authentic and values-based 'Pacific Way'". She continued: "Regional architecture must draw its strength from a 'Pacific way' that seeks to establish rules and norms embedded in tikanga [Māori custom] and Pacific-led solutions"; and she concluded by stating that New Zealand, with Australia by its side, would work with "a range of partners to build resilience by promoting Pacific priorities, Pacific ownership and the 'Pacific way'".

These echoes of the 1970s are not just confined to political and diplomatic circles. At least in New Zealand (perhaps more than in the island Pacific itself?) they reverberate in a number of other settings. At my home institution of the University of Waikato, for example, PW ideology has surfaced in successive versions of the administration's 'Pacific Plan' to recruit and mentor Pacific students and staff. In 2011, the document espoused a commitment to the "cultural and spiritual values of Pacific people, especially in relation to language and culture, collectivity and kinship, respect and humility, and love and reciprocity" (UW 2011: 1) – language highly reminiscent of the PW ideology of the 1970s.

Ten years later, a new version of the document (UW 2021) asserted these same values, albeit within a framework that now acknowledged cultural differences across the region. The result is somewhat awkward and reflects the difficulties always present in any attempt to summarise a single coherent 'Pacific Way':

The relationship between the University of Waikato and its Pacific people will reflect and embody Pacific principles including alofa/'ofa/aloha (love, respect and really being in the presence of other human beings (Samoa/Tonga/Hawai'i), fakatokilalo (humility (Tonga)), collective outcomes and success, sautu (holistic and collective well-being (Fiji)), and tautua/kuleana (a leader's responsibility for collective well-being and outcomes (Samoa/Hawai'i)).

CONSENSUS? WHAT CONSENSUS?

A broader political question relates to the difficult notion of consensus, widely cited as a crucial feature of Pacific Way ideology. It is a topic that deserves a whole paper in its own right but, by way of conclusion, I will briefly point to some issues that suggest it is an idea that should never be taken for granted.

At the apex of Pacific Way politics is the phenomenon of the leaders' retreat at the annual Forum meetings. The retreat has become part of Pacific Way mythology that crystallised during the first decade and a half of such meetings. While the context has changed markedly, the ideal lingers in the Forum imaginary. In this version of events, all the leaders of the individual country delegations convene for a day in a select location away from the main conference venue, without aides and with media barred from observing proceedings. These arrangements supposedly favour free and frank

discussions leading to production of a consensus on the important issues on the Forum agenda. When the retreat ends, one of the leaders present (usually the Forum chair) acts as spokesperson with a statement that is the final communiqué or the basis for that document.

Of interest here is the fact that the retreat is conducted in secrecy. In other words, it takes place under something like Chatham House rules rather than under the gaze of the wider community affected by the decision-making. Both in the literature and in my experience of communal gatherings in the Pacific, this is rather unusual. If a contentious subject arises in such gatherings, it is either thrashed out in public or, if no consensus emerges, it is deferred or deflected. Now it may be that the Forum meetings are regarded as so important or infrequent that consensus *must* be reached and that the only way this can be achieved is by negotiations away from public scrutiny. The conclusion to draw from this is that the primary goal of consensus is to assure onlookers that there has been a consensus.

If such an outcome is held up as the epitome of consensus in the Pacific Way, questions arise as to how deeply rooted it is. If there is a consensus about what constitutes consensus, it is shaky at best. For the meandering voyage of this idea to continue, it will be in pursuit of a consensus that always seems to recede towards the horizon. Add consensus to the list of floating signifiers.

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Melanesian socialism: anthropology of a post-colonial illusion

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Critical essays by Joel Robbins have regularly taken aim at a certain anthropological culture that is too oriented towards “continuity thinking” (2007), in the wake of a discipline that in its early days was the perfect embodiment of a “science of continuity” (*ibid.*). Anthropologists were trained to be uncomfortable with the study of radical cultural change and rapid, drastic social transformation. Even today, Robbins adds, few anthropologists are capable of laying the foundations for an “anthropology of revolution” (*ibid.*: 10). While this observation may seem debatable for the contemporary period, epistemic conservatism has long remained a feature of political anthropology of the Pacific. The absence of anthropological reflection on the social and cultural implications of nation-building policies in this part of the world until the 1980s was characteristic of the perpetuation of models that privileged the analysis of cultural continuities. A case representative of his era illustrates well the weight of conservatism that characterized Pacific anthropology until recently.

When the first wave of decolonization in the Pacific began in 1962 with the accession to sovereignty of the Western Samoan Islands, anthropologists overwhelmingly preferred to focus on Marshall Sahlins' famous article *Poor Man, Rich Man, Big Man, Chiefs: Political Types in Melanesia and Polynesia* (1963). In fifteen pages, the author proposed a regional theory of power based on a classic colonial comparison, the ethnocultural opposition between Melanesia and Polynesia. A few years later, the Tongan-born anthropologist Epeli Hau'ofa was the first Pacific voice to criticize what he considered to be “a clever, thoughtless and insulting piece of writing [...] ; the whole article is a pseudo-evolutionary comparison, in Sahlins' terminology, between Polynesian polities and the 'underdeveloped' Melanesian ones (Hau'ofa 1975: 285).”¹ In the context of

¹ The antagonism between these two great thinkers would fade, however, to change two decades later, as Tomlinson noted, into a perfect convergence with the respective publication of the essays *Our Sea of Islands* for Hau'ofa (1993) and *The Economics of Develop-Man in the Pacific* for Sahlins (1992): “Both authors share the core idea that there is a grounded set of values, practices, and interrelationships that enables Oceanic expansion. This expansion can be manifest as grander public adherence to tradition

decolonization processes in the contemporary Pacific, Sahlins' proposal could imply a link between the level of development of a political practice and the priority given to a country's independence. The possibility of major political change could thus be justified on the basis of cultural continuities that would be more or less suitable for colonized societies in exercising their sovereignty.

On the other hand, Robbins' analysis against maintaining a continuist discipline seems less justified for anthropologists specializing in Africa, in their relationship with the history of that continent. When the decolonization of the Pacific Islands began, Africa had already passed through this stage a decade before, forcing anthropology to update its themes. In a 1962 publication, the anthropologist George Balandier laid the foundations of his contribution to the anthropology of contemporary politics. In an article entitled *Les mythes politiques de la colonisation et de la décolonisation en Afrique* (1962), this author clearly perceived the theoretical challenge that national independence posed for anthropology, as a factor of discontinuity and a source of rupture. His analysis focused on the historical stages in the development of the myth, initially validated by tradition, towards its use in the cultural and political construction of contemporary, post-colonial issues.

While myth, as a socio-political charter and factor of sovereignty in pre-colonial tribal societies, had "an ideological component" (Balandier 1962: 96), it underwent, according to Balandier, a "shift in meaning" with colonization (*ibid*: 86). New social and cultural issues arose from the moment this new system of domination and the resulting inequalities became implicated in the identification of colonial fact. In the context of this historical transition, myth was still partly an operation of tradition. It was only with the emergence of the indigenist policies that accompanied national independence that myth took on the value of a cultural symbol, placed at the service of political ideologies based on a modern relationship with the past and traditions. From then on, it became urgent for anthropologists to deal with a problem that could not be ignored, namely to grasp the implications of neither a radical change nor the emergence of a "dialectic of tradition and revolution" (*ibid.*: 96). The anthropological approach to decolonization developed by this author anticipated, in its own way, the first proposals for the decolonization of anthropology, for its acceptance of ideological and cultural ruptures.

or a reevaluation of Oceania itself as a place within the world" (Tomlinson 2019: 30-31).

The Pacific, on the other hand, remained open to Robbins's approach for longer. The changes brought about by the first wave of independence in the region (Samoa in 1962, Cook Islands in 1965, Nauru and Tonga in 1968, Fiji in 1970), which inspired the discourse on the Pacific Way, mobilized sociologists, political scientists and economists to evaluate the potential for novelty. Anthropologists, for their part, were slow to examine the cultural implications of indigenous claims to a "Pacific civilization" that had no centre and whose contours remained uncertain (Matsuda 2006: 769). They were also unresponsive when the first claims of a "Melanesian Way" were heard on the campus of the University of Papua New Guinea in Port Moresby in the mid-1970s, and later on at the University of the South Pacific in Suva. This lack of response to the ideological recycling of the old colonial and anthropological opposition between Melanesia and Polynesia (Thomas 1989, Tcherkezoff 2008) continued until the early 1980s, when Vanuatu, the last Melanesian country to gain sovereignty, became independent.

It was not until the publication of a famous special issue of the journal *Mankind* in 1982, edited by Roger Keesing and Bob Tonkinson – *Reinventing traditional cultures: the politics of kastom in Melanesia* – that anthropologists began to address the issue of the political use of identity and tradition by Melanesian nationalisms. It was only from this thematic focus that they tackled the question of the affirmation of cultural identities based on the reconstitution of common origins and the construction of a past adapted to the needs of the present and future perspectives. The issues of cultural revivalism and the nationalist ideologies that promoted them were to be subsumed within a single anthropological framework. In the course of heated debates about the meaning to be given to ethno-cultural identities based on a rhetoric of tradition translated into pidgin English by *kastom*, this process of ideologizing tradition was linked to the sub-regional identities – Pacific and Melanesian Way – that historically fostered its development.

The purpose of my article is to clarify the ideological formation of the Melanesian Way and its political extension in Vanuatu, known as Melanesian Socialism. In the following pages, I will present a brief history of the ephemeral fate of the Melanesian Way and Melanesian Socialism in Vanuatu, their erasure in favor of the development of a rhetoric of *kastom* as a factor of political liberation and identity renewal and, in a fundamental

way, as a process of cultural rebirth. I will discuss the Melanesian interpretations of the Pacific Way formulated by the first generation of Vanuatu nationalist leaders and their insistence on adding a socialist dimension to their social project. Finally, I will return to the belated involvement of anthropologists in these debates about the political construction of identity and tradition in the historical context of Pacific independence.

Pan-Pacific Anti-colonialism

For more than half a century, the theme of the Pacific Way has been what we might call a social science sea snake, to use a journalistic term, a recurring theme with no real conclusion or tangible social extension. The phrase first appeared as a formula, a simple slogan, vague and imprecise, in a speech to the United Nations in 1970 by Ratu Mara, the first leader of the Fiji Islands. However, it served as a linguistic element, a semantic dressing, for the creation in 1971 of the South Pacific Forum, the first post-colonial international political organization in the region. However, this institutional expansion did not give it any more coherence or clarity on a strictly ideological level, in the sense of “a system of ideas, a body of doctrine on which political action is based”.² Its lack of resonance with a popular social base and its mobilizing character, limited to a small group of leaders of countries with newly acquired sovereignty (Samoa, Nauru, Tonga, Cook Islands, Fiji), have regularly been derided by many academics, starting with Epeli Hau'ofa, who did not even recognize the strength of its propaganda:

The Pacific Way has not yet developed into a real ideology – and is unlikely to become anything other than a convenient label for things that the mobile island elite groups share – especially their privileges (Hau'ofa 1985: 168).

The academics inspired by Ratu Mara's slogan, including the influential New Zealand sociologist Ron Crocombe, who made his career at the University of the South Pacific in Suva (see Lawson 2010, Kessler 2021), were quick to point out that they had no intention of recognizing the social bases shared by an imagined target group as diverse as “Pacific Islanders”. The vocation of the Pacific Way was to remain the discursive expression of an “emerging identity” (Crocombe 1976b). The notion of ideology is conspicuously absent from Crocombe's praise of this emerging doctrine, with two exceptions. The Pacific Way, he writes, shares with other political ideologies

² Dictionnaire de l'Académie française (<https://www.dictionnaire-academie.fr/article/A9I0063>).

the functions “to hide reality (or at least mask it, or shape it the way we wish it was) and myths can be built to fill the gaps” (*ibid.*: 4). But the founding myth here, the real ideological springboard, is that of brotherhood, an “ideological brotherhood”: “it is based on an assumption, usually unspoken, that all islanders are, for certain ideological purposes, brothers” (*ibid.*).³ This foundation of the “spirit of the Pacific Way” is also underlined by the political scientist Michael Haas:

Meetings of South Pacific islanders, so long isolated from one another, are viewed in part as adventures in learning how similar are the attitudes and customs of the participants. The term “brother” is applied widely to reflect social reality more than biology, implying an ideology of mutual aid, common origins and thus common interests (Haas 1989 : 11).⁴

Beyond the rediscovery of common origins, the fraternal bond between islanders implied by the Pacific Way is based above all on a rapprochement between “brother nations”. The pan-regional content of this appeal can be summed up as the encouragement of national versions of its founding message. Its original promoters had no intention of giving it the ideological scope of a pan-Pacific nationalism promoting ethnocultural unity. The first official speeches on the subject amounted to reassuring speeches about how a group of countries had gained their independence by consensus and without any hitch (Tomlinson 2019: 25). A peaceful transition in an idealized Pacific, a haven of peace guaranteeing prosperity and development, was the direction suggested to the countries of neighbouring Melanesia, which after Fiji's independence formed the second major wave of decolonization in the Pacific (Fiji in 1970, Papua New Guinea in 1975, Solomon Islands in 1978, Vanuatu in 1980). In anticipation of this widening of the concert of Pacific nations and the underlying neocolonialist threats, the Pacific Way, at the instigation of the leaders of the Polynesian countries, took on a more pronounced anti-colonialist stance.

³ The only other instance of the notion of ideology in Crobombe's laudatory pamphlet refers to clothing: ‘When it comes to dress, the ideology of the Pacific Way is clear: relaxed, cool and distinctly Pacific’ (1976 b : 26). The author goes on to say that while colonial legacies still make it difficult to formalize “national dress, islanders have nonetheless managed to put the suit and tie in the checkroom” (*ibid.*: 27).

⁴ Mutual respect in the dialogue between Pacific island countries is even said to have influenced Australia to play “a constructive ‘big brother’ role on the regional stage” (*ibid.*: 11).

Melanesian Anti-Westernism

Sharing the same anti-colonial sentiment on a Pacific scale was intended to foster closer ties between the already independent Polynesian states and those of Melanesia, which were then in the process of gaining their sovereignty. But young nationalist leaders in Melanesia, who were to become the leaders of their own countries, were quick to question the true extent of this anti-colonialism. While the Pacific Way was indeed invented by Pacific elites, the slogan was promoted as a political doctrine by Western academics at the University of the South Pacific campus in Suva.⁵ As a very general discourse on a model of sovereignty and development, it emanated from the urban and educated ruling classes, without clearly resonating with the rural population. Too moderate and respectful of the former imperial trusteeship powers, the Pacific Way for Melanesian nationalists reflected a very Polynesian attitude for their tastes, thereby legitimizing the emergence of a competing discourse, albeit presented as complementary, anchored in the same geopolitical space of the “Pacific Islands”, a product of “our very own Pacific and Melanesian ideas” (Lini 1987: i).

The Melanesian way, as an attempt to define a sub-regional cultural sensibility, took shape in the mid-1970s on the benches of the University of Papua New Guinea, which was about to get its independence, and was also supported by a few Melanesian relays at the University of the South Pacific and in New Zealand. The rediscovery by Papua New Guinea, the Solomon Islands and Vanuatu of their common origins and cultural proximity led political leaders and future leaders of Melanesian countries to distance themselves from a Polynesianised Pacific Way that was too tolerant of Western influences. As a result, the intellectual references of proponents of a Melanesian Way extended culturally and historically beyond the Pacific (see Bashkow 2020).

Melanesian nationalists thus found a major source of inspiration in an African Way, particularly in the doctrine known as African Socialism and the thinking of its main mentor, the Tanzanian leader Julius Nyerere. The aim of African Socialism was not a socialist Africa, but a fully African modernity, independent of Western influences and geopolitically non-aligned. For Nyerere, this ideology was based on a democratic commitment to a shared cultural future and the projection of an idealized, harmonious

⁵ Anthropologists were significantly sidelined in the 1970s from the Institute of Pacific Studies at USP's Suva campus, which was then acting as an incubator for Pacific Way ideas. Anthropologists, some of them Pacific Islanders, justified this situation by questioning their discipline's ability to fully grasp islanders' ways of thinking (see Hau'ofa 1975, Crocombe 1976a, Kessler 2021).

and united village society onto a national identity still being constructed from the past. It thus advocated the rebirth of an identity that had become too permeable to foreign doctrines such as capitalism and Marxism (Nyerere 1963). African Socialism, seen by its supporters as the origin of all other forms of socialism, was to transcend atheistic and materialist ideologies. It was to produce a synthesis of socialism specific to each African country, reviving a common prehistoric cultural heritage and a pre-colonial social order. The continuity of this heritage would be guaranteed by God. In short, the influence of African Socialism on the development of pan-Africanist thought gave it the value of an ideology, of organized militancy in favour of a model of society based culturally on strict Africanism.

By comparison, the contours of the Melanesian Way are more like a syncretic compromise between the values of the Pacific Way and the rhetoric of African socialism. The resulting discourses opened up the possibility of an extra-African and extra-Caribbean negritude, a Melanesian-style indigeneity. By reversing the racist patterns imposed by colonialism on the peoples of the black islands of Melanesia, this Melanesianist construction had the function of ennobling the age-old figure of the “ignoble savage” (Kabutaulaka 2015), valorizing black nations in the Pacific (see Otto 1997, Lawson 2013, Webb-Gannon et al 2018) and proposing a postcolonial model to Melanesian countries in the process of obtaining their independence (Sykes 2002). This invention of a Melanesian modernity, characterized by a double rejection of capitalism and Marxism, became the ideological fuel of a Pacific space at odds with Western influences. Melanesian writers likened this new approach to a philosophy rather than a political ideology. Like the Pacific Way, it was characterized by a deliberate vagueness: a concept based on an accumulation of personal visions, specific to each of its creators, reflecting a common impulse but not a collective dogma.

The affirmation of a Melanesian Way has developed in two main directions. In Papua New Guinea, under the inspiration of Bernard Narokobi, the Melanesian Way took the form of a cosmological vision of Melanesian unity, an indigenous call for closer ties between Melanesian brother nations.

Although he never gave a precise definition, Narokobi was able to describe a corpus of traditions, human attributes, physical environmental characteristics and spiritual trademarks that he construed to be the causal components of a

“Melanesian Way”. Some of these components include our unique Melanesian way of solving conflicts through mediation and restorative justice, which needs no complicated legal system but rather a communal approach to restoring peace and balance in the community; Melanesia’s communal vision of the cosmos and the people’s spiritual connection with their environment; Melanesia’s intricate trade links that existed long before the intrusion of westerners. (Bablis 2010 : 246).

The Melanesian Way focuses on issues of national identity and development, but within a framework in which the internal cultural diversity of Polynesian countries is quantitatively incomparable to that of the Melanesian archipelagos, and also in terms of geographical size and natural resources. It aims to figure the cultural boundaries of political entities based on hundreds of societies and as many cultural identities and spoken languages. “It is the simplistic imperialist who seeks uniformity as a technique for commanding obedience in a country of division, disunity, 700 languages and thousands of cultures (Narokobi 1980: 11)”. In reality, nation-building proved to be particularly complex, so a broader definition of the goals of the Melanesian Way, without a preconceived method, was the preferred solution. It was suggested that each Melanesian nation should find its own way of applying the values and principles of this doctrine.

The sense of Melanesianity underlying the Melanesian Way was probably more popular than the attachment to such a broad identity as that of Pacific Islanders. The Melanesian Way has filled in as the Pacific Way has emptied out, especially in political and cultural terms, reflecting a closer fraternal relationship. Contemporary affinities have emerged between the popular cultures of neighboring countries that share similar post-colonial experiences in terms of lifestyles and cultural representations. Finally, these closer ties have found a more solid institutional basis with the creation in 1988 of the Groupe Mélanésien Fer de Lance (Mrgudovic 2015), particularly to support, for a country like Vanuatu, the independence of peoples who were still colonized, Timor until its independence, West Papua and, above all, New Caledonia, where the largest Vanuatu expatriate community lives.

The Melanesian Way and Melanesian Socialism in Vanuatu

In Vanuatu, Walter Lini and Barak Sope, two of the main promoters of the Melanesian Way, were not satisfied to confine this watchword to a vision of hope or a promise of

sharing, or even to a strategy of national building per se. They saw in it a means of action, the concrete possibility of a social project adapted to countries that recognize themselves as Melanesian, and of applying it to Vanuatu in the form of a development based on the ideals of a socialism labelled Melanesian for the cause. In Vanuatu, the foundations of the constitution, namely Christian principles and traditional Melanesian values, have been the main factors of the ideological exploitation of the rhetoric of the Melanesian nationalists. The rhetoric of the resilience of the nation's Melanesian traditions, of cultural unity in diversity, has found particular resonance here, including in the analyses undertaken by anthropologists (Tabani 2000).

Although it is often mentioned in speeches, it is difficult to give a precise definition of Melanesian socialism as it has been advocated in Vanuatu because there are few references to this doctrine in the writings of its originators. It is often mentioned in speeches, but few of the writing delve into its meaning. For example, the readership of *Onetalk* (a pamphlet edited by Walter Lini) and *New Hebrides Viewpoints* [NHV] (edited by a group of Vanuatu nationalists) never exceeded the few dozen members of the New Hebrides Cultural Association, founded in 1971, which three months later became the New Hebrides National Party [NHNP] (the first issue of NHV had a print run of 25 copies [Lini 1980: 24]). Barak Sope, one of the two most radical intellectuals in the NHNP along with Kalkot Matas-Kele, was lucid enough to admit that:

The New Hebrides National Party publishes the *New Hebrides Viewpoint* and the Union de la Population des Nouvelles-Hébrides puts out the *Nakamal*; however, the ideas expressed in the periodicals do not appeal to the rural masses. What appeals to them is to regain alienated land, for 90 percent of the population live in the rural areas, attached to the land for their survival (Sope 1974 : 33)

In the introduction to Walter Lini's pamphlet *Beyond Pandemonium*, Anthony Hass, one of the author's Australian advisors, states that "the Melanesian Way and the Pacific Way are emerging ideologies with elements of past, present and future" (Hass 1980: 5). The significance of their Vanuatu version of Melanesian Socialism was the development of indigenous capacity based on the message of the enlightened churches (implicitly excluding the pro-French Catholic Church) and a sense of customary community. Even more vaguely, Walter Lini was content to assimilate anything, especially in terms of social and economic development, that seemed strictly Melanesian, i.e. non-Western,

to the Vanuatu Melanesian Way in order to redress the internal social imbalances created by colonization.

Whatever may be our national income per capita, one thing is certain: it is unevenly and unfairly distributed between the town and the rural areas, and within the towns, between Melanesians and foreigners. But we are ready to begin the long and demanding task of developing our islands in the Melanesian Way (Lini 1980: 44).

Georges Sokomanu, the first President of the Republic of Vanuatu, made this clear: "To develop according to a Melanesian Pacific Way is to follow the way the people approach development, rejecting harmful foreign influences" (Sokomanu 1980: 61). While the Melanesian Way was about correcting the weight of external and foreign influences in favour of indigenoussness, not all indigenous sources of inspiration were welcome. It had to be selective. The separatist movements, particularly Nagriamel and John Frum, "talk about the importance of custom in Melanesian society, but their terrorist activities are not compatible with the Melanesian Way" (Lini 1980: 53). Separatist movement and other opponents "will continue to talk about the importance of the Melanesian Way. The fact is that that they do not negotiate in the Melanesian Way" (*ibid.*). And Walter Lini concluded his speech to the nation on Independence Day, 30 July 1980, in the same chiaroscuro mode, asserting that "Vanuatu's future is bright and it is important that we are able to develop in our own Melanesian way" (*ibid.*: 63).

In fact, for details of the practical application of the Melanesian Way in Vanuatu in the form of Melanesian Socialism, we have to turn to its main propagandist Barak Sope. In his pamphlet on post-colonial approaches to land tenure, he denounced individualism as the core of harmful foreign influences. He advocated "communal development", which could only be maximized if it found its way into a future economic system. To this end, he insisted, capitalism did not appear to him to be appropriate; only a socialist type of economy found favor in his eyes, as it was adapted to the correspondence between indigenous social structure and collective land ownership:

The basis of socialism is manifest in the New Hebridean social structures and group ownership of land [...] For this reason one would recommend a socialist type of economy, supplemented by a socialist government. The development of land by groups cannot succeed under a capitalist economy (Sope 1974 : 53).

Sope was also the most explicit critic of a Polynesian Pacific Way that had been corrupted by foreign influences, inspired by capitalism and was in continuity with the colonial order. The leaders of the Polynesian states, he said, had helped to denigrate socialism because capitalism favored their own interests:

It would be hard to convince many Pacific islanders to accept this type of approach, because through colonialism, they have been “brainwashed” to take “socialist” as a dirty word. In fact, they have been indoctrinated so much that they have become blind to the village way of life being the basis of socialism itself. Small island communities have these concepts, and there is no need to introduce them; however, what is needed is develop these concepts of a national basis. In many parts of Polynesia, especially Samoa, Tonga and Fiji, the traditional ruling elite have been sucked into the capitalist economy. They have been convinced that a socialist type of economy would be against their financial interest and social prestige (Sope 1974 : 53).

Finally, unlike Narokobi, Sope was the first to argue that “communalism” (a term coined by Nyerere in reference to African socialism) found its purest expression in Vanuatu in the Melanesian values of *kastom* and had preceded any historical manifestation of socialism. Socialism was simply custom: “Capitalism and colonialism undermined a communal way of life that had existed in the New Hebrides for hundreds of years (*ibid.*: 52)”.

The main tenet of Melanesian socialism would thus be “communalism”, presented as a Melanesian precursor to any form of socialism. Its pre-Western origins and proto-socialist character would make it a concentration of anti-capitalist and anti-colonial values. It stands out for the importance it attaches to exchange, in the anthropological sense of the word, and to the idea of sharing that underlies it – an unexpected survival of a very ancient gift economy. According to Walter Lini :

[Communalism] is based on an awareness of the community where the individual was not to consider himself or his private interests taking precedence over the general interests of the community [...] Giving was based on one’s ability to do so. Receiving was based on one’s need (Lini, cit. in Premdas 1987: 108-109).

Lini was also careful to distance himself from communism, hence his choice of the alternative term “communalism”. Fearful of his doctrine being confused with the Soviet model, he was always careful to remove any ambiguity about his sources of inspiration. Using his land policy as an example, he declared: “Land exists to be used by the community for its needs. This is by definition a socialist principle, but one that we practiced hundreds of years before Marx, Engels or Lenin was even born, let alone heard of them” (*ibid.*: 108). But other motifs ran through the imagination of Melanesian socialism, including humanism as a Christian form of human relations, detached from materialism and oriented towards “compassion and mutuality” (*ibid.*: 109).

Taken separately, these various principles and values had little evocative power. It was only as a whole that they gained significance; taken together, they occupied a position that was completely antithetical to the Western categories that they opposed: “communitarianism versus individualism, sharing versus self-interest, humanism versus materialism” (Premdas 1987: 108). To the echo of the voice of the ancestors were added more objective and diverse influences, an eclectic assortment of external sources of inspiration. Foremost among these was Christianity, the true spiritual artery of the ideologues of Melanesian socialism. This was not a case of collusion, but a genuine osmosis between the Vanuaaku Pati (VP) and the Reformed churches, whose flocks formed the bulk of the party’s troops and whose pastors and catechists provided its key cadres.⁶

The Melanesian Way in British Archives

Not surprisingly, the first people showing interest in the Vanuatu-style Melanesian Way were the former British colonialists, especially after independence. In line with French positions, no French-speaking Vanuatu leader was influenced by this kind of anti-capitalist and pro-socialist argument.⁷ The British interest was reinforced by the fact that, prior to independence, Australia saw no objection to the kind of rhetoric promoted by Vanuatu’s nationalist elites, as long as they were clearly opposed to continue French tutelage. However, critical references to a Melanesian Way, which

⁶ Even on the economic and developmental front, as Walter Lini liked to remind us, “God has never gone on strike” (Lini cited in Howard 1983:198).

⁷ The critics of the French authorities were firing on all cylinders. The denunciation of Soviet influences on the VP could be linked to the scarecrow of its dictatorial drift, as suggested by the slogans of its Vemarana opponents in Santo: “Vemarana broadcasters (using equipment donated by New Caledonians) interrupted their programming of Madness and other ska and rock bands to chant slogans like ‘Lini! Lini! Mussolini!’” (MacLancy 1981: 98).

was seen as an ideological resurrection of an already outdated way of thinking, were sparse in the British archives. The real fear of the British was not so much the fantasies of Melanesian socialism, but the possible, the much more concrete possible influences of Soviet-sponsored communism.

Four months after independence, and just as Vanuatu's sovereignty had been consolidated by the suppression of the attempted rebellion of Nagriamel and its rival secessionist project of the Republic of Vemarana (Tabani 2001), British intelligence files were preoccupied with links to Cuba through Barak Sope:

We should be grateful if you would continue to keep a careful watch on communist links and on Barak Sope and others who associate with them. There seems to be more and more evidence to substantiate French fears of the VP's communist links. It would be interesting to know our Australian colleagues' views of the government they have done so much to support. Are they worried at the prospect of an irresponsible regime so near and yet dabbling with fire?⁸

This same Barak Sope was undoubtedly the *bête noire* of the former trusteeship powers. On 23 December 1980, the day after the Vanuatu government recognized the Polisario Front and announced links with the Black Panthers, the British secret intelligence service itself referred to a Pacific tradition:

Our interests are best served by trying to ensure that Vanuatu remains stable and democratic in the tradition of South Pacific Island States. The information above [contacts with the Russian and recognition of the Polisario Front] does not indicate necessarily that the regime is likely to turn Communist. But it does reveal a serious degree of political immaturity and naivety. This, together with some uncertainty about the real power structure within the Vanuaaku Pati, indicates a basic instability which could be easily manipulated by undesirable influence inimical to our own interests. Added to the uncertainties surrounding the true state of the political structure within the Vanuaaku Pati, it points to recurring instability that is easily manipulated.⁹

⁸ Letter from J. Forbes-Meylers, South Pacific Department (Foreign and Commonwealth Office, London) to the British High Commissioner in Port-Vila, regarding the report of Trevor Jones, an agent of the South Pacific Department on mission to Port-Vila, concerning charges of communism against Sope and the Vanuaaku Pati. National Archives. FCO107/198 Vanuatu Internal Political Affairs. 25/11/1980.

⁹ Report from C.M. Carruters, Head of the South Pacific Department (Foreign and Commonwealth Office, London), to Allan Donald, Under-Secretary of State for the FCO. National Archives. FCO 107/214 Internal. Security in Vanuatu. 22/12/1980.

The same concerns about the Republic of Vanuatu drifting away from democracy was regularly claimed:

Apart from the political jargon usually associated with radical far-left movements, there was no real evidence that the VP was a communist. Since independence, the VP has maintained, for example, his desire to maintain tax benefits for foreign investors [...]. Although the Melanesian Way is said not to be communism, it would be unwise at this stage to officially reject the idea that Lini or the VP are not communists.¹⁰

However, the Vanuatu government's strategy seemed to be becoming clearer. A high degree of amateurism was driving the situation rather than a nefarious ideology:

As we had reluctantly concluded a while ago, Lini seems reluctant or unable to adopt a statesmanlike approach to his archipelagic problems. The benefits of the "Melanesian Way", of which we heard so much from Melanesians before independence, now seem to have been firmly overtaken by "Melanesian pay-back" (with its cowardly methods and prospects of engendering long-term bitterness). This is a great pity: it does harm to Vanuatu's international image and to their standing in the civilized world.¹¹

Finally, the last known reference in British intelligence archives to the alleged far-left excesses of Vanuatu's leaders came three years after independence. In a speech by Lini to a conference in Canberra (15 February 1983), he warned the Australians (and by implication the Americans) that they should recognize the Melanesian way for its true value and not interpret their communalism as anything other than a reflection of Melanesian culture. A speech "that the Soviet ambassador in Canberra might interpret differently".¹² Lini also suggests that his support for the Australian Aboriginal cause might be less vocal if Australia were prepared to give Vanuatu more substantial financial support.¹³ Lini was plainly conscious about it and made use of the fact that regional powers "would almost certainly view the resurrection of Melanesian Socialism as acts contrary to their interests" (Lini 1982a: 10).

¹⁰ Report of Trevor Jones, an agent of the South Pacific Department on mission to Port-Vila, concerning charges of communism against Sope and the Vanuaaku Pati. National Archives. FCO107/198 Vanuatu Internal Political Affairs. 25/11/1980.

¹¹ C.M. Carruters, Head of the South Pacific Department (Foreign and Commonwealth Office, London, à William.S. Ashford ; High Commissioner to Vanuatu, 1980-1982. National Archives. FCO 107/214 Internal. Security in Vanuatu. 22/12/1980.

¹² Internal note of J.W. Forbes to the Foreign Commonwealth Office, 15/03/1982, South Pacific Department, about a speech by Walter Lini held at Canberra in February 1982. FCO 107/604.

¹³ *Ibid.*

In the early years of independence, the Melanesian Way was used as a rallying cry in bilateral relations with the main Western donor countries (Australia, Britain, the United States and France). On the other hand, the Melanesian Way, and even less Melanesian Socialism, had very little mobilizing power among Ni-Vanuatu and virtually no ideological influence among the rural population. According to Regenvanu:

As a preserve solely of the state elite, legitimised by the sovereignty of the juridical state in diplomatic discourse, Vanuatu's foreign policy under the VP government became regionally renowned for its stridently anti-colonial stance. Significantly, it was in the field of international diplomacy that the discourse of Melanesian Socialism was most prevalent, a fact indicative of the lack of constraints posed in this area at least for stances of unambiguous self-assertion. Such externally-directed stridency also served to remove attention from thwarted popular expectations domestically (Regenvanu 1993: 34).

Critical Anthropology of Melanesian Socialism

Barely three years after Vanuatu's independence, severe criticism of Melanesian socialism began to emerge. In 1983, anthropologist Michael C. Howard wrote an article entitled *The myth of Melanesian socialism*, followed in 1987 by an article by political scientist Ralph Premdas entitled *Melanesian Socialism: Vanuatu's Quest for Self-Definition*. The fact is that these criticisms provoked no response from the Vanuatu authorities, and from 1983 onwards there was always less mention of Melanesian Socialism in official speeches, writings by any political leader or in the press.

Howard was the first to criticize the ideological ramifications of the Pacific Way in Vanuatu as a strategy by educated urban Pacific elites to challenge both the continuity of the new post-colonial order with colonial practices and the emergence of disadvantaged social classes as a result of independence.

This ideology does not attack the working class directly. It seeks to ignore this class and indirectly denies its legitimacy. There is simply no room for a working class in The Pacific Way or in Melanesian Socialism. Where it does touch upon those who are members of the working class it exhorts them to follow those in authority and work with all members of the society for the good of the nation (Howard 1983: 197).

According to Howard, this strategy reached its limits when the Melanesian states gained independence. The decolonization of Melanesia was accompanied by the spread of new forms of capitalist penetration resulting from a dual ideological reappraisal involving both colonial expressions of traditionalism and postcolonial developments in the nationalism of Melanesian elites (*ibid.*: 180). The leaders in place at the time of the Republic of Vanuatu's independence, Howard argues, contributed significantly to certain developments in the Pacific Way, including adherence to "Melanesian communalism", "communal discipline" and a set of "specifically Melanesian" traditions. All these themes were brought together under the slogan of a Melanesian Way, complementary to but distinct from the Pacific Way, which would lead to a "Melanesian renaissance", to "the rebirth of our identity and purpose" (Lini 1982a: 8). The Melanesian Way was thus conceived as a nationalist counterpart to the ideology of Oceanian unity:

To a large extent the development of Melanesian Socialism can be accounted for in terms of the dynamics of regional politics and thematically it does differ little from the Pacific Way. But Melanesian Socialism is not merely a vehicle to promote co-operation between Melanesian states. It is also supposedly a charter for the creation of a Melanesian socialist society in Vanuatu. In this sense it must be understood in the context of Vanuatu as a nation (Howard 1983 : 186).

As Howard points out, the emergence of Melanesian Socialism in Vanuatu paradoxically coincided with the increasing penetration of capitalism. Since independence, the consolidation of the privileges of the Port Vila bourgeoisie has been based on programs designed "to encourage foreign investment (investment, incidentally in those areas with the largest potential profits) and help local capitalists to benefit from some of the spin-offs. Is this socialism or an alliance between national and international capital?" (*ibid.*: 195).

Given the challenges of nation-building, the watchword of Melanesian socialism was undoubtedly "development". But for a country that, shortly after independence, was still 75% rural, with 32% of the population living solely on a subsistence economy (*ibid.*: 188), development imposed a series of political and cultural choices. The Melanesian Way was an attempt to move away from the colonial forms of traditionalism and paternalistic capitalism of the pre-independence era in order to establish a centralist

vision of economic development better suited to the productivist criteria and interests of a modernist ruling elite:

[Melanesian Socialism] was, in effect, a conflict between two variants of capitalist relations of production, the first being a form developed earlier under indirect rule which relied on the articulation of two modes of production with the chiefs serving as intermediaries and the second a more advanced form of capitalist penetration that no longer required chiefs or tradition (except to entice tourists) (*ibid.*: 180).

Official discourse in Vanuatu encouraged controlled development that would not undermine the communal village base of the new nation. Melanesian Socialism, however, was supposedly more suited to Vanuatu's situation, precisely because it was supposed to provide the country with both a Melanesian and a socialist blueprint for development. But in the face of economic realities, the general and abstract principles of the programs of the country's leaders since independence have become hollow slogans. National interests inevitably benefited the ruling class. As for the penetration of globalized forms of liberalism, the result in Vanuatu has been the increasing impoverishment of the rural population, the marginalization of self-sustaining communities and the concealment by the local bourgeoisie of the emergence of new urban subaltern classes as disadvantaged as the rural milieus from which they emerged.

Given this situation, what would have been the originality of Melanesian Socialism in Vanuatu? According to Howard:

[Lini and his partners] set themselves two main goals at the outset: to bring the country together and improve its economic performance. Additional goals, in keeping with their overall view of the kind of society they wished to create, included promoting rural development, greater self-reliance, localization of ownership and employment and preservation of their cultural and environmental heritage. All reasonable goals that most socialists would support in principle, as would many capitalists for that matter (*ibid.*: 190-191).

The only dimension of the Vanuaaku Pati program that might have appeared somewhat socialist was highly centralized planning (the national planning department

was directly attached to the Prime Minister's office), with dogmatic overtones, which was to lead to economic independence in 1996 in three progressive phases (cf. David 1997 : 121-123). Walter Lini and the members of his party, without having any precise idea of the historical models of socialism, always claimed socialist inspiration in relation to the cultural heritage and the idea of a Melanesian specificity of which they claimed to be the guardians : "future patterns of our society which I have referred to elsewhere as 'Melanesian socialism', must be based on not only the creation of income, employment and health, but also on its egalitarian distribution" (Lini 1984: i).

In this respect Melanesian Socialism was, according to Howard, a mere argument in a discourse on cultural identity whose traditionalist inspiration was intended to guarantee controlled and balanced development. Otherwise, in reality:

Development in Vanuatu strongly resembles standard capitalist development planning for the Third World. Socialism is not a prevalent factor in the country. [...] In comparison with other Pacific Island nations, Vanuatu seems in fact to be one of the least "socialistic" in terms of such criteria as state ownership of financial institutions and the means of production (Howard 1983: 193).

As an ideology, however, Melanesian Socialism was not particularly original. Whether from the point of view of the integration of the Republic of Vanuatu into a regional whole or in the way in which this country underwent the effects of globalization. Against all odds, it remained in line with the dominant international order. Vanuatu did not provoke any substantive dissonance on the international scene. Indeed, the transfer of sovereignty was only agreed once the political reliability of the new state was guaranteed and institutional stability could be put forward as a guarantee of political continuity through its integration into a regional economic entity.

Regenvanu, a keen observer of local political life and now a leading Vanuatu politician, clearly outlined the organizational details of the transfer:

The discourse of Melanesian socialism presided over an orthodox pattern of national change characteristic of the contemporary's world "development" project, an integral part of which was the formation of a new ruling class whose *raison d'être* demanded the continuation of the colonial structures and imperatives (Regenvanu 1993: 1).

In trying to give concrete form to the general ideas of Melanesian Socialism within the institutional framework bequeathed by the former trusteeship powers, while preserving the spirit of its original doctrine, its ideologists came up against insurmountable obstacles. Their task was made all the more difficult by the fact that Melanesian Socialism was presented in the shorthand of the *kastom* discourse as opposed to the principles that had governed the colonial order in the archipelago for over a century:

It was a society increasingly shaped by capitalist, individualist and materialistic motives. If Melanesian Socialism was to bring about a radical change in social, economic and political structures, its task would have been nothing less than revolutionary change (Premdas 1987: 112).

What is striking about this interplay of contradictions is the power of concealment employed by Melanesian socialism. The alibi of Melanesianity and the survival/resurrection of an archaic culture that the nationalist elites have been using does not seem very convincing in the light of their actual practices and means. The purity of their intentions and the credibility of their culturalist arguments are somewhat dubious, given the ideological vagueness behind which they took refuge. For Premdas, Melanesian Socialism disavowed itself on at least two of its main foundations, Melanesianity and the postulated quality of values inherited from an ancestral tradition:

Overall, the external sources of Melanesian socialism - Christianity, nationalist ideology ('the Melanesian Way') and the Tanzanian factor - added to the egalitarian aspects of Melanesian culture provided the ideological compass for Vanuaaku Pati politics. It is clear that Melanesian socialism is not uniquely Melanesian (Premdas 1987: 112).

[Melanesian socialism] is intended to serve as an abstract political roadmap to guide the Vanuatu ship of state to certain destinations. As a practical guide, however, it provides a poor overview of the waters to be navigated. It is based on too few principles: communalism, sensitivity and sharing. It does not offer a theory or definition of the purpose of man and society, although it can be interpreted as a collectivist social structure with strong humanist overtones. But the range of its prescriptions is too broad and too abstract to serve as a model for the development of concrete policies (*ibid.*: 124-125).

If Premdas questions the coherence of Melanesian socialism as an embryonic ideology, it is because it had no idealistic dimension and was content with its instrumental function. It was indeed an ideology because its agents could assert a break with the colonial order and claim control over the direction of change only in a dogmatic mode. But it was above all a nationalist ideology in that, as Rengenvanu points out, it allowed its proponents to identify themselves with the state and to concentrate the process of nation-building in the hands of the new leaders alone:

More fundamentally, however, independence institutionalised the position of a new ruling class in Vanuatu. Legitimised by their education and a nationalist ideology which appropriated for the state the role of guardian of the nation, a small minority was able to gain the privileges accruing from their control over the affairs of the state, and use its agencies to subjugate other groups in national society to their dominant discourse. However, as the legacy of the larger agenda for social change embodied in this discourse became increasingly apparent, the hegemony of the national elite, and thus the legitimacy of the state, became increasingly tenuous (Regenvanu 1993: 41).

Another revealing trend in Melanesian socialism was the erosion of its content in favour of only one of the orientations of its original discourse, which unanimously emphasized the social role of an omnipresent and all-encompassing state model *kastom*. This rhetorical shift coincided with the country's constitutional crisis at the end of the 1980s, which this ideology was largely responsible for triggering. Since then, Vanuatu's ruling class as a whole has adhered to a single, all-encompassing traditionalist discourse, suddenly more openly supporting the utopian prospect of capitalism with a human face, adapted to the island's social environment, indeed a Melanesian capitalism.

Conclusion

Should we speak of the Pacific Way as a "vanished dream", as suggested by the title of a special issue of the *Journal de la Société des Océanistes* in the early 1990s (Panoff 1991), or as an ideology abandoned in favor of a "Pacific vision", a "Pacific plan" for economic adaptation detached from any culturalist ideal (Babadzan 2007: 85)? Rather than equating the Pacific Way with an ideology that never came to fruition, which remained in embryo, or with an ideology that failed to achieve its assigned goal of nation-building, it seems to me more measured to follow Tomlinson's analysis.

This author insists on a Pacific Way that, as a way of thinking about fraternity, has been able to sustain itself and develop in the manner of an Oceanian theology, under the combined influence of the great diversity of the churches and the presence of countless cultural specificities (Tomlinson 2019). In particular, this Pacific theology includes a discourse on development that is not preoccupied by neo-colonial influences and pressures. In this respect, it has little in common with models of revolutionary theologies that have emerged on other continents, and even less with recent aberrant political radicalizations of religion.

In the specific case of Vanuatu, it seems more convincing to assert that the Pacific Way or the Melanesian Way cannot be considered to have produced an effective ideology constructive of a pan-Pacific or pan-Melanesian identity, insofar as : 1/ References to these philosophies, doctrines or ideological ferments were mainly made in the run-up to independence and have become increasingly absent in the post-colonial period, except as an instrument of blackmail in the context of bilateral aid to the post- or neo-colonial powers of the region. 2/ These slogans, such as Melanesian Socialism, which was perhaps the most politically doctrinaire and the closest to a revolutionary ideological intention, never reached the urban or rural masses and remained confined to the transnational bourgeoisie who relied on these discourses for their own legitimacy. 3/ Finally, in a country like Vanuatu, the Melanesian way and Melanesian Socialism very quickly gave way to a discourse of *kastom*, which became the real ideological driving force behind nationalism, the nationalist invention of a cultural synthesis based on the diversity of traditions in the guise of a unified national identity. By comparison, PNG, Solomon Islands, Fiji and New Caledonia's Kanak people do not give *kastom* or custom the same place in their nationalist propaganda. The discourse on *kastom* in Vanuatu is certainly the most developed, as its claims also emanate from competing separatist movements, including the John Frum movement in Tanna and the Nagriamel movement in Santo (Tabani 2002).

It would be inappropriate to conclude by revisiting the debate on the "reinvention of traditional cultures in Melanesia" (Keesing & Tonkinson 1982), which began in the early 1980s and has never been completed. Let us simply stress that the emergence of a state *kastom* ideology (of a modern traditionalist tradition, as opposed to the traditional forms of strict traditionalism) is accompanied by the contemporary

invention of a cultural continuity; a rupture dressed up as continuity that is therefore far from revolutionary, but has, instead, many reactionary aspects. This invention is in fact ideological in the strongest sense of the word, and its political action is directed towards the suppression of competing *kastom* if not separatist ideologies.

This discourse on *kastom*, both in its state form and in the form of separatist movements, has affected not only the ruling elites but also the urban and rural masses to a very large extent. In Vanuatu, it represents the most developed aspects of an ideology: the affirmation of a national *kastom* as an expression of the diversity of local cultures, of diversity within unity. The abandonment of the Melanesian Way or Melanesian Socialism in favour of a state *kastom* was confronted in Vanuatu by syncretic, neo-pagan and micro-nationalist forms of affirmation of *kastom*, which preceded state nationalism in Vanuatu. These competing customary movements led the nationalists to push their own traditionalist rhetoric very far, resulting in the production of particularly rich and ambivalent discourses on tradition and identity in Vanuatu. These discourses lend themselves to political use by governments, parties, religious communities and institutions, and the social masses, whether rural or urban. As David Akin (2004) points out for the Solomons, *kastom* as a culture has allowed culture to be identified with *kastom*, a *kastom* that is both a political symbol of a postulated unity and a factor of creativity within contemporary Melanesian culture.

The foundations of *kastom* as a state ideology, as a discourse of cultural continuity, have been widely contested by anthropologists who have insisted on its constructivist aspects, including Keesing, Tonkinson and Babadzan among the first. The latter saw the invention of a continuity between pre-colonial and post-colonial cultural identities as a denial of the self-legitimation of indigenous elites trained under colonization to assume their leadership functions at independence. For these elites, colonization was merely a parenthesis in the affirmation of a resilient cultural identity over a period of almost 3,000 years. To achieve this, ethnologists combined the Pacific Way, the Melanesian Way and the ideology of *kastom*. In this way, they invented this triptych. This invention of ideological continuity between the three components of the same variant has no *raison d'être*. It offers support to a conservative counter-revolution that has ended up contaminating the doctrinal aspects of antagonistic movements by considering them as competing ideologies. The diversity of discourses on *kastom* in Vanuatu, especially those that predate the nationalist version, testifies to a desire to return to

the roots through radical cultural and political change. In Vanuatu, the dialectic of tradition through the perpetuation of charismatic forces has a real protest dynamic that anthropologists interested in continuity would do well to identify more clearly. The integration of Vanuatu's history into the anthropology of revolutions certainly requires the completion of the decolonization of anthropology.

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Divided societies? The Pacific Way spirit of consensus: Samoa (1962), Aotearoa New Zealand (2018)

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I. “Divided” societies¹

The title is convenient for brevity, but it must be specified from the outset. It is common in the vocabulary of English-speaking political science², which has placed under this notion of “divided societies” cases as diverse, historic or contemporary, as South Africa, Bosnia-Herzegovina, Ireland, etc., Canada itself, and closer to us, Fiji or New Caledonia. This is something of a catch-all, because it leads the reader to see in this last example only what is common to the others: deep-rooted oppositions. And this is in reference either to “ethnicity”, or, even worse, by invoking questions of “race”; less ethically problematic when the reference is to religion (Ireland), but no less problematic in terms of the consequences in terms of lives lost in the bombings; or, this time closer and less dramatic, when the reference is to linguistic division (Canada : Anglophone/Francophone), but no less dramatic when the whole history of the situation of First Nations is also added.

1 An initial version of this text in French was presented for a plenary lecture given at the colloquium “La Nouvelle-Calédonie : un projet multi-culturel ?” (November 2018) which was organised in Noumea by the TROCA centre, which I would like to thank again for its invitation (see the program on <https://troca.unc.nc/la-nouvelle-caledonie-un-avenir-multiculturel/>). This colloquium did not result in a publication. The expanded and updated text provided here, in the spirit of the educational publication on the theme of the Pacific Way - 50 years, incorporates a large amount of new development, numerous notes and bibliographical sources to enable the reader who so wishes to become more familiar with this field of research.

2 Cf. the numerous works by Donald Horowitz (see <https://law.duke.edu/fac/horowitz/>), Arend Lijphart on “consociationalism” (agreement between opposing parties which, in order to reach a decision by vote, adapt the rule of simple majority) in “divided” societies (<https://polisci.ucsd.edu/people/faculty/faculty-directory/emeriti-faculty/lijphart-profile.html>), Guelke (2012) and many others; and, with a specialisation on the Pacific, Jon Fraenkel of Victoria University of Wellington (see a list of publications, more than thirty articles over the last ten years, in https://www.researchgate.net/profile/Jon_Fraenkel; see also <https://insidestory.org.au/authors/jon-fraenkel/>). The concept has even become the name of a political science department at King’s College London (<https://www.kcl.ac.uk/research/centre-for-the-study-of-divided-societies/>).

In short, the title is a catch-all. Moreover, it is conceptually clumsy, because, from a holistic sociological point of view, that I would define Maussian, it must be admitted that there is no divided society: it is a contradiction in terms. If there is "society", there is necessarily a level of value that refers to the whole of that society, where the unity of living together makes sense³.

But, of course, any unity implies that somewhere - I prefer to say less vaguely: "at a lower level of value" - there is room for distinctions, divisions, fragmentations. In this sense, and contrary to what I have just said, there is no society that is not "divided", if only by what we call social classes, not to mention so-called "ethnic" or geographical divisions in the population. But there is a society (or there will be a society if we are still in an "un-achieved society" as Patrice Godin said for New Caledonia in a recent conference (see note 1 above)) if and only if there is a level of value that makes a totality and which, as a result, has the capacity to include (encompass in the strong sense) the levels where the divisions unfold.

We could discuss this concept of society in terms of the French holistic sociological tradition: Durkheim, Mauss, Louis Dumont. But today it is more useful to examine concrete examples. I will talk about the process that allowed the creation of a single citizenship at the time of independence (in 1962) of what is today the State of Samoa; then we will talk about some of the difficulties of the biculturalism that is promoted as a supreme value in Aotearoa New Zealand, this time considering very recent years.

II. The creation of the State of Samoa and a single citizenship

1. The German period

The settlement of adventurer-traders in the 19th century in Samoa was mainly in one place: a bay suitable for anchoring ships, with its small village, Apia, in the middle of the northern coast of Upolu. The result was a trading post and then a small town that is now the capital of the state of Samoa, still named Apia. At the end of the 19th century, this trading post was home to dozens of Samoan villages. It had a foreign or mixed population (unions of foreign men with Samoan women), more or less organised by a system of "consuls" representing the main nationalities (English, German, American) and a "municipal" council. In 1899, following the major colonial divisions decided in

³ See also in this symposium the paper by Patrice Godin. Since many years, we have both cared for this Maussian definition.

the western capitals, the western part of the archipelago (i.e. 9/10ths of the country in surface area and 3/4ths in population) became German (the eastern part was placed under American control and remains so today, with numerous adjustments: American Samoa). In the west, German colonisation ended when, at the outbreak of the First World War, Germany lost all its overseas possessions. Deutsche Samoa was then administered by New Zealand, and was designated as Western Samoa which became independent in 1962.

Germany and then New Zealand had, which may seem unexpected at first, a common vision that could be described as “museum-like” and bordering on racism. The Samoan “race” was said to be one of the last “pure Polynesian races” left but in danger of disappearing. German intellectuals of the time constantly compared Samoa to Hawaii, where, according to them, the “traditional culture” had vanished⁴. Such a catastrophe had to be avoided in Samoa. To avoid this, it was necessary to “preserve the Samoan race” from mixing. The Germans therefore not only made a sharp distinction between “natives” and “aliens” among the local population⁵, but they also distinguished between “natives” and people of mixed origin. The subsequent New Zealand administration did not change this distinction.

In the French language presentation, I used the word “Métis”, adding a capital letter to keep it at the same level of respect. I will retain the same word in this English version, to keep a sense of distance with the overused and unpleasant terminology of “half-caste”. The Germans spoke of *halbblut* and *mischlings* but in English of *halfcaste* (as in the whole British Empire), a terminology that became official under the New Zealand administration and was incorporated by the Samoans into their own language (*Afakasi*)⁶.

4 See, among others, the words of the German ethnographer Krämer (1902: Preface), quoted also, and with other German references, by Tobin (2015: 142).

5 Regardless of the German terminology (Eingeborener / Fremd etc.; see Winter 2017: 6), communication with the local community was mainly in English (native/alien).

6 The variety of terms used by Europeans should not obscure the underlying ideological unity of “race”. There was the reference to blood (*halbblut* “half-blood”, thus “mixed-blood”), often explicitly associated with the idea of “race” (mixed-race), or the “mixture” *mischlings*, mixed from which the French term *métis* derives in reference to “mixité” (from the Latin *mixtus*, mixed, but passed through the Portuguese and Spanish colonial vocabulary *mestizo* designating the children of European fathers and Amerindian women, to become successively *métice mestif métis* in French), which certainly has the advantage of not specifying whether we are talking about physical or other mixes (but obviously at the time it was about the physical: blood, bodies, race, “skin colour”); or the very particular term of the British Empire “half-caste”, stemming from a long history (Latin *castus*, “maintained in its integrity, pure” in the sense of “without mixture”; later, in the Portuguese colonial world *casta raça* “pure race”, then in

The Germans had made distinctions along the lines defined by the local “consuls” of the second half of the 19th century. Mixed-race children from a duly recognised marriage (the vast majority were the case of a foreign man who had married a Samoan woman) were given the status of their father; the marriage was recognised if their father had been able to register his marriage at a consulate⁷. They then became “residents with foreign status”, known as “European Métis” (in reference to their father). But Métis children from an illegitimate marriage (not registered at a consulate, no papers) could not inherit their father’s status. Since they could not be “foreigners”, they were necessarily “indigenous”. Thus, in the end, two categories were created: “Métis European” and “Métis indigenous”. (In 1947, the word “indigenous” was systematically replaced by “Samoan” in New Zealand government documents.)

In addition to the internal classification imposed on the Métis, the de facto distinction between the Métis in general and the Europeans on the one hand, and between the Métis in general and the Samoans on the other, must be stressed. The officials of the German colony, the prominent businessmen who came in, especially since the 1870-1880s (sent by companies already existing in Europe or elsewhere in the Pacific), with the “consuls” (positions began to exist in the 1840s and 1850s), not to mention the Protestant missionaries present since 1836, all these European men came to Samoa with their European wives, unlike the adventurers and small settler-merchants who came alone, throughout the nineteenth century since the end of the 1820s. They had a two-fold contempt for the Métis. On the one hand, they considered that a European who married a Samoan woman was “indulging himself in savagery”, becoming a “savage”⁸. On the other hand, as we have said, some of them considered that this European admixture endangered the “purity of the Samoan race”.

colonial English applied to India, castes, then half-caste for European-Indian half-breeds, then generalisation in the British Empire for anyone “of mixed race” (see for Samoa - and the bibliography of these articles for other regions -, Aspinall 2013, Luker 2008, Salesa 2000, 2011, Shankman 2001, Tobin 2015 : chap. 5, Wareham 2002, Wildenthal 2001, Winter 2017 and, for New Caledonia, Muckle and Trepied 2017).

7 Later, however, various Samoans descended from “European Métis” could not receive a passport recognising their status as citizens of their father’s or forefather’s country of origin because they did not have sufficient official proof.

8 The Germans called it *verkanakern*, “to become a Kanak”. The term used for the indigenous people of New Caledonia had become a trans-Pacific colonial-racist term; a sad irony of history when one considers that the term was originally used by Polynesian crews on European trading ships to mean simply “men [are in sight]” (*tagata, kanaka*), but was interpreted/applied by the captains as a derogatory term for the “savages” or “naturals” of the place, giving rise to “les Canaques” in French. (until the reversal of value by Jean Marie Tjibaou: the pride to be “Kanak”).

2. The New Zealand Administration

In 1914, a small New Zealand contingent took possession of Samoa on behalf of England. Then the League of Nations gave New Zealand an administrative “mandate” (Trusteeship, not Colony). Things did not change with the establishment of this administration in the 1920s and 1930s: the idea remained that “half-castes form the greatest social problems of the country”. This was also the time when the Samoan word *Afakasi* became predominant. The word “half-caste” could be said in Samoan *totolua*, meaning “two bloods”. But it was the word *afakasi*, a transcription of the English word half-caste, that became dominant in the early New Zealand period. This notion does not so much indicate the degree of mixing (“half” or not) as the social fall, the exit from the “pure” category in which one should have remained.

The “Afakasi” group in Samoa was thus the result of several combined Euro-centric ideologies, one patrilineal, the other both class-based and “race”-based. There was a desire to distinguish between Indigenous and European people and also to preserve the “purity” of this distinction. Let us first discuss the patrilineal ideology. During the nineteenth century, since the establishment of “consuls” in the 1850s, children of mixed marriages (generally the mother being Samoan) were - as has been said - registered at the father’s consulate, if there was one, and were “indigenous” only if they had not been able to access the father’s status. A strictly patrilineal ideology obviously dominated in the minds of European officials, even though it did not correspond at all to Samoan ideology, which recognises kinship on all sides and often places great importance on the maternal link. Secondly, class and race. The missionaries and consuls arrived “in Polynesia”, and therefore in societies “with chieftaincy or kingship” according to what they had read. They therefore systematically sought to deal with the “great chiefs” of the country, and they even constantly tried, from 1860 to 1899, to bring about a single “royalty”. All of this created a superior statutory relationship between some Samoans and some Europeans, a relationship that at first did not include intermarriage between them. As a result of this relationship, both sides had a certain contempt for the Métis who were mostly small-scale adventurer-traders⁹.

⁹ We have discussed the issue of the Métis in the relationship between “Samoans” and “Europeans”. We must not forget the history of two other “métissages”, one of Chinese origin, the other “Melanesian”. Before the German period, various Chinese men came to Samoa (as in other Polynesian archipelagos) to seek their fortune, often through working on a merchant ship where they

This was the situation at the end of the first New Zealand period (1921-1945)¹⁰ when, at the end of the Second World War, the creation of the decolonisation programme within the United Nations Council, together with the will of the New Zealand Labour government (which had come to power in 1935), very quickly led to set in motion a reflection on the future independence of Western Samoa. What was the position of the Métis? Some of them, classified as “Europeans”, were reluctant to merge with the rest of the Samoans. However, the division created since the German period between the “European Métis” and the “Indigenous Métis” prevented the formation of a unified Métis opposition. On the other hand, even the “European Métis” group was not unitary: the differences in wealth and lifestyles were enormous. More than half of them were often unemployed, without wealth, living on the most unhealthy lands west of the city centre, while a handful of merchant families had established a fortune in the late nineteenth century, during the German period or just afterwards, when German property was confiscated and sold off (Davidson 1967 : 195). In addition,

had found employment on departure from China. They were often successful in the local trade and married Samoan women. As early as 1880, some European settlers, in order to avoid this competition, urged (unsuccessfully) the Samoan consuls and chiefs to prohibit further Chinese immigration. At the same time, plantations run by settlers were expanding and needed labour. The Samoans were not interested. After 1900, under the German administration, German planters brought in employees from the German colonies in the Melanesian Pacific (some of these “Melanesian” employees found it more difficult to marry Samoan women). The other settlers did not have this possibility and turned to China, recruiting hundreds of Chinese workers (some 3,800 between 1900 and the end of the German period; more than 2,000 were still there in 1914), who were subjected to quasi-slavery conditions: forbidden to leave the plantation, in some plantations punishment by whipping for any misbehaviour, etc., unions with local women officially forbidden by the German administration (for the reasons already mentioned), often tolerated by the settlers if they were sufficiently discreet. The New Zealand administration, first military (1914-1920) and then civilian, organised the forced return to China, despite the opposition of those concerned and the colonists; it managed to embark about a thousand, i.e. half of those on the spot. There was a combination of the British ban on Chinese workers in all the dependencies and New Zealand’s concern to continue the “preservation” of the “Samoan race”. Subsequently, under pressure from the settlers, recruitment from China was reopened, in small numbers, but the administration ensured forced repatriation at the end of each contract. (see Tom 1986, Meleisea 1980, 1987).

I summarise this background to return to the painful issue of the Metis. A number of these Chinese workers started families with a Samoan partner and were able to escape forced return (sometimes by jumping overboard from the ship once they were out of Apia Bay and managing to swim back to shore). Three generations later, the gap remains. Chinese-Samoan “Afakasi” descendants are (sometimes or often) referred to in the local population as *mata seina* (“Chinese eyes”); Melanesian-Samoan descendants are referred as (at best) *tama uli* (“black child”) and (at worst) *mea uli* (“black thing”), while European-Samoan Afakasi have no such nickname. In one extended family I know, a visitor might wonder about the constant hostility of an A branch against a B branch, both being respectively the descendants of (A) a sister and (B) a brother who are children of a high chief. The woman on side A had, at a fairly young age, “fallen out” with a “Chinese eye” (son of one of the Chinese workers who had children with a Samoan woman) and had to marry him. Her brother, on the B side (and chief matai), never missed an opportunity to mock the “Chinese eyes” of all the descendants. At family gatherings, the sister and brother were obviously seated in the places of honour, the brother’s wife in the middle position as befits a wife (Tcherkézoff 2017), but the sister’s husband (“Chinese eyes”) was relegated to the junior seating side. The children in branch B were deeply marked by this and still talk about it today, more than half a century after their childhood.

¹⁰ We do not mention here the long struggle of the Mau movement, led by Samoans and Métis, to resist the New Zealand administration. One of the issues at stake was precisely to break the fixed and museum-like framework in which the administration enclosed Samoa and to oppose the way in which the administration prevented the development of a local business sector driven by the Métis (see Davidson 1967, Field 1991, Meleisea 1987).

the “European Métis” suffered from having been systematically side-lined politically and economically by the German and then New Zealand administrations, which had imposed a “resident alien” status on them, making people born on Samoan soil from Samoan mothers “aliens” in their own country. Finally, we mentioned their reaction of withdrawal in the face of the contempt of European officials. Hence, a good number of Métis acquired a certain aspiration for national independence that would allow them to play a role.

It was this combination of factors that made the march to independence relatively easy. The majority of the Métis eventually accepted that they could be united with the Samoans in a single status of “Samoan citizens” of the future state. In turn, this acceptance of a “Samoan” national unity conceptually and politically allowed for the opening up of secondary levels in value, to allow for the perpetuation of certain differences.

3. Citizenship and nationality(ies)

There were ten years of negotiations with the UN missions between 1947 and 1957. The Mission took it for granted that dual racial status was maintained by the New Zealand administration “in the first instance to protect the Samoans”, but added that this protection was no longer necessary as the Samoans were about to be given full control “of their own affairs”. What should the future be? It should be a “common Western Samoan citizenship which will be related not to race, but to loyalty and allegiance to Western Samoa”. The paragraph ends with the Mission expressing the hope that, after the promulgation of a single citizenship, the people themselves would express the desire to abolish all racial differences, in keeping with the spirit of the UN Trusteeship System whose programme, as the Mission recalls, included “the elimination of discriminations based on race”¹¹.

Needless to say, this whole context is very particular in the history of decolonisations. In 1921, New Zealand received a “mandate” from the League of Nations to administer Samoa, a mandate that did not include settlement. In the 1935 New Zealand

¹¹ “The Mission is confident, however, that the Samoans, on due reflection and after seeing the future position with regard to citizenship, will wish to remove the present distinction in domestic status based on race.” (UN 1959 : 9 § 67). See also <https://www.un.org/dppa/decolonization/en/history/international-trusteeship-system-and-trust-territories>.

national elections an anti-colonial Labour government was elected which remained in power until 1950¹². Finally, in the 1950s, the independence process was managed by international commissioners (from UN Missions) who were deeply committed to an anti-racist and anti-colonial ideology¹³, and to the political model of parliamentary democracy¹⁴.

The rest of the story became indeed the creation of a single citizenship with, nevertheless, a secondary arrangement for those already holding another nationality, and then also leaving a secondary space for differentiation in land rights and political representation. Let us take a closer look at these arrangements established at a secondary level of value within the “total” society.

The issue was resolved by a joint Working Committee that included both Métis and non-Métis Samoans. Among the latter local chiefs who were chosen by and were already members of the local Territorial Assembly were prominent. This Assembly had been established shortly before, in 1948, and was a forerunner of the future state parliament. In addition to the officials, it included 11 Samoans elected by the Fono of Faipule (a kind of customary senate dating from 1875 representing the various districts throughout the country) and 5 “Europeans” elected by the “European” community. In the Working Committee, the UN added two “advisers” who were academics: a historian, J.W. Davidson, known for his knowledge of regional colonial history (Pacific, British Empire) and a jurist, C. Aikman, known for his expertise in constitutional law¹⁵.

12 See <https://nzhistory.govt.nz/first-labour-government-wins-power>. In 1945, this government initiated an upgrade of the economic and social status of the Māori (<https://nzhistory.govt.nz/people/peter-fraser>). The Prime Minister (Peter Fraser) was strongly committed to the creation of the United Nations and to supporting small states within it (https://en.wikipedia.org/wiki/Peter_Fraser).

13 At least as “anti-colonial ideology” was constituted, with its limitations, at the end of the Second World War.

14 Paradoxically, it is only on this point that there was strong friction: the UN commissioners were horrified by the Samoan demand for independence with a constitution that would organise the election of Parliamentarians by limiting suffrage to the *matai* “chiefs” (the heads of the large *aiga* families). The Commissioners had a (false) vision of a class of “nobles” seeking to maintain their authority over the “common people”, but had to accept local determination; however, the constitutional advisers Davidson and Aikman (see below) were careful to introduce into the text of the constitution what would allow for a subsequent move towards “universal suffrage”, the only desirable model in their eyes (Tcherkézoff 1998, 2000, 2003: chap. 6).

15 Their role was decisive in some of the fundamental choices that guided the drafting, so it is useful to say a word about these two advisers. James Wightman Davidson (1915-1973), a graduate of New Zealand University (Victoria University of Wellington VUW) and then of Cambridge with a doctorate (1942) on European penetration in the Pacific, was a member of the British Admiralty’s secret service during the war and then taught at Cambridge, before being appointed to a chair of history at the Australian National University in 1949, at the same time as he was appointed to the Samoa Working Committee (as a historian, he later became the main architect of the new Australian school of Pacific history developed from the perspective of the islanders: See Lal 2007). After his Samoan period, he served on other constitutional committees in the Pacific (Cook Islands, Nauru, etc.) and was working with the future Papua New Guinea on the eve of his death. Colin Aikman (1919-2002), from the same Victoria University, then from the London School of Economics for his PhD, was working for New Zealand Foreign Affairs when he was appointed to the Samoan Committee. He was then Professor of Law in Victoria, then represented his country abroad as High Commissioner and then Ambassador, and was also, until his death, special adviser to the Parliament of his country on legal-legislative matters.

Although we have only Davidson's (1967: 362-3) very brief account, it is nevertheless illuminating. Davidson tells us that the Samoans (he does not specify the views of the "European" members of the Committee) tended to see the problem in terms of the rule or rights of blood, and that he and Aikman promoted another view, in terms of the rights of soil¹⁶. The Samoans would have liked any individual of Samoan descent to have the opportunity to acquire citizenship if they so desired - which immediately raised the issue of Samoans in American Samoa (the small eastern part of the archipelago). Some would have liked to see only those of Samoan descent who were living according to the principles of classification as "Samoan" to be given this opportunity, but this would have rendered stateless the many "Europeans" in Samoa who did not have a passport from the country of their European ancestor, and some would never have been able to get one because they do not have the necessary papers. Samoans would also have liked to see anyone who already held another nationality prevented from becoming a Samoan citizen - which posed the problem of various members of the local "European" community who were born in Samoa but had been able to retain the nationality of their European ancestor and whose whole lives were rooted there.

In response to these arguments, Davidson and Aikman "explained that citizenship relates to a person's place of birth (and to that of his father), not to ethnic origin". They also stated that consideration could be given to the strictest possible conditions for obtaining Samoan citizenship for those who had another nationality, but that Samoa had no control over the status a person might have in another country. In short, one could exclude from membership of the future state, but one could not force a person to give up the status they had elsewhere. Finally, special arrangements could be made for individuals from American Samoa who wished to migrate to Western Samoa, without defining such access in racial terms. Since the Samoans on the Committee, many of whom were more or less close to local "European" circles, had no wish to exclude these families and their businesses, there was only one solution: to define a single citizenship status, with all the rights and duties that go with it, without racial exclusion, but accepting that some "Europeans" might have dual nationality while making it clear that this other nationality did not give any additional rights within Samoa.

¹⁶ « had tended to see it in terms of "race" "The draft bill gave expression to Samoan wishes, in the form in which Aikman and I had explained was practicable" (*ibid.*).

The text was drafted and accepted by all¹⁷. A “citizen” is a person who was born on Samoan soil or whose father is a citizen by birth (or the mother if the child’s parents are not married). A foreigner who has been a permanent resident for more than five years may also apply for naturalisation¹⁸. Samoan law thus carries the weight of Western ideology in this area: the right of soil and patrilineal emphasis. Even today, a child born abroad to a Samoan father married to a foreign woman is automatically Samoan; but a child born abroad to a foreign father married to a Samoan woman must apply for naturalization. This provision, so inconsistent with the logic of the Samoan kinship system as it has been known since the earliest sources, shows how the intervention of Davidson and Aikman was undoubtedly decisive. Finally, it was clarified that a Samoan citizen who took another nationality would not automatically lose his Samoan nationality. Thus, today many Samoans who have settled in New Zealand or were even born there, and who are residents or even citizens of that country, are also Samoan citizens¹⁹.

4. Adaptations at a secondary level

The question of land tenure

The fundamental point is that land tenure was subordinated to the question of citizenship. It was declared that only a Samoan citizen could hold, and therefore buy and sell, land under private law. The long-standing fear of land grabbing by foreigners was thus allayed at the same time as the de facto situation created in the 19th century was recognised. The land that had been recognised as being under the “ownership” of a “European” settler at that time remained under the “private property” land regime; anyone could own it, regardless of origin, but on the express condition that they were a Samoan citizen.

The question of the electoral system

The 1959 UN Mission, after stressing the importance of defining a single citizenship, indicated that it was necessary to recognise for the Samoans their attachment to the

17 The body of legislation on this issue in the decade around independence includes the 1959 Ordinance, the 1963 Samoan Status and Elections Acts, and the 1972 Citizenship of Western Samoa Ordinance 1959, Samoan Status Act 1963, Samoan Electoral Act 1963, Samoan Citizenship Act 1972; see Davidson 1959, Powles 1993, and the compendium of juridical texts *Government of Samoa's Western Samoa Statutes Reprint 1920-1977* published by the Samoan Government.

18 And even after three years if from a Commonwealth country (1972 decision).

19 The 1959 Ordinance and the Constitutional text only included the notion of “citizen”. The 1972 Act clarified what had become obvious: the terms “Samoan” / “European” in the 1921 and 1944 Acts no longer had any legal existence.

matai "chief" system but also to recognise "the different way of life of many persons in the public service, in commerce and in other employments" - which was the professional background of the "Europeans" (but these are no longer named as such).

It was a call to subordinate differences to a national unity and to characterise differences by abandoning racial, territorial and even national vocabulary, in order to limit oneself to the social mode. The differentiated group, this time not by origins but by the social mode of interacting, were the following. 1) On the one hand, those who are within the "tradition" *faaSamoa*, thus within the *matai* (chief) system (the *faamatai* - each individual is above all a member of a clan (a family-extended *aiga*) and thus a "supporter" of his *matai* who is therefore meant to represent in all circumstances the members of this *aiga*). 2) on the other hand, those who are "outside" this tradition and thus legitimately wish to make their individual voice heard.

The Mission realised, with great regret, that it would not succeed in establishing a system of universal suffrage for parliamentary elections because the Samoan demand that every Samoan be represented by his *matai* (chief), head of extended household was so strong and consequently suggested that this difference in social mode could be expressed in the electoral system. On the one hand, seats for voting by extended families represented by their *matai* (chiefs), and on the other, seats for a register of "individual voters", in proportion to the number of individuals who identify with one or the other system respectively.

The outcome was as follows. The future parliament will comprise 45 seats "in the Samoan tradition" *faaSamoa*, to which would be added 5 "European" seats elected by universal suffrage of those who opted for this logic of "individual vote". For the seats *faaSamoa*, the electoral method will be "for the moment" that followed by the *Fono* customary senate of the *Faipule*. In each district, only the *matai* (chiefs) vote and choose among themselves who will sit in the parliament, on the condition that they provide a list showing a majority of signatures in favour of the same name; in case of disagreement, there would be a secret ballot among the *matai* at that district level. The distinction between "Samoans" and "Europeans" thus continued, but in a limited way, transferred and limited to the electoral level only.

The country became independent under this system. The constitution specified the existence of two electoral arrangements: the 45 territorial constituencies would each

elect their own MPs²⁰; other MPs would be elected by “persons whose names appear on the individual voters’ roll”²¹. This roll was opened everywhere, and some individuals could register and thus vote directly, in their own name, instead of delegating their vote to a *matai* leader. After one year, and every five years thereafter, the officer in charge of the electoral registers would have to calculate the number of seats “to be elected by the persons whose names appear on the register of individual voters” by maintaining a proportion between the number of inhabitants related to this “individual” election (a number obtained by multiplying the number of registered voters by three, a way of predicting what would happen next: two children per individual)²² and the seats to be filled, which is comparable to the proportion between the overall population (reduced by three times the number of people on the individual register and reduced by the number of non-citizen residents) and the 45 seats “to be elected by territorial constituencies”²³. The only constitutional requirement to be a member of parliament was to “be a citizen”²⁴.

Independence was declared in 1962. A Samoan Status Act in 1963 specified that, in order to hold a title of *matai* (chief) and thus have rights to so-called “customary” land, one had to be not only a citizen but also to have a share of Samoan blood²⁵. This partial return to the right of blood may be surprising. It must be understood in the context of the constant concern to protect land rights. It was a way of prohibiting a foreigner who came to settle in Samoa, became naturalised and then eventually obtained the title of *matai* from his Samoan wife’s family, from eventually exercising authority over a portion of the territory (in the Samoan tradition, each extended family can choose to give a title, secondary or even the main title, to a non-consanguine if this person is married

20 “One member elected for each of forty-five territorial constituencies” (Western Samoa Constitution : §44-1). There are 41 constituencies to be exact. Four of these had two seats. There were 5 “European” seats (under the system decided in 1957). In subsequent years, it was decided to give two MPs to two other large constituencies.

21 Western Samoa Constitution : § 44.

22 This rule, spelt out in the Constitution, indicates a statistical prediction: the “European” population was to be two children for every adult over the age of 21 (the figure was also intended to take account of those who failed to register); see Tufuga (1988: 32).

23 Western Samoa Constitution : Second Schedule. In 1959, just prior to independence, according to Aikman (quoted in Fepulea’i 1994: 126), the “European population” (without specifying the definition) was 6% of the population. According to Tufuga (1988: 31), it was around 6,000 (referring to the population to be represented by the individual vote), compared to 100,000 Samoans. In the 1966 census, just after independence, 89% of the inhabitants declared themselves to be “Samoans”, 10% “half-Samoans” and 1% “European, other Pacific Islanders, other” (Powles 1970: 52 and Appendix “Land, Titles and Suffrage”, p. ii).

24 Western Samoa Constitution : § 45.

25 “A person who is a citizen of Western Samoa; and has any Samoan blood”. This phrase now defined “Samoan”, a term used to define those who can hold a title of *matai* chief with all the customary rights attached, and to define those who can claim to be concerned in some way with customary land (thus falling within the 80% of the country defined as customary land, formerly “Samoan land”); see Powles (1993: 400, 422), Vaai (1995: 166).

into the extended family). Here again one can see the way to place a contradiction to the main value at a secondary level. The effort of the councillors was to remove from the Constitution a prevalence of the right of blood to create a notion of universal “Samoan” citizenship regardless of one’s “mixed blood” history. This was ultimately fully embraced and supported by Samoans. But once this principle had been established at the main level (the Constitution), it was then possible for Samoans to reintroduce the right of blood in the limited context of access to a *matai* title by a simple legislative act.

The issue was important because a (main) *matai* is the manager of the land of the extended family, and as such can give part of it to any family group from elsewhere (but remaining within the kinship network). The main *matai* would give to that person a secondary title-name (every family has a stock of “title-names”, any *matai* can create another *matai* position, provided he has the agreement of all)²⁶.

This was the logic of Samoan national identity constructed at independence, a logic partly built in the previous ten years in dialogue with the West, partly built just afterwards and, this time, autonomously.

Let us add a remark: the spirit of consensus (so central in the ideology of the “Pacific Way”—see also the paper by George Carter in this symposium), can go quite far, if and when one wants to promote it. When it came to thinking about the appointment of the Head of State of this new state, Western Samoa, historical evidence and contemporary status pointed to the heads of the two great extended families (*aiga*) who had dominated local history in the 19th century and had also dominated interaction with the Europeans and the conduct of the first consultative territorial assembly. Everyone told the UN commissioners that there must be no risk of reviving old rivalries, irreconcilable for a century, no question of risking to returning to wars of the distant past. Thus, they

²⁶ This whole logic of *matai* management of land also applied later, when Samoa’s international development brought in the foreign notion of leasing, with an insidious evolution, from the 1990s and especially 2008, driven by a de facto connivance between a Samoan government that made “development” its main watchword and foreign investors, to give signature authority to the *matai* without requiring the agreement of tens (sometimes hundreds) of extended-family members (Tcherkezoff 2022b). The debate has recently become very virulent locally (see <https://samoaglobalnews.com/lrc-amendment-bill-removes-court-assessors11/>;

<https://samoaglobalnews.com/sls-bills-fundamentally-technically-defective/>;

and for a more detailed analysis :

<https://www.lowyinstitute.org/the-interpreter/samoa-s-constitutional-crisis-undermining-rule-law/>;

https://devnet.org.nz/wp-content/uploads/2018/07/latilati_Controversial_Land_Legislation_in_Samoa:_It's_not_just_about_the_land.pdf; and this debate is spreading internationally (see the June 2020 position papers of the International Bar Association (<https://www.ibanet.org>)).

told the UN Commissioners that the country would become independent on condition that it could have “two heads of state”, simultaneously and with equal authority (the main “chief” of each of the two great *aiga*). Then when one died the other would continue until his death. Only then would the new Constitution be followed and the election of the head of state by parliament be introduced.

Again, as with the question of a limited suffrage restricted to *matai* chiefs for Parliamentary seats, the UN Commission had to accept this exception (unique in the world, it seems), knowing that it would only last for one generation. It so happened that one of the two chiefs-now-Heads-of-State died of illness a few years later and the other remained the (now sole) head of state of Western Samoa for almost half a century, until his passing in 2007, after which the constitutionally mandated system came into effect.

II. New Zealand: “dual heritage, shared future”²⁷

1. An official website for a national commemoration

New Zealand is, more or less officially, a ‘bicultural’ country. The government website (<https://teara.govt.nz/en/biculturalism/print>) presents their vision of history, speaking of a first biculturalism (at the time of the first settlers), which became a monoculturalism for a century and a half, before becoming bicultural again from the 1980s onwards, and presents the current debates as oscillating between “not bicultural enough” and “too bicultural”²⁸.

Even today, at least from what I could see in 2018, tensions are sometimes high between those who speak as *tangata whenua* (“children of the land”), as Māori²⁹, and those who speak as Pākehā (European). Professor Dame Anne Salmond, Pākehā but raised partly in Māori circles, is arguably New Zealand’s most celebrated academic, a linguist, anthropologist and historian who, with her team, has conducted a twenty-year effort to gather all the existing documents that trace early encounters between Europeans

²⁷ What follows is the data that was available to me in November 2018. A brief update is added in the conclusion.

²⁸ There is little French-language work on this issue: see David (Corinne) 2009, Pellini 2015. See Yann Nicolas’ (<https://bbf.enssib.fr/consulter/bbf-2004-03-0079-003>) thorough analysis of the official bicultural definition of the National Library of New Zealand from the 1990s. See the comparison between Canada, Australia and New Zealand in Germain et al. 2010, and Canada, New Zealand, Basque country in Schwimmer 2001 (study mainly on Basque institutions, the other two cases are briefly mentioned). See the posts by David (Amélie) (2015) on the New Zealand flag, and Castellet (2018) on the Māori in Auckland.

²⁹ We will write the word invariably, following an increasingly common trend in Aotearoa- New Zealand (cf. the way ‘Kanak’ is written today).

and Māori (see *Two Worlds* 1991, and then *Between Worlds* 1997)³⁰. She made the following call in the local *Gisborne Herald* newspaper (8 October 2018): “dual heritage, shared future”, a “dual” (hence divided) heritage, but a call for a “shared” future, a common destiny one might say. One can see why these words on the ground in New Zealand can also be part of a symposium commemorating the call half a century ago for a Pacific Way aiming at a shared future for communities born out of dual or multiple heritages.

Let us take a closer look at the difficult context in which Anne Salmond made this call and why she did so from Gisborne. At stake was a programme of commemorations. In 2016 the New Zealand government had launched a programme with a considerable budget to celebrate in October 2019 the 250th anniversary of the first meeting between Europeans and Māori. On the Pākehā side, this first encounter is usually referred to as “Captain Cook’s arrival in New Zealand”. It took place on 8 October 1769, in the bay bordering what is now the town of Gisborne. A commemorative site was set up: <https://mch.govt.nz/tuia-encounters-250>.

The video that came on the screen when the “Binding together” link was selected, announced that it would illustrate the unity. It used English and Māori but in a different way: it scrolled through lyrics sung in Māori in the background and presented in print lyrics written only in English: “Come on a voyage of discovery, as we mark our first meetings, these are our stories, let us navigate the future together”. Despite this linguistic imbalance, the written text insisted on sharing: “our shared future” with this “dual heritage”, as well as the idea of a logo that “refers to the *waka hourua* (double-hulled voyaging dugout) and the topgallant rigging of a ship”, and finally the dual name “Tuia-encounters”, with the Māori word *tuia* “referring to the idea of intertwining and working together (...)”.

2. The commemoration of Cook’s arrival?

The aim was to commemorate a first encounter, on 8 October 1769, which took place in the bay named on contemporary maps as Poverty Bay. This name is itself two hundred and fifty years old because it was given by Cook. “Poverty”? A rather surprising name

³⁰ The author has also contributed much to the study of early encounters in Tahiti, and, very much also to the study of Māori traditions.

for a geographical location, with a very negative connotation, but apparently if a name has been given by Cook, it is intangible; in fact it remained on all official maps until 2019, as we shall see. Cook explained in his diary: “this place has given us nothing of profit”. Indeed, the encounter was even dramatic.

The commemoration prepared for 2019 of the 1769 encounter wanted to highlight the *Tuia*, the community established by working together that came out of that (first) “encounter”. But the organising committee had perhaps overlooked the risk of amalgamation with another “tradition”, that of the founding aspect (for the Pākehā) of Captain Cook’s arrival. Indeed, for a long time, at the initiative of local or national Pākehā authorities, people celebrated not so much an encounter but the arrival, in particular by gathering at the foot of a monument erected in 1906 in Gisborne and called “the Captain Cook monument”. For some (mostly Pākehā), the commemoration planned for 2019 extended a fine tradition that paid tribute to a civilising hero symbolising the beginnings of New Zealand (from England, the mother country). This view, widely reported in the press, caused others (mostly Māori), to speak up and say that there was no question of commemorating the arrival of that Captain Cook, because that arrival “was that of a murderer” (see below). There was much heated discussion and the effort of the committee and local authorities during 2018 was to give as much of a shared aspect to the commemoration as possible: it would no longer be Cook’s arrival, it would be honouring the tradition of the trans-Pacific voyage, where Māori and Pākehā each made great achievements.

Since 1990, the land site has been enlarged and embellished, and the old sign, which used only English, “Cook Landing Site National Historic Reserve”, has incorporated the local name of the place: “Puhi Kai Iti/Cook Landing National Historic Reserve”³¹.

But the beginning of the accompanying text has not changed:

On 8 October 1769, Cook and his party made their historic landing in New Zealand. Local Māori were mystified by what they saw. They thought the Endeavour was an enormous bird with wings of great size and beauty – the longboats were smaller birds – while Cook and his men were atua (gods). Cook was eager to make friendly contact with the Māori people. However, a series of unfortunate encounters, both on the day

31 A detailed presentation is given on the government’s national parks website: <https://www.doc.govt.nz/parks-and-recreation/places-to-go/east-coast/places/gisborne-area/cook-landing-national-reserve/>

of the landing and the next day, resulted in the deaths of several Māori. The following day Cook took his leave and the Endeavour headed south. Initially, Cook had planned to call the bay he landed in, Endeavour Bay, but instead, he named it Poverty Bay “because it afforded us no one thing we wanted”.

In August 2019, there was a major redesign that gave a large (and indeed prominent) place to Māori agency, with a plan developed in partnership with the local Māori clan (Ngati Oneone), the centrepiece of which is a huge series of large woven panels evoking the construction of traditional Māori dugout canoes and houses.

3. 8 October 1769

Let us go back to October 1769. Thanks in particular to Anne Salmond’s books, those who want to know today what happened at the time of these first encounters have the opportunity to do so (Salmond 1991:119 ff.)

The English landing party was in very small numbers. One group went in one direction, to explore the surrounding area, while four young sailors remained by the canoe. The Māori had seen the English arrive for two days, and had lit large fires. There, on the shore, four Māori arrived, one brandishing a large spear. A sailor evidently believing in an attack fired over his head, thinking he is expressing explicitly the summons to stop. The Māori evidently heard only a deafening noise, and did not yet know the degree of threat. He stepped forward again and the sailor killed him with a bullet. The other Māori left. In the following days, there have been several violent clashes, and in total nine Māori have been killed.

Anne Salmond had written in her book that, appealing to later ethnography, we know beyond doubt that the Māori arrival with the spear was not an attack. Had it been so, the Māori would have come in large numbers, and without waiting to brandish their spears before throwing them (which was the case in the following days, when the context became one of confrontation following the initial misunderstanding). This initial gesture of waving a spear is well recorded as a traditional way of greeting an arriving group, signifying that it was necessary to lay down one’s arms and enter into a relationship. But the English sailors obviously did not have this interpretation, they thought they were being attacked and killed before they were killed: first contacts,

double misunderstanding, first deaths (on the Māori side), as in the context of so many other first encounters between Pacific Islanders and Europeans (see for a comparative view in relation to Polynesia, Tcherkezoff 2022a: 236-248).

4. The debate: debunking a certain vision of the past?

For a long time, in addition to the 1906 obelisk, statues representing Cook have been erected in the city (and in many places in New Zealand³²). For a number of New Zealanders (mostly Pākehā) these statues represent the original link to a significant source: the link to Britain. But for others (mostly Māori), since the details of the historical context are now known (and, it seems, some Māori oral traditions had maintained the memory, right down to the very name of the first Māori killed), this day represents the first time Māori were killed by Europeans. For these opponents, Cook's statues should be "debunked" (there is no need to remind the reader of the topicality of this kind of debate nowadays, in Europe, the US, Australia, etc.). The local *Gisborne Herald* newspaper headlined on 31 July 2016: In recent weeks, Cook statues have been "repeatedly defaced". The article shows how some statues of Cook have been painted red to remind people of the bloodshed Cook caused, or ridiculing the Captain by turning him into a bikini-clad tourist on the beach.

The newspaper reported in July 2016:

Many residents have taken to social media to express their opinions in which Cook is described as a "murderer" and "crooked Cook". Other posts call for one of the statues to be pulled down, saying it is insulting to local Māori. Nick Tupara, spokesman for the Ngati Oneone tribe, said, according to historical records, Cook's crew shot nine Māori men of his tribe, including Tupara's ancestors. Six of the men are believed to have died. Even though there is some contention as to whether the first statue is an accurate representation of Cook, Tupara says the English explorer is a undeniable part of Gisborne's "story". He has urged the community to embark on a calm and measured discussion of their history, instead of carrying out "wasteful" acts of vandalism. "We are part of Cook's lineage, that

³² The official list can be found at <https://teara.govt.nz/en/interactive/32558/memorials-to-captain-cook>. The first monument was erected in 1906, in Gisborne (see above). Three more were unveiled in the first half of the 20th century, and a further ten in the second half.

is a fact, and defacing our city is a poor method of showing dissension with our past.” he said. (...) Tupara (added): “It is clear from the recent vandalism and heated social media discussion that historical wounds run deep and there is more healing that needs to happen – and I do think there should be more balance in the portrayal of our history. (*Gisborne Herald*, 31 July 2016)

Two years later, in the on-line NZ news:

(...) the Gisborne District Court decided it was time to take the statue down and replace it with “cultural designs” that represent the stories of *tangata whenua*. The statue will be re-homed at Tairāwhiti Museum.

Tupara said the statue’s removal will mean a more balanced version of the area’s history can be told. We can “celebrate the Māori history of this area and the ancestors who arrived here before Captain Cook,” he said. Councillor Meredith Akuhata-Brown also said the move would allow “our heritage stories being told from both sides, but also truth, which is what we want—we want honest narrative.”³³

Let us now read some of the comments that have been made, both in the press and on the web. Firstly the solemn appeal made by Anne Salmond in the local paper, written in response to various polemical letters sent to the *Gisborne Herald* by Gisborne residents. Salmond made this call in 2018, choosing to have it published on 8 October. In it, she stresses the importance of restoring the full truth, making all the contexts explicit, putting back into the picture what was the respective view of the English and the Māori. She also summarises the history of the first shootings, the reasons for the misunderstanding, the deaths on the Māori side that cannot be forgotten: “those shootings have not been forgotten; they still echo across the bay”. She recalls the progress, mentioning that the schools today do not teach anymore what they used to teach in October 1969, i.e. that New Zealand was “discovered by the English”, that the Māori arrived by chance in Aotearoa thanks to some ocean currents, and that no consideration was given to Māori oral literature. Anne Salmond concludes by calling for dialogue:

33 https://www.vice.com/en_nz/article/598wqa/captain-cook-statue-to-be-removed-from-a-sacred-gisborne-mountain (3 oct 2018-11-24, NZ news).

What is less explicable is when, after almost 250 years of shared history, we still treat each other as strangers. Some of *The Herald's* correspondents write with almost as little understanding of Māori life as those first Europeans, and with less empathy and respect. Not surprisingly, this breeds resentment and anger, making it difficult for those bitter memories to heal. From what I have heard, however, the vast majority of people in our community want to live together in friendship and mutual respect. In a world full of fragmented, violent societies, that's a future worth fighting for. The Tuia 250 vision of "dual heritage, shared future" points towards a country in which all of our children and grandchildren can stand tall and proud. That's the real opportunity of October 2019 — a time to listen to all of the stories, good and bad, learn from the mistakes of the past, decide to head down a better track, and do so in style. (*Gisborne Herald* 8 October 2018)

The press, both national and international, reported on the debate³⁴. We can have a summary look at the open letters exchanged on the spot and printed in the local press (all following quotes from *Gisborne Herald*; see <http://gisborneherald.co.nz/opinion/3666749-135/keep-the-cook-plaza-and-statue> ; and more). Some readers inveighed against each other, calling each other racist. There were several debates: whether to leave the name Poverty Bay on the maps or to make a dual place name with a local Māori term attached to it; whether or not to debunk the Cook statues.

One correspondent, Alain Jorion, laments the debates over renaming the bay to a solely Māori name, arguing that there is no clear majority for either name and that, although the result sounds strange, perhaps a dual name should be chosen (which it eventually will be). He considered that it would be "racist" to decide to remove the Cook statues, raised the spectre of an "apartheid regime like South Africa", stressed that "the only solution is a balanced, intermingling of all races", and ended by renewing his appeal: "please leave the Cook statue where it is".

I really hesitated writing about this issue as I fear being labelled a racist — which I certainly am not.

A small number of activists are claiming racism at every chance, which is really sad. Not very long ago we all lived in perfect harmony and got on well with one another. I am so sad that this has changed.

34 <https://www.rnz.co.nz/news/te-manu-korihi/400279/emotions-run-high-ahead-of-tuia-250-in-gisborne>;
<https://www.bbc.com/news/world-asia-49958027>

There are many examples of racism all over the world. I can also give examples of people living in Gisborne who are white, black and coloured who have first-hand experiences of racism.

One just escaped the Holocaust where about 6 million Jews were exterminated. Another has first-hand experience of apartheid in South Africa. A fishing mate's family came from Croatia, where "ethnic cleansing" saw Muslims buried in pits.

Here in Gisborne I see seeds being sown that could lead to atrocities in our paradise.

Cook's landing here in the *Endeavour* has certainly improved lives and standards of living. Modern discoveries over time have made life pretty good.

Gisborne District Council has not helped by doing biased surveys for a name change to historical Poverty Bay (such as at a Waitangi Day event, where it was mostly Māori in attendance). Its results were opposite to an overwhelming Gisborne Herald webpoll where people made clear they didn't want a change of name.

Now the NZ Geographic Board has supported the GDC in accepting its proposal of a dual name of Turanganui- a-Kiwa/Poverty Bay. The board said it had received 609 submissions of which one quarter preferred Turanganui- a-Kiwa and another quarter preferred just Poverty Bay, while the other half offered "ambiguous support or were neutral".

Sounds fishy to me, but perhaps a dual name is a fair outcome. (...)

Tourists appreciate Māori culture, which is wonderful. But an important part of what we are in 2019 is our history as the first landing place of Europeans in Aotearoa, where Māori and Europeans first met and where we now live together in equal numbers.

My beautiful South African "coloured" friend (of mixed parentage) commented to me about the Cook statue debate, comparing it to apartheid in South Africa.

"Sad, sad, sad," she said to me.

"The thing is, no matter what symbols you remove, you can't erase history. If the people of Gisborne allow this, be prepared for what will follow."

Also, a historian and author based in Wellington has said: "If this situation by extremists continues, they will only have themselves to blame if we become an apartheid state in the future."

The real solution of course is a balanced, intermingling of all races, creating peace, friendship and understanding. So please leave Cook's statue on the hill for all to see, including tourists who want to learn all about Tairāwhiti, Turanganui-a-Kiwa, Gisborne and Poverty Bay.

(Alain Jorion, 2 October 2018)

Others (such as Lloyd Gretton) did not believe the version of a ritual welcome.

Perhaps Anne Salmond can give an example of two Māori tribes in pre-Christian times, unknown to each other, meeting unexpectedly and initially engaging in a happy wero. I also want a written record of it, not a waiata. I Googled Te Maro and couldn't find anything there.

(November 24, 2018 Lloyd Gretton)

This was supported by Colin Francis who added his view on the "great day" of Cook's arrival:

"A spear throw can hardly be commented on as a friendly gesture, and the use of a musket in legitimate defence is entirely understandable and justified. Sad as these events were, it was a great day for New Zealand when Cook arrived. The 250th anniversary is certainly an occasion for huge celebration. My Union Jack will be flying high from my terrace overlooking Auckland Harbour (...)"

Anne Salmond responded in detail a few days later in the Press.

Others (like "Pat") instead thanked Anne Salmond for encouraging "a shared future in our region in a positive way",

Kia ora Anne, thank you for writing this column. It is this kind of truth, wisdom, understanding, respect and genuine empathy that truly has the capacity to encourage a positive shared future in our region. I hope this sentiment opens closed minds and permeates those who choose to spread ignorant, bigoted views that seek to divide and mislead. Nga mihi nui.

(October 2018)

to which others (G.R. Webb) responded right after

(...) what is “shared” about the idea of debunking Cook’s statues? Isn’t this replacing a reliquary of closed minds with another of the same kind?

Many more letters of the same kind were printed.

An additional debate surfaced. It was the question of the right to take so-called uninhabited land, recalling the infamous “terra nullius” debate about Aboriginal Australia. A correspondent, after having had some words about the right of the English to occupy uninhabited land, returns with an apology.

I thank Dame Anne Salmond for her reply and support for truth and fact. I agree I got my facts a little wrong, and I hereby quote direct from Cook’s secret Admiralty orders.

“You are also, with the consent of the natives, to take possession of convenient situations in the country in the name of the King of Great Britain; or, if you find the country uninhabited, take possession for His Majesty by setting up proper marks and inscriptions as first discoverers and possessors (Given &c the 30th of July, 1768, Ed. Hawke, Py. Brett, C. Spencer)”.

Clearly Cook did not have permission from “the natives” to lay claim to any “convenient situations” (individual spots or locations). It seems to me he was directed to claim uninhabited lands, and New Zealand certainly was not. I should have been more careful in what I wrote, and for that I am grateful to Dame Anne and her expertise.

(Roger Handford, 21 August 2018)

But Lloyd Gretton (see above for his rejection of Anne Salmond’s historical explanations) made a big deal of quoting these English instructions of the time, slipping from “uninhabited” to “80% uninhabited”, and from “with the consent of the natives” to “not to be resisted”. He wrote:

The proportion of human inhabited land in New Zealand was very small in 1769. Even now about 80 percent of New Zealand land is uninhabited. The Admiralty’s Orders were practical. Cook could take possession of areas where he did not

encounter native resistance. There was no Government of New Zealand in 1769, nor one until 70 years later.

Another quote from the *Gisborne Herald* sums up the difficulty of imagining a shared future:

“Dual heritage, shared future” - how is the shared future going to work if the country is being divided between the Crown and Māori? Unfortunately the current approach is leading to a divided future, because a cultural and economic divide is being created between the two groups.

(Vince, from Auckland)

But it is appropriate to conclude with the words by one Māori, John Marcon from district Te Kauwhata:

Many of us carry legitimate hurts from the past when a combination of confusion, ignorance, arrogance, stupidity, even carelessness resulted in an injustice that continues to cause pain. We can decide to let that pain burn within us, that injustice demand everything from revenge to retribution. To heal that past we can recognise it for what it is, make restoration where practical, bring forgiveness and absolution to the fore - not to minimise the justifiable anger, but to prevent it from controlling our lives for the future. Listening carefully to others who have suffered, respectfully accepting their reality and seeking to bring a harmonious resolution that is satisfying as far as possible to all parties. I can't alter the fact that I live in the colonisers' world primarily, whose culture and law are largely my own. Neither can I alter the cultural heritage of Māori particularly and other peoples who have arrived since Māori. I can only appeal to our common heritage of humanitarian attitudes and trust that our common sense and mutual goals can find sufficient unity to enable a functional society, without assuming that Māori will simply assimilate into what I find culturally comfortable.

5. Conclusion

On 8 October 1769, Cook landed in New Zealand. Five years later, he arrived on shores that reminded him of his beloved “Caledonia” (a name used by the Romans,

incidentally, for part of what is now Scotland³⁵, and he recorded the name “New Caledonia”. And there one can hear now the debate, as in Gisborne, between a dual name or a single one. In Gisborne: will the name of the bay where Cook landed be Tūranganui-a-Kiwa - Poverty-Bay? (Finally officially approved in February 2019³⁶). And will “Caledonia” be perhaps “Kanaky/New-Caledonia”?

On 8 October 2019, the commemoration took place. In the months leading up to it, care was taken to make the commemoration a celebration of travel. It had already moved from “Cook’s arrival” to “the meeting of Māori and Europeans” and then to a celebration of all Pacific navigators, historical and contemporary, both Polynesian and European. Flotillas of “traditional” Polynesian boats from several countries gathered, the Tahitian Tupaia was also celebrated, etc. The British High Commissioner officially expressed her country’s “regrets” for the violence of 1769; but, the BBC noted, she did not go so far as to formally apologise³⁷.

The website dedicated to the commemoration that took place in October 2019 continues to exist in 2020. It is renamed: <https://mch.govt.nz/tuia250>. It announces: “Tuia te muka tangata ki uta. Weaving people together for a shared future”.

On a linguistic level, linguistic division is always a formidable obstacle in schools and elsewhere, which New Caledonia knows well³⁸. A country like Samoa has the chance to be united, but linguistic unity does not prevent social division. In Samoa, even if the debates in parliament are still all spoken and broadcast in Samoan, and every citizen follows (radio, now internet) and comments in Samoan, the local political situation has seen a socio-economic divide develop over the last thirty years. From the 1990s, Samoa has been further split each year by social class distance, in a country where a section of the political staff, having become alienated from the tradition of the founding chiefs, has monopolised the system and created a political-business oligarchy. New difficulties arose: urban and peri-urban delinquency, poor suburbs, obligation to buy

35 Name found in classical texts; historians believe that a dominant local tribe, the Caledonii, is the origin of the word; a proto-Celtic etymology is discussed: those with sturdy feet.

36 After petitions initiated in October 2018: <https://www.stuff.co.nz/dominion-post/news/wellington/107554529/dual-name-tranganui-a-kiwa-poverty-bay-gets-support>

37 <https://www.bbc.com/news/world-asia-49958027>

38 It is well known how the fact that the English version of the ‘Treaty of Waitangi’ prevailed over the Māori version enabled all the land dispossessions in the nineteenth and twentieth centuries (Tcherkezoff 2003: 103-107).

food to feed oneself but insufficient monetary means, with a frightening unemployment rate and heated debates on the future of the country in relation to the choices to be made, in particular on land tenure, between leaving the “traditional” regime in place (where 80% of the land is ‘customary’) or moving towards Western-style private property (Tcherkezoff 2022b)³⁹.

There are too many questions left unanswered. Does Samoa retain the unity of *faaSamoa* (language-and-culture) but, socio-economically, is less and less a united society? Will New Zealand, with an irremovable “dual heritage”, even if only linguistic, which constantly forces one to weigh up the place given to English or Māori, be a society with a truly “shared future”? And what about (Kanaky -?) New Caledonia, a society still “un-achieved”, as Patrice Godin said in 2018 (“Nouvelle-Calédonie 2018 : la société inachevée”) in the symposium referenced above (see note 1), but forced, with no possible way out, to imagine and build a “common destiny”?

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³⁹ See the recent symposium on Pacific Land Tenure (https://www.pacific-dialogues.fr/planet_colloq_samoa_eng.php).

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Pacific Island universities in the past, present, and future: the potential for a Pacific Way forward

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My personal interest in the role of university education in the Pacific Islands started when I wrote my Master thesis on the cultural dimension of university students from Wallis Island (from the French Overseas Territory Wallis and Futuna) who come to the University of New Caledonia for their education (Worliczek 2007). Ever since, I have been highly interested in the role of higher education institutions in the Pacific Islands, and how they determine the individual trajectories of young people. Over the years, I have had plenty of opportunities to discuss this matter, in particular with young people from New Caledonia, Vanuatu, the Solomon Islands, Papua New Guinea, Wallis and Futuna and French Polynesia. Furthermore, I was intrigued by numerous accounts from Pacific Islanders who were at that time either at the active stage of their professional lives, or already retired. What they all had in common was a past that included university studies overseas, and I was intrigued to listen to their life stories and to learn what made their life different from the majority of their community of origin.

It soon became clear that these institutions had a massive impact on people's lives – for a lot of the students, obtaining a university degree meant that there was no going back into their place / village of origin, and that a degree induced a certain rupture with the rather “traditional” lifestyle of their family. This observation led to a process of reflection on the role of higher education institutions in the Pacific Islands, and how the development of universities at a national level proved to be a game changer.

This paper will focus on the overall role of universities in the Pacific Islands – not so much on individual examples, but rather on the common thread that links these institutions and that may lead towards a future where they will face similar challenges and objectives, with the potential for collaboration and synergies.

A colonized past

Universities are an imported concept from Western countries. The initial idea defines a degree (“conferred by colleges and universities to indicate the completion of a course of study or the extent of academic achievement” (Britannica 1998)) according to standardized criteria, where the relationship between teacher and student plays a secondary role and where the training can be upscaled in terms of numbers. A curriculum can be reproduced and is not inherently flexible. Disciplines are defined¹, and only recently the idea of inter- or transdisciplinarity has reached global recognition in academia (Mazzocchi 2019, Lawrence & Després 2004). The definition of which disciplines (and what defines a discipline) are worth teaching at a university has its roots in a Europe of the past and is slow to evolve.

This approach is opposed to traditional ways of knowledge transmission in the Pacific Islands, where the relationship between “teacher” and “student” is crucial. For example, in New Caledonian Kanak society, knowledge is only shared when the person responsible for the transmission of knowledge feels that his / her student is ready to receive it. Thus, the personal relationship and the estimation of a student's ability and progress is judged solely by this person (or, sometimes, a defined group of people), and cannot be reproduced or pushed into a quantifiable curriculum. Furthermore, knowledge can sometimes be considered as secret - depending of the content / skill / knowledge concerned. Thus, it is not conceived for egalitarian access, but only for a small, specified audience (often related to gender or blood lineages) - see for example Watson-Gegeo & Gegeo (1992) for the Solomon Islands.

These above-mentioned aspects are only two out of a range of aspects in the transmission of knowledge that are inherently different from Western education systems – and, as specified forms of knowledge, from higher education at universities and colleges. However, ideas of learning evolve over time, and nowadays it is widely accepted that different ways of learning are appropriate for different types of knowledge.

Starting from the middle of the 20th century – when the Pacific was a sea of colonies – the idea of making university education accessible to Pacific Islanders slowly took root, the most visible result being the foundation of USP in 1968 (for the chronological sequence of priority education and academic sectors in the 20th century, see Crocombe & Meleisea (1989)). It was first and foremost the churches that supported

¹ See for example Morris (1966) for the initial recommendations of disciplines for USP.

the idea of a local intellectual leadership – however, this leadership of course had to be developed within the religious framework. Furthermore, quite often, following a long missionary tradition, young men were sent overseas in order to obtain their education in seminaries and returned as priests. They not only brought formal training with them, but also a reinforced sense of identity, also addressing the issue of existing inequalities in the colonial contexts - as for example in the Kanak leader Jean-Marie Tjibaou. A slightly different path was taken for example by Epeli Hau'ofa, who, although born from missionary parents, chose an academic career (including studies abroad) and influenced future generations of Pacific Islanders intellectually with his writings (see for example Hau'ofa 1993).

Several colonial powers then created opportunities in particular for the training of civil servants, teachers and medical staff (Crocombe & Meleisea 1989, Watson-Gegeo & Gegeo 1992), and in the second half of the 20th century, the first engineers, doctors and scientists established themselves professionally, some of them having gone through local training (Teasdale 1993).

However, students in those days had two big challenges to overcome. First, there were no local role models. With few exceptions, they were the first generation to go down that path that was full of obstacles, requiring a lot of determination and a supportive environment. Second, pursuing a university degree automatically meant going away from home. And going away always meant leaving the country for a destination that was very distant – in most cases Australia, New Zealand, the United States, the United Kingdom, France or some distant Pacific Island destination like for example Fiji. This not only meant physical distance in times before the internet, social media and affordable phone calls, but usually also the adaptation to a rough climate, an urban lifestyle without the support of a family network and the adaptation to a completely new culture with very different values. In addition, the networks of regular and affordable means of transport between the islands and the place of study (usually on airplanes, sometimes by boat) were just in the process of being developed, so going abroad to study could mean not seeing the family or being able to get back home for a number of years.

In the wake of independence

The call for political independence in the Pacific Islands went hand in hand with a call for intellectual independence, as is discussed during this colloquium.

Most of the higher education institutions that operate nowadays in the Pacific Islands have existed for a long time before their establishment as recognized universities – the dates rarely coincided with their actual foundation as an education institution. They started as teachers colleges, or schools of training. Over time, their structural and institutional framework, as well as the political buy-in evolved and starting from the 1980/90s, there was a strong push towards the establishment of national universities (except for the University of the South Pacific (USP)) which was officially founded as the regional university in 1968)². The recognition as a university however is an important step towards the professionalization of their curricula and their reputation, at a local as well as at an international level. Below is a list of the current PIURN (Pacific Islands Universities Research Network, further elaborations below) members, giving an overview over the Pacific Islands university landscape (this list is not exhaustive and does not include non-PIURN members):

Country	University	established / recognised in:	Beginnings	Year of national independence
	University of the South Pacific (USP)	1968		
FJ	Fiji National University (FNU)	2010		1970
PF	Université de la Polynésie Française (UPF)	1999	1987	-
NC	Université de la Nouvelle-Calédonie (UNC)	1999	1987	-
FJ	University of Fiji	2004		1970
PNG	University of Papua New Guinea	1983	1965	1975
PNG	Divine World University	1996		1975
PNG	University of Goroka (UOG)	1997	1961	1975
PNG	Pacific Adventist University (PAU)	1997	1983	1975

² It seems that there was a particular interest in this research topic in the 1990s, coinciding with the growth of Pacific research institutions. Since then the body of research has diminished.

PNG	Papua New Guinea University of Natural Resources and Environment	1997	1965	1975
PNG	Papua New Guinea University of Technology	1973	1965	1975
WS	National University of Samoa	1984		1962
SI	Solomon Islands National University	2013	1984	1978
VU	National University of Vanuatu	2019		1980

Table 1 : PIURN members foundation data

The development of the universities happened at different speeds in different countries due to the individual circumstances, but most of them have in common that they were created out of already existing institutions that received an “upgrade” to a university in their structure and recognition – usually well after independence. This often goes hand in hand with the prestige that a national university brings.

These universities all had to face similar challenges: bridging geographical distances, attracting the right personnel for teaching, and a steady funding structure – as well as national political endorsement and the creation of a common vision that corresponded to the perceived needs of each country.

The importance of these local structures cannot be emphasized enough. For the first time, students had the opportunity to pursue their studies in their home country (flexible remote learning options emerged only later). Even when studying in one’s country of origin, there was still the requirement to live in a university dorm or find an arrangement for staying with relatives living in the respective city, but the distances to bridge were nothing compared to going overseas, while staying in a familiar cultural setting with the possibility of returning home frequently. Another advantage was that the student body mainly consisted of students from the same country, going through similar experiences and constituting future local networks. However, Pacific Island universities have also always attracted students from other Islands, with the USP being the hotspot for students from almost all Pacific Island nations. These networks can be powerful

resources for the future – as Teasdale (1993) stated, in the 1990s there was already a number of political leaders and senior public servants from across the Pacific that lived, worked and played together at USP as students. These shared experiences utterly shape relationships in a professional context, patterns of friendship and affiliation are visible at regional gatherings and have the potential to resolve conflict. The massive potential of remote learning will be discussed below; however, remote learning deprives students from the creation of individual networks, which are a major source of power and influence.

The present day

Nowadays, most of these universities are well-established in the region, with the University of Vanuatu being the last one created in 2019, filling a gap and thus also giving Ni-Vanuatu students the possibility to pursue their studies locally. There is now a plethora of possible studies available locally across the Pacific, offering new possibilities to prospective students. Usually, these universities are more accessible financially³, and through family networks a lot of students have the possibility of living with relatives of the extended family, thus also cutting the costs. Previously, most students relied on scholarships from the host countries or universities; the Pacific Island universities are thus a step further towards the democratization of education. Most local universities also offer scholarships to prospective students.

A number of Pacific Island universities pursue a multi-campus strategy, which offers multiple advantages: distribution of infrastructure, economic benefits and specialization across the country or multiple islands; and, in the case of USP, even across countries. USP, having a special status among all Pacific Island Universities, is particularly interesting for countries that do not have the financial means (or critical number of potential students) to run a university by themselves; being integrated into this large regional structure allows for the students to benefit from an established and recognized educational system within the framework of an internationally recognized institution. This arrangement is particularly interesting for the Micronesian nations, where, so far, only one national university exists: Guam.

Currently, there are regional attempts to streamline what constitutes a university in the Pacific Islands as part of the Quality and Education Assessment Programme of the Pacific Community (Prasad & Nainoca 2018). Furthermore, the importance of the

³ An analysis of the exact financial requirements is yet to be made. Also, the various scholarship systems are worth a systematic analysis.

interconnectedness of culture and tertiary education finds its way into the regional strategies (CPAC & SPC 2010).

The assumption that strong tertiary education structures in the region strengthen regional capacities is not shared by all scholars, Corcoran & Koshy (2010) for example state: “There is a lack of capacity at all levels – individual, institutional, and systemic – and a lack of a critical mass of university graduates to advance higher education’s potential benefits to society.” Their rather harsh judgement is based on the premise that “Colonially inspired university education systems can be inappropriate for the local island culture” (ibid.). However, such an analysis withdraws agency from the concerned institutions that, in all likelihood, shape their institution to their own needs. Likewise, the visible number of graduates in leading positions across the Pacific Islands makes one question the above statement.

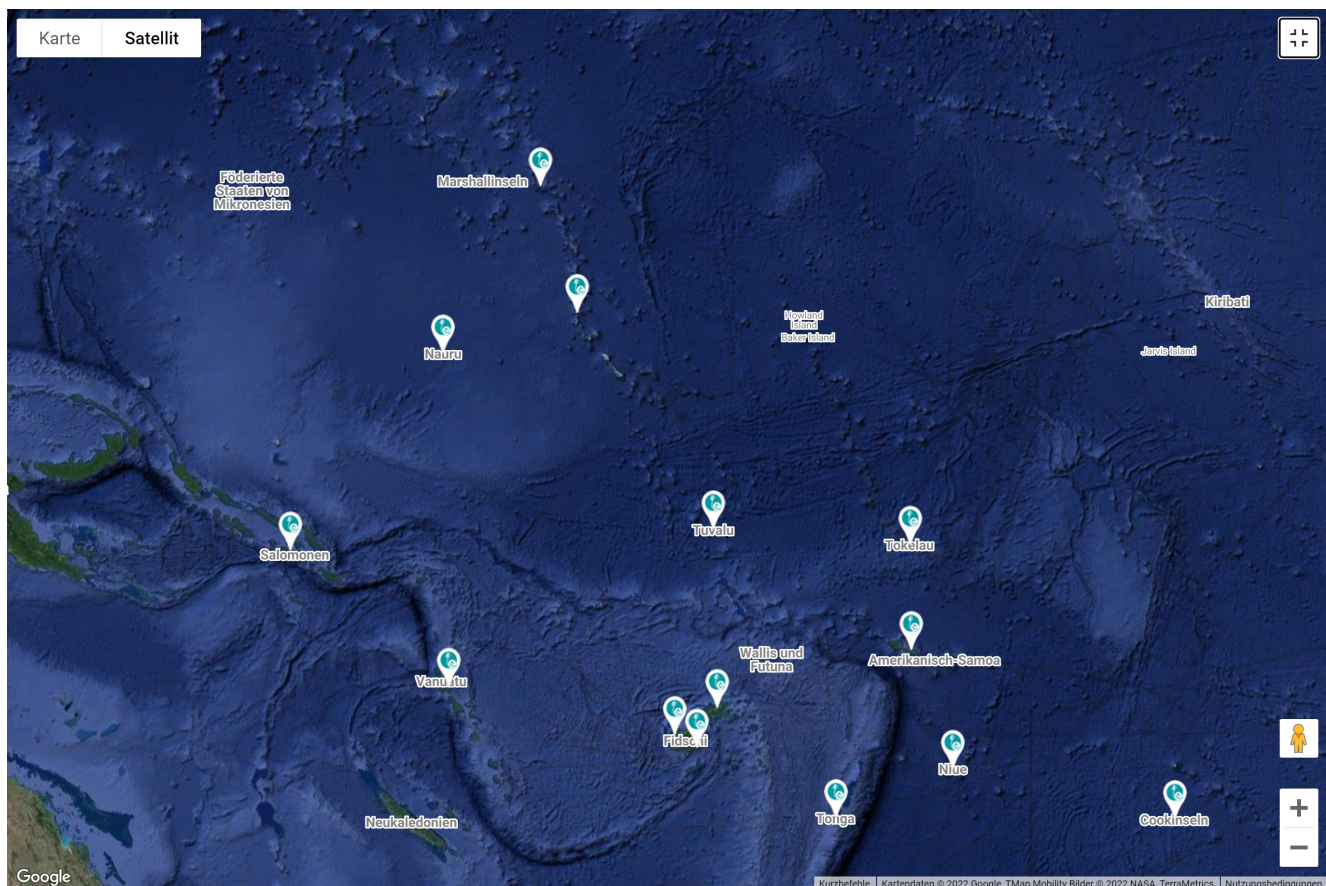


Figure 1 : Location of USP Campuses (USP, Google Earth)

Universities with a special status

Consideration should be given to two universities in the French⁴ Pacific: The University of New Caledonia and the University of French Polynesia. Initially founded together in 1987 as “the French University of the Pacific”, they were constitutionally split into two independent universities in 1999, developing their own curricula. However, they are still part of the French higher education system, and their diplomas are accredited by the French Ministry of Higher Education. Their ties remain tight, as can be seen in the joint “Pacific doctoral school”. This sets them apart from other universities, but there may be other examples that are remainders of the past, which translate into a privileged collaboration nowadays. As for the students at these universities, being a French citizen also gives them access to the French universities; a possibility that is actively pursued and supported by numerous scholarships, in particular for MA and PhD programs.

The University of Hawai'i also stands apart: As a union of three universities and ten colleges, it is integrated into US academia, thus following the rules and procedures of a university system that is globally recognized and where competitive high-performance research is conducted.

The previous examples show how the colonial past as well as the current status of dependency frame how university systems work locally. France as well as the USA set the rules; this can be considered as an advantage or a downside, depending on the context. However, within this framework, local curricula have evolved and have gained a relatively prominent status, just like in the independent countries' universities.

The University of Guam is not part of PIURN, hence no focus in this contribution. Cenderawasih University in Jayapura, Papua Province in Indonesia would also call for special attention in this section, as it is located on the Melanesian Island of New Guinea, and even more so because it is one of the oldest institutions in the region. However, given the current political circumstances, it has not been part of this analysis.

What is the Pacific Way in academia?

Scanning through the curricula of the various universities, there is an emphasis on economy, finance, tourism, STEM, and teaching⁵, with a shift towards applied studies since the 1980s. This seems to be a common thread that responds to local requirements, and has historical roots (Teasdale 1993). However, almost all universities also offer at

4 “French” meaning here in this context: French speaking (= teaching) at university and having a special status within the French Republic.

5 This analysis is not completed yet and has to be researched in detail.

least one program that focuses on local cultures and / or local languages. This is an achievement, given that in the colonial context, in a lot of Pacific Island countries / territories local language and / or culture were for a long time commonly considered as not desirable to pursue, or at least as the opposite of what education and qualification means – up until the middle of the 20th century. So, integrating these elements into university curricula is a milestone, it even seems like a logical step in the evolution of Pacific Island nations. Indeed, universities in New Zealand⁶ have been the forerunner in this regard, not only proposing language and culture studies, but also going a step further with, for example, Pacific Health studies at Auckland or Otago University – a subject that is also researched and taught at the University of Hawai'i.

However, attention should be given not only to the curricula for students, but also to the implications of culture and norms in Pacific Island societies that play an important role in the academic development of young people. Other than the fact that this way of transmitting knowledge is quite different compared to the indigenous systems of education (Scaglione 2015), there are various challenges that have to be overcome. This includes the fact that the language at university (usually English or French) is not the students' first language, and that the role of seniority, respect and peer groups can be quite distinct in Pacific Island societies and differ from the dominating Western understanding of student life (Uehara et al. 2017, Worliczek 2007).

Research

So far, this paper had a strong focus on the curricula offered to the students. However, the mere definition of a university also includes research. So, what do these universities offer in terms of research? In the past, scientific research on Pacific matters was done in the Pacific RIM or in Europe. Nowadays, there is a strong move towards studies that are conceived and implemented locally, a tendency that is more and more emphasized by international research funders, development agencies and by the nations themselves where research takes place. In some countries, research permits / visa have become a requirement in order to know and to filter what kind of research is undertaken by foreigners. This brings Pacific universities in an advantageous position; in particular USP has taken on a very important role as a regional partner on an international scale, despite recurring tensions concerning the university itself.

⁶ I am fully aware that given the size of the Pacific Islander populations in New Zealand and in Australia, as well as the complex university structure (partly focusing on Pacific Island issues) in these two countries, a thorough research on subjects taught in these two countries would be necessary.

However, Pacific Island universities also suffer from a brain drain. Scientists trained abroad often get good offers to pursue their careers in the host country, whereas qualified positions in the home country are sometimes rare. International travel from the islands is even more complicated and expensive when it comes to scientific conferences, and access to subscription journals is often too expensive for the smaller universities, as are high-tech equipment and analyses for laboratories. These obstacles can be attenuated by partnerships which often rely on personal contacts, personal investment, and a knowledge of the funding landscape. However, the local advantages can prime over the constraints – when research is done locally (in particular in the fields of culture or language, but also other fields like biology or local finance). This is however not true for all disciplines, and very often a choice of being a scientist at a small Pacific Island university is a choice against an international scientific career (which still seems to be the gold standard in academia⁷). Nevertheless, the covid 19 pandemic has shaken up global academia; virtual collaboration has become very common among consortium members, and future digitalization may open up even new opportunities.

This may be a turn of the tide for Pacific universities, where the geographical distance, as well as the costs associated with it, may become less important, thus putting the local competences on the international map.

Digitalization, pandemic and remote work: Game changers?

USP was a trailblazer in the region with the establishment of USNet in 1973, a satellite-communication network that allowed for distance and flexible learning; by 2008, more than half of USP's students made use of this offer, which has been improved ever since (Duncan & McMaster 2008).

The covid 19 pandemic has accelerated digitalization in the Pacific and elsewhere. In a way, it has prepared Pacific academia a new level playing field, where the above-mentioned perceived disadvantages of the Pacific Island universities diminish. Both research and teaching are concerned: online meetings have become very common over the last few years, and virtual collaboration is the new gold standard – in particular for researchers who are already well connected (which, in turn, is easier to do when for example having (post)graduate experience from overseas).

But also teaching is adapting: universities in Guam and in French Polynesia are currently exploring options for opening small branches of their universities spread across the

⁷ This statement may open a discussion about values, evaluation and standards of excellence in international academia.

main islands of their archipelagos, usually in the form of one or two rooms attached to a secondary education institution. These mini-campuses (which are run by a teaching assistant on site and where courses take place online) facilitate access even more and offer the opportunity to follow a degree at least for one or two years not only in one's own country, but very likely on the main atoll of an archipelago!

This scenario was unimaginable even a few years back. High-speed internet is being rolled out across the Pacific, and the combination of pandemic and digitalization have pushed for new developments, resulting in unforeseeable impacts. Students are quick to adapt, seemingly faster than appropriate teaching materials, and the younger generation even more so (Reddy & Sharma 2018). Access to devices and connection varies depending on the location, but the potential for online modes of content delivery (and also for remote collaborative research) cannot be overestimated. (Johnson et al. 2021) The covid 19 pandemic has pushed for new ways in academia, putting Pacific universities in an advantageous situation that almost eradicates the major pitfall of the past, which were the big geographical distances.

Is this really the Pacific Way?

The previous lines are an analysis of the current functioning of global academia, and an attempt to place Pacific universities in this landscape. However, this leaves the potential for "a Pacific Way" underexposed.

Pacific Studies in particular challenge academia and call for its decolonialization, and these Pacific voices have been articulate for quite some time (e.g. Thaman 2003). Indeed, all Pacific Island universities were founded on the premise of a Western mode of knowledge transmission and with predetermined norms about intellectual leadership. As mentioned at the beginning of this paper, the call for intellectual independence could hence lead us to question the status quo of academia in a lot of ways: Is this division into (old) disciplines really useful – nowadays and in particular in a Pacific context? What role should Pacific Island universities fulfill? Is being part of the global competition for funding and excellence really the ultimate goal? Is this even desirable? What does this mean for future generations? What about other knowledge systems that are based on tradition – should they be integrated into the current system of university education? Is there a way to become independent from external funding? What are the skills that should be taught to young Pacific Islanders and by whom? What exactly is the worth of diplomas and degrees? Do we want them to be recognized internationally and if so, by whom? Who are the privileged partners?

These questions may sound provocative in some ways, but they are worth asking. The Pacific Island universities have the advantage of being reasonably young and thus less caught in traditional university structures. Even though some of them struggle with more basic issues like funding, financial misconduct or political influence, it may be worth to pursue this intellectual exercise once more – give it an update and reflect on the last decades. The number of alumni from these universities is growing, and they have already shaped one generation of future leaders. It may be a good moment to revisit the fundamental values and to reevaluate the direction of the region's development in higher education.

This exercise may be done by one university alone; but in the sense of a Pacific Way it may be worth to sit down on a mat and explore the issue together.

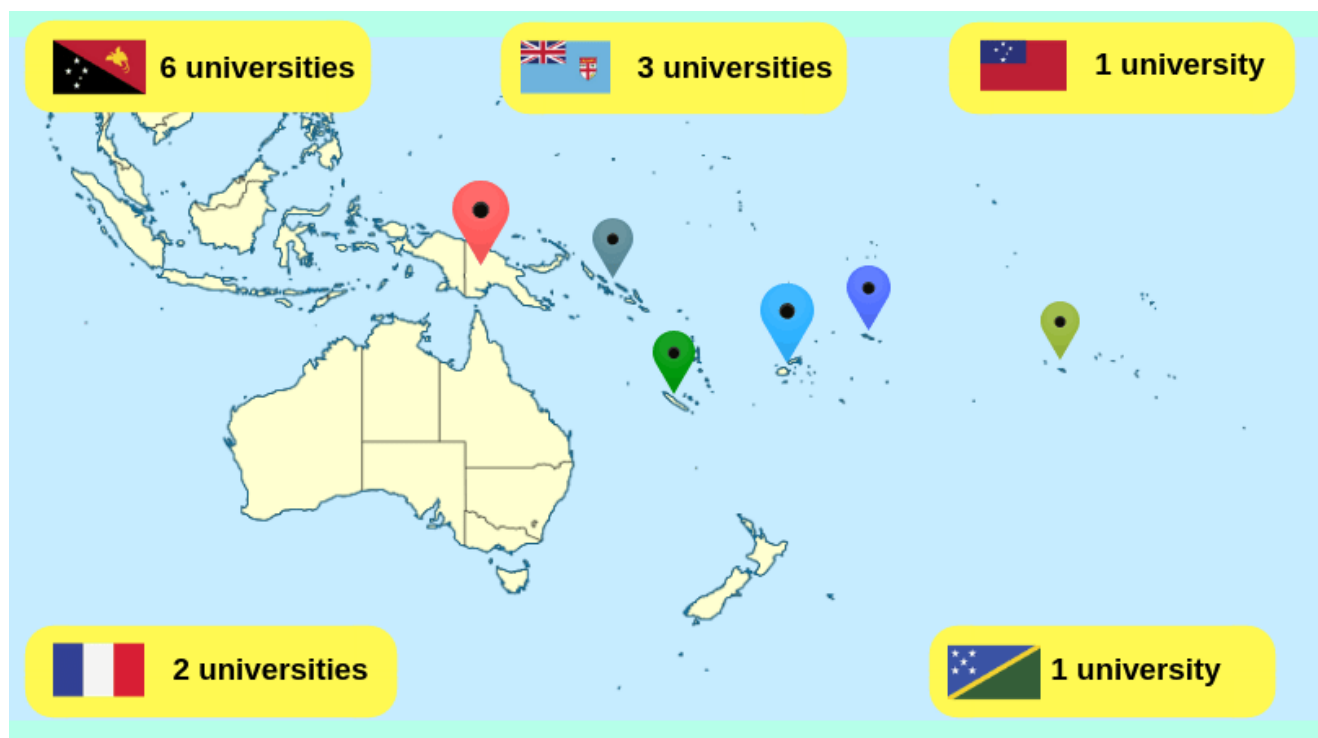


Figure 2 : members of PIURN (PIURN website)

Collaboration pathways

Attempts for more regional collaboration and synergies in the tertiary sector are not new. In the 1990s, the Consortium on Pacific Education (COPE) was the first network of this kind and was established at a time where old forms of externally imposed regionalism

gave way to pragmatic networks (Packer 1993). The next notable wave of activity in this regard took place with PACE-Net (plus)⁸ under the European Framework Program 7 (2010-2016), with one of the results being the creation of The Pacific Islands Universities Research Network⁹ (PIURN), founded in 2014. These networks do not seem to question the underlying assumptions of global academia, but they highlight the existing need for collaboration and the creation of a Pacific-specific network. It could be argued that this is due to a void that USP does not fill as a regional integrating force (Crossley & Louisy 1994) or that USP and these initiatives (which USP partly participates in) create a lively landscape of actors that collaborate in different contexts. In any case, these initiatives rely on funding - an effort that can definitely be upscaled. An evaluation of PIURN (Pirodeau 2017) showed that among the researchers of member universities, there is a perceived lack of dynamics in collaboration activities. Indeed, in addition to the obstacles mentioned above, differences in legal frameworks, objectives and language barriers add to the structural issue of physical distance. Furthermore, there is quite often a dedicated focus on local issues that binds a lot of resources and daily research routine does not always encourage collaboration abroad. Finally, lack of knowledge of collaboration opportunities also hinders progress in international collaboration. However, based on my experience in international research collaboration, this is a challenge for research networks in general – usually to be solved with a strategic decision to invest in human resources to keep a network alive and active. Local political buy-in as well as the network of CROP agencies in the region can play in favour of the universities; the latter should reinforce their role as a steppingstone for the region.

The last years have not been a smooth ride for the Pacific Islands; a shift in the global power landscape, a pandemic, a growing interest in the region in particular for resources and for strategic reasons, instability in the region's leading bodies – all these factors increase the importance of a common strategy in the university sector, for the sake of future generations. Robust local higher education and locally lead quality research are the best tools to face the upcoming challenges; even more so if they follow a common vision.

8 PACE-Net : Pacific-Europe Network for Science, Technology and Innovation (pacenet.plus)
9 PIURN - Pacific Islands Universities Research Network

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Is Micronesia Free Under the Weight of the Compact of Free Association?

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This paper will discuss the underlying issues as experienced by the Federated States of Micronesia (FSM) under the Compact of Free Association (Compact). It will do so by reviewing the economic, social, constitutional, and political debate affecting its development and thus future-outlook. It concludes by reviewing the current circumstances in relation to the topical question; Is the FSM free under the weight of the Compact of Free Association between the US and the FSM?

The Compact of Free Association

The Compact is a bilateral treaty between the US and FSM arising from shared historical experiences post WWII. It was first implemented in 1986, renegotiated in 2001, and extended to 2023. The FSM is currently negotiating the Compact to secure more financial assistance from the US to sustain itself post 2023. The scaling down of American financial assistance to the FSM may open up opportunities for other external powers to extend their influence in the region. China, some scholars argued, will fill the economic gaps that may be left in the event the US will not provide a suitable financial package to meet the growing needs of FSM economically.

The FSM is therefore going through an intense economic and political transition in preparation for the reduction of Compact funds post 2023. Since the implementation of the Compact in 1986, the US has provided over US\$2 billion dollars to the FSM Government in return for granting the US power to deny access to the islands to third parties, ostensibly to preserve regional security, but in reality, a strategic denial to potential enemies of US national interests (*The Compact of Free Association Between the Federated States of Micronesia and The United States of America*, 2003, 93–101). A

trust fund was set up for the FSM under the Compact, supposedly to replace Compact funds after 2023. However, it is uncertain whether the proceeds from the trust fund will be enough to sustain the FSM. (Mori, *State of the Nation Address*, 2012, 4-5).

There is speculation that China is likely to pay more attention to the FSM post 2023 due to its own interests in the region. China has been assisting the FSM in many areas such as the building of infrastructure, educational scholarships, training for FSM citizens to learn the Chinese language and social system, concessional loans, and small-scale grants for community development. (Weidong, *Interview*, 2011). For the FSM, the key concern will be preserving and extending its autonomy in these circumstances. The Compact has been the major source of the FSM Government's income since 1986. It is often referred to as being a double-edged sword. On the one hand, it is seen as a saviour in that it prevents the FSM from bleeding to death from economic collapse, while on the other hand, it is seen as handicapping the FSM's progress both internationally and domestically by creating dependency on Compact monies. Despite this, Micronesians are aware of the fact that reliance on someone else's money is not economically viable long term. The nation is embarking on a balancing act to ensure its future economic survival. (Illon, *Interview*, 2011; Lorin Robert, *Interview*, 2015).

The supporters of the amended Compact of 2003 have welcomed US oversight of the distribution of funds, with the hope that this will stop the mispending of funds earmarked for essential sectors such as the private sector, education, health and public infrastructure. (Micronesian Forum, Naich, 5-6). The Joint Economic Management Compact Office (JEMCO) has conducted audits of the Compact funds and, on occasion, withheld certain funds, pending their satisfaction that the necessary checks and balances have been put in place by the FSM Government. With this new auditing measure, both sides are studying their next move before the year 2023. It remains uncertain as to whether the Compact will be extended for a third time, and if so, for how long?

Optimists perceive the Compact as a means of maintaining the important connection between the US and FSM. They feel the FSM should not 'cut its nose off to spite its face' even though the US has been unwilling to compromise on many occasions. The Compact, they argue, is a safety net as it has provided the financial means to enable the building of the nation's political and economic capacity. The US's presence in the

FSM has brought stability to the nation and regional security. Moreover, it has allowed Micronesians to live, work and seek education in America—a good opportunity to release the population pressure through emigration, an additional benefit of which has been remittances. (Micronesian Forum, Naich, 5-6)

The FSM is weighing its options and ability to tap into alternative sources of funding to replace the Compact funds. Many observers have predicted that the FSM is heading towards economic hardship in the years ahead, with a reduced living standard compared to that currently enjoyed under the Compact. Many Micronesians have expressed concerns as to what will happen after 2023. Some want to revert back to traditional subsistence using the sea and land from which they have been sustained historically. Others have expressed the desire to look for employment overseas or to join their families who have already established themselves in the US. (Naich, 5–6, Grieco, 10). The challenge is whether the FSM will survive politically without economic assistance from the US.

Political and Economic Challenges

The US, after WWII under the UN trusteeship agreement, was tasked with developing the islands but failed to carry out its mandate. After Micronesia pushed for a new political status, the US poured millions of dollars into Micronesia to compensate for years of neglect (Hanlon, 90–91). This sudden injection of money resulted in the creation of the classic model of economic dependency. This model characterises Micronesians as being incapable of fending for themselves due to a lack of economic infrastructure, a social system that hinders capitalism and an unfriendly legal system that discourages foreign investment necessary to stimulate economic activities to promote the trickle-down effect. (Asian Development Bank, 4-7). The problem with this analysis is that it applies a neoclassical economic model, which is better suited to big economies, not Micronesia. It is therefore not surprising that the trickle-down effect has not been very effective in Micronesia.

The Micronesian social system, which is the backbone of Micronesian survivability, continues to be misunderstood by outside economists. It should be remembered that the implantation of any economic philosophy that requires the dismantling of the

central pillar of indigenous life—communal and kinship support—is doomed to fail. The nature of the Micronesian economic system as inherently opposed to wholesale capitalism should be subject to further studies to ensure the development of a suitable economic model to sustain continuity.

Micronesians have tried to grapple with what development entails ever since the traditional social system came into contact with the colonial economic system. Theories of economic development are far removed from the realities of day-to-day life for most Micronesians (Sitan, Samo). What they know is that their subsistence lifestyle provides sustenance and keeps the extended family together. By comparison, Western economic development seems abstract and unrelated to the life they have been accustomed to since their ancestors made the islands their home. Those that do not move into the wage economy and remit money are often on the margins of this system and still rely, in part, on clanship for support. The Western mode of economic production based on mass commercial consumerism is not suitable for the FSM's circumstances due to a lack of appropriate technology. To Micronesians, development is about protecting and sustaining their subsistence way of life and safeguarding their traditional practices with small-scale technology that may complement their lifestyle.

Foreign Relations

Foreign relations are one of the key indicators of FSM's success as they will define the extent to which Micronesia interacts with the outside world and the benefits that flow from such interactions. For example, opportunities for capacity building provided by other governments, particularly in the areas of technology and economic development assistance, need to be maintained. However, Micronesia will only deepen its relations with countries empathetic to Micronesian causes such as the impact of climate change on the islands, respect for the FSM's EEZ and airspace, and a commitment to the principle of non-interference in the FSM's internal political affairs.

FSM's relations with the outside world are dictated by its Constitution, which states that. It says, the FSM extend(s) to all nations what it seeks from each: peace, friendship, cooperation, and love in our common humanity. This policy is deliberate in its design for the purpose of portraying an image of neutrality to promote FSM's own interests

globally. The desire is not to depend primarily on US charity, but to diversify its diplomatic relations with other countries for development purposes. It is acutely aware of the interdependency between nations and therefore makes the effort to increase its diplomatic relations globally.

At this stage, there are still some outstanding legal issues that need to be resolved before the FSM can conduct itself effectively and independently on the international scene. The ongoing debate between US and FSM leaders over the issue of the security of the US in the Asia-Pacific region under the terms of the Compact will remain a challenge. (Naich, 1–6). However, it needs to be noted that in recent years, the primacy of the FSM's Constitution over the Compact has not been fully articulated by FSM officials when the Compact is at issue. Further, the FSM Congress at times usurps the function of the executive branch in terms of foreign relations. For example, Congress was involved in the renegotiation of the Compact, which was seen as a responsibility of the executive branch. The function of the executive branch is expressed in Article X, Section 2 (a) and (b), which stipulates that the President is 'to faithfully execute and implement the provisions of (the) Constitution and all national laws' and 'to conduct foreign affairs and the national defence in accordance with national law' (*The Constitution of the Federated States of Micronesia, 1979*).

Conversely, it has been argued that the above sections contradict provisions of the Compact. For example, Article II, Section 123(a) of the Compact states:

in recognition of the authority and responsibility of the Government of the United States under Title Three (Defence and Security Relations), the Government of ... the Federated States of Micronesia shall consult, in the conduct of their foreign affairs, with the Government of the United States. (Compact of Free Association Between the Federated States of Micronesia and the United States of America, 1986).

Section 123(a) is being used by the US to assert its right to veto decisions by the FSM Government in relation to the conduct of its foreign affairs if the decisions are not seen to be in the interests of the US. This is an area of significant debate and tension between the two governments.

The Compact is a treaty delegating major authority over the FSM's defence to

another country, the US, which has been permitted under the Constitution. It is within this legal context that the US asserts the primacy of the Compact over the Constitution in particular the US's right to veto decisions by the FSM Government in relation to third parties that are perceived to threaten US security. However, one can argue that the US cannot blindly rely on the Compact to pursue its objectives at the expense of Micronesian sovereignty and national interests. This is because the Constitution can limit the power of the Compact if the Compact exceeds the power bestowed upon it by the Constitution. Should there be a need to terminate the Compact, Article XIV, Section 1 of the Constitution may be invoked. (The Constitution of the Federated States of Micronesia, Article XI, Section 4). The FSM Foreign Affairs Department will have to monitor its duties under the Constitution and escalate issues when any violation arises to ensure Micronesians stand firm on the issue of sovereignty.

The EEZ

The FSM's exclusive economic zone (EEZ) remains the biggest single hope for the nation's future, particularly at the end of many Compact fundings post 2023. The EEZ covers an area of 2,978,000 square kilometres (D'Arcy, 3) . It has significant wealth in marine biota and likely mineral resources under and on its seabed. Peter Wilson, a fisheries expert whose consultancy work includes work for the governments of Papua New Guinea and the former TTPI, conducted a study of the tuna industry worldwide. He estimated that approximately 60 per cent of the total tuna harvest in the world comes from the western Pacific nation states of Palau, Kiribati, the Marshall Islands, Tuvalu, Papua New Guinea and the Solomon Islands. (Wilson, 3-10). The FSM contributes 28 per cent of this harvest. The study noted that the main beneficiaries of the fishery harvests were Japan, the Philippines, Taiwan, the US, South Korea and China.

Like many Pacific Island countries, the FSM faces problems of illegal fishing in its EEZ by foreign fishing vessels. To combat this problem, the FSM has joined with the Marshall Islands and Palau to pool their resources to effectively patrol their waters. The Australian Government has provided patrol ships and been involved in the ongoing training of maritime surveillance activities with these three nations. The fishing industry is the main FSM resource capable of replacing some of the financial shortcomings in the Compact (Sitan, 17–19).

Tuna fishery licensing fees are being adopted, but those fees need to be increased

substantially to turn sufficient profit for the nation. It is argued that there should be a correlation between the license fees and market value of the fish caught in the FSM's EEZ. That is because foreign fishing companies haul in hundreds of billions of dollars' worth of fish caught in the Pacific Islands' EEZs yet only a fraction of their profits are received by the island states. D'Arcy conservatively estimated that in 1998, Pacific Island nations received approximately US\$60 million in fishing access fees from fleets that declare an annual catch sale price of approximately US\$1.3–1.9 billion (D'Arcy, 3–4). This shortfall between actual and potential income for the host country is staggering.

The United Nations Convention on the Law of the Sea (UNCLOS III, 1982) established the legal regimes that protect the rights of coastal nations, like Micronesia, from unscrupulous illegal harvesters. The regimes cover the exploitation of economic resources within the designated EEZ, which covers 200 nautical miles (370.4 kilometres) from the shores of the islands that form the outer limit of the archipelagos. The economic resources include fishing and extraction of mineral resources both on and beneath the ocean floor, bearing in mind the sustainability of the resources. Notwithstanding these international legal principles, illegal fishing by foreign fleets continues. The FSM needs to seek new international partnerships for the purposes of expanding its capacity to build its future economic and social programs.

Conclusion

In discussing the issues above, the question remains: Is Micronesia free under the weight of the Compact of Free Association? This paper argues that the FSM is neither free nor politically imprisoned. It has adapted well historically and has managed itself impressively under four colonial powers. Maintaining the fluidity of the traditional systems is the foundation for Micronesians' future survival. It is an evolving system that has been at the heart of Micronesian history. It has adapted, transformed, and rearticulated itself, even under the stresses caused by ongoing engagement with the outside world and the current tides of globalisation.

Successive waves of colonial regimes attempted to undermine the traditional systems by inserting their own brands of development and different regimes of governance,

all of which were largely unsuccessful. Micronesian countermeasures were adopted through the process of adaptation, which arrested alien practices that could not be assimilated into its indigenous cultural practices. That is, Micronesians only accepted the essential elements of colonialism that ensured indigenous continuity. The current relatively new Micronesian Government has the task of ensuring that its modern legal, political, social, and economic institutions perpetuate relevant traditional historical doctrines that define how Micronesia's future should be shaped.

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The Implications of 21st Century Geopolitical Competition for the “Pacific Way”

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The “Pacific Way” can mean many things, but in the international relations of the Pacific, it refers to respect for Pacific island countries’ (PICs) sovereignty. Ratu Sir Kamisese Mara used it in this way when defending Fiji against Australia’s and New Zealand’s paternalistic and condemnatory response to the 1986 coups. In the face of Australia’s and New Zealand’s “lambasting” of Fiji, the PICs remained silent as Fiji tried to solve its internal problems. The Melanesian countries: Papua New Guinea, Solomon Islands and Vanuatu, went further and publicly stated their preference for protecting Fiji’s sovereignty (Dobell 2008). Thus, the PICs demonstrated, particularly to Australia and New Zealand, what the Pacific Way meant in the international relations of the region: respecting, protecting, and promoting their sovereignty and autonomy. This dimension of the Pacific Way has often been undermined by the actions of the region’s traditional benefactors. However, the emergence of China as a key player in regional geopolitics changes this. This paper examines the implications of this geopolitical competition on the international relations dimension of the Pacific way.

Since the late 1980s, Western aid donors like Australia and New Zealand have, in different ways, undermined the sovereignty and autonomy of PICs. Bilaterally, their “aid conditionality” has controlled to an extent what PICs could do, largely in favour of donor interests. In regionalism, the same pattern of influence emerged. The Pacific Islands Forum (PIF), originally intended to decolonize regionalism, has arguably become an instrument through which Australia and New Zealand exercise disproportionate influence in regional affairs. From the independence period to the 2000s, relations between PICs and former colonial powers have, in many respects, become neo-colonial – the latter exercised control over the former. However, China’s emergence as a major

player, in the early 2000s changed this, giving PICs options they previously did not enjoy. China balances the influence of the West in the Pacific, giving PICs the opportunity to strengthen their voice in regional and international affairs, manifest most recently in policies such as the Blue Pacific narrative and the Boe Declaration. This paper critically analyses the impact of China's rise on regional geopolitical affairs, focusing on how this has affected the sovereignty and autonomy of PICs, not only in terms of offering alternative models and development pathways, but in counterbalancing the disproportionate influence exercised by Western donors.

China and the Pacific

China first established diplomatic ties in the Pacific in 1975, with Samoa and Fiji. China's presence and influence has increased significantly. China was initially interested in the Pacific in order to pursue the One-China policy. After it assumed control of the China seat in the United Nations, from Taiwan, it sought diplomatic recognition from the PICs to counter Taiwan's efforts to do the same. PICs, for their part, welcomed China as an option for their development aspirations. The metropolitan (Western) countries, despite initially being ambivalent and even opposed to China's presence in the region, later welcomed it as a counterbalance to the possibility of increased Soviet presence in the Pacific. China's Pacific interests have since expanded, as well as its presence and influence.

By the turn of the century, Western scholars expressed concern that China would challenge Western countries' dominance of the Pacific, and that it might become the regional hegemon. In a seminal piece outlining China's potential threat to Western interests, Henderson and Reilley (2003) contended that in the post-Cold War period, the United States and its allies left a "political vacuum" that China was occupying. By increasing its diplomatic presence and financial assistance, China was becoming a strategic competitor to the United States, and that its goal was to become "a major Asia-Pacific power" (Henderson and Reilley 2003:94). For their part, the PICs welcomed China as a donor and development partner.

By the late 2010s, media and governments in the region were also deploying a narrative that can best be described as the China threat. The claims involved considerable fear-mongering: China was militarizing the region and deliberately creating debt distress for PICs to ultimately control them through financial obligations, otherwise known

as “debt-traps”. Despite no credible evidence of China building let alone desiring military infrastructure in the Pacific, the narrative was adopted and deployed by Western government policy makers. Unverified claims that China had approached Vanuatu about building a permanent military presence (Wroe 2018) was followed by New Zealand Prime Minister, Jacinda Ardern, publicly declaring that her country was opposed to the “militarisation of the Pacific” (Walters 2018). Oddly, her statement was made despite her own uncertainty about the validity of the report. Moreover, her statement was made despite the Vanuatu government’s denials of having an interest in “any sort of military base” (George 2018). By the start of 2022, China has not built a permanent military base or presence in Vanuatu, or the Pacific for that matter. Nevertheless, the narratives continued being deployed.

In May 2022, media and academics leaked an alleged draft security agreement between the Solomon Islands government and China. The Solomon Islands government later signed a security agreement with China, and while this has not been made public by the time of this writing, it is understood to be similar to the draft. The response to both, particularly by Western media, academics, and government was similar to their response to the Vanuatu allegations. Prime Minister Ardern once again deployed the narrative of not wanting the Pacific militarized. Given the context, the message was clear: the security deal was a possible gateway to the militarization of the Pacific by China, and New Zealand opposed it. Similar narratives were deployed by Australia and the United States. Then Australian Prime Minister, Scott Morrison, said a military base in the Solomon Islands would be their “red line” (Hitch 2022). Not to be outdone, then Defence minister, Peter Dutton seemed to channel something from the movie John Wick 3: Parabellum, stating, “The only way you can preserve peace is to prepare for war...” (Thompson 2022).

The Western allies’ response was ironic and hypocritical. In February 2020, Russia started a “special military operation” in the Ukraine under the premise that the latter’s inclusion in NATO presented an unacceptable threat. Russia’s red line was crossed. Australia and other Western countries criticized Russia’s position and action and defended Ukraine’s sovereign right to enter any military treaty they wished. Their response to the Solomon Island – China agreement showed they did not believe that PICs could exercise their sovereignty in the same way. Furthermore, it demonstrated that in relation

to the China-US competition, New Zealand would move closer to its Western allies. Moreover, it demonstrated the extent of Western countries' opposition to China extending its Pacific presence beyond aid, trade, and economic development. Western countries, in particular the United States, Australia, and New Zealand are increasingly united against China with the intention of containing China's presence and influence in the Pacific, even if this undermines the sovereignty of the PICs.

Sovereignty and Autonomy of Pacific Island Countries

Many PICs gained independence in the 1960s and 1970, starting with Samoa in 1962. There are three types of states in the Pacific: independent countries, countries in free association, and dependencies. Countries in free association are independent countries that have traded some aspects of their sovereignty or autonomy to their former colonizer, normally for financial benefits. The Cook Islands and Niue are in free association with New Zealand. The Federated States of Micronesia, Marshall Islands, and Palau are in free association with the United States. Dependencies are de facto colonies that have never gained independence – the metropole has jurisdiction in these countries. France has three dependencies: French Polynesia, New Caledonia, and Wallis and Futuna. The United States has three dependencies in the Pacific: Guam, the Mariana Islands, and American Samoa. These are also known as United States territories – they have a measure of internal self-governance but are subject to United States federal law. The other PICs are independent, and have, at least, de jure sovereign status. Whether they have de facto sovereignty is debatable.

Whether full sovereignty was obtained at independence is questionable. Constitutional conventions determined the political systems adopted at independence. Although these conventions might have followed democratic processes, certain outcomes were predetermined. Ghai correctly notes that the constitutions were “essentially imposed from above”, (Ghai 1988:3) because anything other than a Western “democratic” model, either based on the Westminster model or the Presidential system, was not an option. Given this background, it is doubtful that PICs had full control over their future. Herr makes a useful distinction between two dimensions of sovereignty: domestically, the nation-state must be in control of their affairs; internationally it must have freedom from unwanted foreign influence and intervention (Herr 1988:183). It is doubtful that PICs, even the independent ones, have achieved either.

The post-independence period has been marked by issues of neo-colonialism both nationally and regionally. Neo-colonialism refers to a situation where ostensibly sovereign countries are controlled in whole or in part by external actors. The constitution making process and its outcomes ensured that colonial powers continued their influence into the independence period. And colonial powers influenced the process for their geopolitical pursuits, even if this meant subordinating PICs. This was evident in Palau, the Federated States of Micronesia, and the Marshall Islands, where the United States sought constitutional arrangements that were designed specifically to accommodate their strategic and foreign interests (Ghai 1988:27). The United States signed the Compacts of Free Association with these countries to ensure “indefinite U.S. authority for defense and security matters” and denial of access to potential foreign adversaries of the United States to this area. In turn, these countries receive favourable immigration rights to the United States, as well as significant financial assistance. Geopolitically, the Compacts and the territories give the United States immeasurable control over Micronesia; it has the right to conduct any activities and operations required for the exercise of its authority and responsibility (Grossman 2019:20). Where direct neo-colonial influence was not evident, indirect influence probably was. Ghai notes that the “constitutions are so structured as to transfer authority to an educated, Westernized elite, who speak a common language with the departing colonialists and think and play within frameworks common to both” (Ghai 1988:11). He also notes that the constitutions adopted at independence “can be regarded as setting the stage for neo-colonialism, nurturing new forms of dependency” (Ghai 1988:49) The Micronesian cases demonstrate one type of neo-colonialism.

Neo-colonialism is also evident in the use of aid to unduly influence PICs. Immediately beset with the challenge of economic development, newly independent PICs became heavily dependent on aid donors, many of which were the former colonial powers. Donors, seizing the opportunity to take advantage of countries desperate for financial assistance imposed criteria and conditions for their aid in what became known as “aid conditionality”. Recipient countries that did not comply with donor wishes and demands risked losing the aid they became dependent on. In extreme cases, donors blatantly flouted international rules in the Pacific to exploit these countries. This was exemplified in a 1982 case involving American fishing boats.

The Forum Fisheries Agency (FFA) was created in 1979 to help PICs regulate fishing in their 200-mile exclusive economic zones, as set out in the United Nations Convention on the Law of the Seas (UNCLOS). American tuna-boat owners regularly flouted the regulations. When the Solomon Islands arrested an American boat in June 1984, the United States government threatened it with sanctions. The Solomon Islands remained steadfast in its position and eventually forced the Reagan administration to rein in the illegal activity of American fishing boats operating in the Pacific (Herr 1988:188). The Solomon Islands case was probably helped by probing USSR interests in the region at that time. Although the episode ended well for the Solomon Islands, it exposed a long-running issue of exploitation and threats that former colonial powers placed on the PICs. Other countries, such as Papua New Guinea and Kiribati, were not as fortunate as the Solomon Islands, and subsequently entertained closer “fishing” ties with the USSR (Herr 1988:188-9). In the 2022 Pacific Island Forum, United States Vice President, Kamala Harris, announced additional funding for the FFA (Dziedzic 2022). This may or may not smooth over the history of troubled relations, but indicates that aid is important in regulating post-colonial relations between Western powers and PICs.

In addition to or because of neo-colonialism, it is not uncommon for Western powers to treat PICs condescendingly. This was highlighted in New Zealand's response to a security agreement between the Solomon Islands and China. In March 2022, media reports surfaced about a leaked draft security agreement between the two countries that was circulating on social media (Tuilaepa-Taylor 2022). Both the Australian and New Zealand governments publicly voiced their opposition to a potential deal, arguing that it was unnecessary and that they and the “Pacific family” was able to provide the necessary security for the Solomon Islands (Tuilaepa-Taylor 2022). However, common sense suggests that the Solomon Islands understand their security situation better than Australia, New Zealand or other countries in the “Pacific family”. Consequently, the Solomon Islands is best placed to formulate policies to address their security needs. Australia and New Zealand did not see it this way, although both would defend to the hilt their own sovereign right to make such determinations. Their condescending and hypocritical treatment of PICs was on full display.

New Zealand has strengthened its defence and security cooperation with China over the past decade. In fact, New Zealand actively seeks closer defence cooperation

with China, and the Peoples Liberation Army (PLA). In 2014, General Fan Changlong, Vice Chairman of China's Central Military Commission, visited New Zealand in a move that strengthened the defence links between the two countries. Defence links had been developing over the previous decade and included "reciprocal naval visits" (CSS 2014). Changlong's visit culminated in the issuance of a joint statement with New Zealand's Defence Minister, Jonathan Coleman, in which both agreed that the development of defence ties was important to their bilateral relationship (Sinclair 2014). In 2015, New Zealand's Defence Minister, Gerry Brownlee, not only sought "further co-operation" with the PLA in the areas of Humanitarian and Assistance and Disaster Relief, but also security and stability operations in the Pacific (Brownlee 2015). In 2019, New Zealand's Defence Minister, Ron Mark and China's Minister of National Defence, General Wei Fenghe signed a Memorandum of Arrangement Concerning Defence Cooperation. It strengthened their relationship in dealing with key security issues in the Pacific (Mark 2019). Strangely, New Zealand has no problems advancing cooperation and agreements with China but finds the Solomon Islands efforts to shore up its security with China's help unacceptable.

Australia has a similar approach to New Zealand. It also has a history of security and defence cooperation with China. The Australian Federal Police (AFP) have a policing partnership that stretches back to 1999, when the AFP formally established an office in Beijing. Since then, Australian, and Chinese law enforcement agencies have worked collectively in fighting transnational crime (Australia Federal Police 2019). In 1997, the Australia-China Defence Strategic Dialogue was first held and since then has become an annual fixture. The Dialogue brings together top officials from Australia's Department of Defence and the PLA to discuss security matters in the Asia-Pacific region (Australian Government 2019). These partnerships are intended to meet the security needs of both countries. If Australia considers working with China an important part of their security set-up, it is curious why they oppose the Solomon Islands doing the same.

To be sure, there are differences between the Solomon Islands – China security agreement and security and defence relations between New Zealand and Australia, and China. Nevertheless, the *raison d'être* in all cases is the same – all countries have security needs that their respective agreements address. More importantly, each country understands their respective security needs better than others. This fact is lost on

Australia and New Zealand who consistently claim that they know what the Solomon Islands security needs are, better than the Solomon Islands itself. In response to the signing of the Solomon Islands – China security agreement, New Zealand's Prime Minister, Jacinda Ardern, stated "We see no need for this agreement. We are concerned about the militarisation of the Pacific and we continue to call on the Solomons to work with the Pacific with any concerns around their security that they may have" (Ensor 2022). Ardern's message was supported by New Zealand's Minister of Foreign Affairs, Nanaia Mahuta, who stated that the agreement was "both unwelcome and unnecessary" (Ensor 2022; Radio New Zealand 2022b). Presuming that the deal might lead to the establishment of a naval base in the Solomon Islands, the Australian government said, that this would be a "red line" not only for itself, but also for the United States (McHugh 2022). After explicitly trying to interfere with the Solomon Islands sovereign right to make its own security policies, ironically, Australia Deputy Prime Minister Barnaby Joyce warned the Solomon Islands that it was putting its sovereignty at risk by signing the agreement with China (Hitch 2022).

In the true spirit of neo-colonialism, Australia and New Zealand have shown that the rules and expectations which they apply to themselves, and other Western countries do not apply equally to PICs. In September 2021, Australia, the United Kingdom, and the United States signed an agreement, known as the Australia United Kingdom United States (AUKUS) Alliance for the supply of nuclear-powered submarines to Australia. If there were reasons for concern about the militarization of the Pacific, AUKUS contains plenty. Apart from the nuclear-powered submarine dimension, it was announced months later that AUKUS would also involve hypersonic weapons (Sabbagh and Hurst 2022). Unlike the Solomon Islands – China draft, when AUKUS was first announced New Zealand received it in a positive light. With reference to it, Ardern welcomed the "increased engagement of the UK and the US" in the region (Ensor 2021). When the missile dimension was later added, the New Zealand government was silent. The fears Ardern later expressed in relation to the militarization of the Pacific via the Solomon Islands – China draft were completely absent from her response to AUKUS. But this should not be surprising given that the militarization of the region by Western countries, such as the 2021 deal between the United States and the Federal States of Micronesia to build a military base in the latter (Ligaiula 2021; Cagurangan 2021) is never seen in

that light. New Zealand and Australia appear to have lost none of their paternalism in the treatment of PICs.

Is regionalism decolonized?

Neo-colonialism also pervades regionalism. The Pacific Island Forum (PIF) has been a conduit through which Australia and New Zealand exercise disproportionate influence over the regional agenda. The financial support provided by Australia and to a lesser extent New Zealand means they are best placed to “shape regionalism” (Bryant-Tokalau and Frazer 2006:2). Australia and New Zealand would probably argue that all members, including themselves, have enjoyed equal standing and influence. There is a different view. As the Cold War entered its final stages, one long time analyst of Pacific politics noted, “It can be argued that during the 1980s regionalism has become an increasingly important instrument of the global interests of metropolitan powers. Pressures on island leaders to conform to Western perceptions of security have been filtered through the regional framework, lubricated by trade and other economic assistance” (Tarte 1989:194). In neo-realist terms, it is not unreasonable to expect that Australia’s and New Zealand’s influence in the PIF should be anything other than commensurate with the money they provide. The problem is that the PICs created the PIF with the intention of decolonizing regionalism, which meant limiting membership to the PICs: Australia and New Zealand initially participated only as “observers” (Tarte 1989:184). The intention is well and truly dead. If, in the 1980s, neo-colonialism was starting to flower in the PIF, it would blossom further in the succeeding decades.

In the 1990s Australia and New Zealand promoted policies such as the Pacific Plan, which built on various declarations and PIF commitments that were predominantly sponsored by Australia and New Zealand, and ultimately served their interests more than those of PICs (Huffer 2006:158). Scholars of Pacific regionalism have noted this. Writing in 2006, Bryant-Tokalau and Frazer note, “What has not changed at all is the dominant role played by the two metropolitan states, Australia and New Zealand, in setting the regional agenda and continuing to shape the region’s response to globalisation and international security concerns” (Bryant-Tokalau and Frazer 2006:175). The politics of regionalism in the 2010s supports this idea. In 2015, Fijian Prime Minister, Frank Bainimarama, refused to attend the PIF because of the “undue influence” of Australia and New Zealand (Fox 2015). He also called for the two countries to be removed

from the PIF. In response, then New Zealand Prime Minister, John Key, signified that the relationship between Australia and New Zealand on the one hand, and the PICs on the other, was one of donor-recipient: "A Pacific Forum without Australia and New Zealand would be an interesting thing I suppose, in that those leaders would be able to talk about things. ... But exactly where would they get the money to do anything, and the answer is nowhere" (Marwick 2015). The suggestion is that Australia and New Zealand run the show. As if to confirm the donor-recipient model relationship between the two sides, then Samoan Prime Minister, Tuilaepa Malielegaoi stated, ""The Forum is made up of 14 very poor nations and then these two nations who fund the plans by these 14 very poor nations. ... Now John Key is right. He has hit the mark because that's why New Zealand and Australia came in, they fund our stuff" (Lesa 2015). The hope that the PIF would be the vehicle for decolonizing regionalism apparently has not materialized, and it is arguable that the PIF continues to be a key cog in a regional infrastructure that maintains the hegemony of Australia and New Zealand.

China and the decolonization of the Pacific

There is a popular view, particularly in the West, that China's rise will lead to the spread of authoritarianism globally. At the White House-organized Summit for Democracy, in December 2021, President Biden stated that the "push back on authoritarianism" was one of the goals (Biden 2021). Although he did not mention any country, it was clear before the Summit that the United States was targeting China and Russia (neither of whom were invited to participate) (Williams 2021; Briggs 2021; Magnier 2021; The Economic Times 2021). China got the message and responded. On 4 December 2021, China's State Council Information Office released a white paper titled, "China : Democracy that Works" (China's State Council Information Office 2021). The following day, it put out a report titled, "The State of Democracy in the United States", which discussed how the United States "admitted" involvement in "regime changes" in other countries (Ministry of Foreign Affairs of the Peoples Republic of China 2021). These were supplemented by other defensive actions against what China viewed as (another) United States provocation (Ohlberg 2021; Moritsugu 2021). Whether China is authoritarian is a debate that will linger in Western circles, but, ironically, the Biden White House is coming under similar criticisms (Faria 2021; Editorial Board 2022; Kornick 2021; Raleigh 2022). On the question of whether China is exporting "authoritarianism" – there is no evidence of this happening in the Pacific.

Nevertheless, the narrative that China is exporting “authoritarianism” has been deployed to the Pacific. John Coyne, of the Australian Strategic Policy Institute (ASPI), for example argues that if Chinese police have a greater role in the Pacific, they will help export authoritarian practices to the region. Ironically, his view is largely based on how police in colonial times (including Australian police) conducted themselves. In what might be a case of projecting one’s own experience or guilt onto another, he states, “The police of the day [colonial times] were, for the most part, focused on dominating communities and being accountable to the regime and not the people. This sort of policing has strong similarities to the role and accountability of China’s police today” (Coyne 2022). The Australian government has identified rising authoritarianism in the Pacific as a problem (Starting 2020). Since Kiribati switched its allegiance back to China, from Taiwan, in 2019, it is alleged to be moving towards authoritarianism (Needham 2022b). Interestingly, Australia itself has been accused of being authoritarian (Starting 2020), as well as the PICs in their response to the Covid pandemic (Robie 2020). Nevertheless, China is clearly the focus of accusations about authoritarianism in the region. There is no evidence to support these.

What is clear is that the attraction of China is primarily economic. It offers hope to a region that is desperate for solutions to development problems for which traditional benefactors have been unable to or refused to address. Despite having an abundance of natural resources, including gold, copper, fisheries, and oil, the Pacific has perennially featured in the worst global development statistics. Despite of or because of their efforts, traditional benefactors have had little success in generating economic development in the Pacific. Resource exploitation in colonial and independence periods has created many of the development problems in the Pacific. Endemic corruption has also proved to be a significant problem. In the 1990s, bilateral donors and multilateral development organizations highlighted issues with “good governance” or “poor governance”, whatever the case may be. Many of these, however, were and are not uncommon in newly independent countries, particularly those that are largely creatures of Western colonialism for whom the idea and practice of the nation-state status is new. This does not excuse many of the governance issues in PICs, such as corruption, but perspective is important. It should be remembered that PICs have been expected to achieve within the space of approximately 60 years what the colonial states took centuries to adopt, like democracy underpinned by full suffrage and sus-

tainable economic development. China's BRI offers a new approach to address development problems and PICs are increasingly convinced of its potential to better their economic situations. Ten PICs have signed BRI Memorandums of Understanding.

However, China is also attractive because it offers liberation for PICs from the neo-colonial structures that prevail in the region. One renowned scholar of Pacific geopolitics observes that China's increasing presence and influence in the Pacific challenges Western hegemony and colonial structures of dominance. In 2006, Wesley-Smith noted that despite the end of colonialism, Western powers continue to control the region. Countries like Australia, for example, acted as if they had the right, if not the duty, "to speak for the inhabitants of this region, to represent them to themselves and to others, to lead, and to manage them" (Wesley-Smith 2007:27). He also noted that China disturbed this situation in favour of the Pacific: "At least for the moment, China appears to broaden the menu of options for these island states, whose leaders are well accustomed to operating in a world controlled by great powers" (Wesley-Smith 2007:29). Wesley-Smith's analysis is important in light of donor-engineered policies like the Pacific plan, and more recently Australia's, New Zealand's, and the United States' response to the Solomon Islands – China agreement. These show that colonial states' paternalist attitude towards PICs persists. But the fact that this agreement was signed despite their protests shows that PICs are no longer bound to do their bidding, and China has played a significant part in giving PICs this freedom.

Ironically, it appears that the neo-colonial approach by Western countries has helped China to increase its influence in the Pacific. In March 2018, New Zealand's Deputy Prime Minister, and Minister of Foreign Affairs and Trade, Winston Peters, announced the Pacific Reset, a new foreign policy approach to the Pacific. The Reset was intended to regain New Zealand's influence in the region, apparently from China (Iati 2021). In what was an indirect admission of how New Zealand has lost this influence, the Reset was predicated on changing New Zealand's approach to the Pacific from one of "donor/recipient", to "mature political partnerships" (Peters 2018a). The fact that New Zealand was moving to a mature partnership model indicates that this relationship did not exist previously, even after more than 100 years of engagement. It could be argued that the "donor/recipient" model is a polite way of saying neo-colonialism, or at the very least that New Zealand was just one of the countries that funds the Pacific's stuff.

Wesley-Smith's analysis of the regional architecture and who it does and does not favour is revealing in relation to the Solomon Islands – China agreement. First, if the Solomon Islands needed additional security, particularly after the riots in Honiara in November 2021, it is intriguing that it did not seek this through a security agreement with New Zealand, similar to the one it has with Australia (Australian Government 2017). New Zealand was an integral part of the Regional Assistance Mission to the Solomon Islands (RAMSI), and along with Australia deployed troops to address the November riots (New Zealand Herald 2021; Radio New Zealand 2021a). Yet, faced with the prospect of further unrest, (Radio New Zealand 2021b) the Solomon Islands did not seek a stronger security agreement with New Zealand. New Zealand, along with military and police from other PICs, deployed its troops under what is known as the Pacific-led Solomon Islands International Assistance Force. Why the Solomon Islands chose to do this is unclear. It might have come out of suspicion about Western powers' interference in local politics, something which the Solomon Islands Prime Minister, Manasseh Sogavare, alluded to (Rising and McGuirk 2021). More importantly, it shows that China is seen as a viable security partner in the Pacific. This is a big step up from China's traditional role as aid donor and trade partner. If stronger security measures are required for China's Belt and Road Initiative, particularly in countries where these services are limited, (Gordon et al 2020) the increase of PICs signing up to the BRI could lead to more security arrangements with China.

Second, and relatedly, China's Minister of Foreign Affairs, Wang Yi, visited ten PICs in May 2022, and clearly indicated that China is interested in a stronger security role in the Pacific. Before the visit, a "draft communique and five-year action plan" was apparently sent by Beijing to its Pacific partners. According to Reuters, which claimed to have sighted the relevant documents, the communique and plan covered "security and trade" between China and Pacific Islands and would "represent a shift in Beijing's focus from bilateral relationships to dealing with the Pacific on a multilateral basis" (Needham 2022a). The security dimension was extensive, covering things such as cyber security and protection of national security. Although a multilateral deal was not reached, the deal is not off the table, and Wang's visit was ultimately a success. China signed over 50 bilateral deals with various PICs covering matters from economics to Covid recovery and to climate change, the latter being the number one existential threat to the region according to the Boe Declaration (Manch 2022). While Wang did

not get the region-wide deal signed, (Shepherd 2022; Radio New Zealand 2022a) the 50-plus bilateral agreements put China – Pacific relations on a stronger platform than where it was previously. Clearly, the Pacific is welcoming China's widening agenda in the region and the options this provides.

In response, Western countries are desperately trying to retain their hegemonic position, going so far as to deploy unfounded allegations that potentially could undermine PICs development and autonomy. In 2019 Kiribati switched back its diplomatic relations from Taiwan to China. The West was, typically, unsettled and a fear-mongering campaign soon followed. Kiribati plans to “reclaim land from lagoons” was weaved into a narrative of ‘destroying coral reefs’ and ‘China’s strategic interests in the Pacific’, and in particular the prospect of ‘Chinese military bases or initially dual-use facilities’ that would give China control over prime tuna fishing grounds as well as a presence near United States military bases (Raaymakers 2020). In 2021, Kiribati moved to open up its marine reserve, the Phoenix Islands Protected Area. Again, Western media, academics and governments fanned the flames of China fears in relation to this decision with claims that China was the instigator and that it was probably done for strategic interests. Other narratives included China’s intentions to re-develop infrastructure on Kanton island (one of 21 populated islands in Kiribati) for military purposes (Goldenziel 2022). All this largely ignored or downplayed repeated explanations by the Kiribati government that the decisions were made for economic development purposes (Dreaver 2021). Kiribati’s views and explanations were submerged beneath the China threat narratives.

Kiribati’s views, however, appear to be founded in fact while those deployed by the West are based on speculation. The fact that Kiribati is one of two countries worldwide that has consistently been touted as most at risk from rising sea levels and has a GDP per capita ranking of 209 out of 229 countries (this includes territories) (Central Intelligence Agency, United States Government) could explain Kiribati’s land reclamation plans. Years before Kiribati and China re-established diplomatic ties, the Kiribati government made it clear that it needed economic development. In the *Kiribati Development Plan 2016-2019*, the government stated that its second key priority area was economic growth and poverty reduction (Government of Kiribati (A) – Publication date not provided). Furthermore, this relied on tourism, and the development of

Kanton Island airport would be a key part of revitalising this industry. In fact, in the *Kiribati National Tourism Action Plan 2009-2014*, (Government of Kiribati (C) – Publication date not provided) the government stated that Kanton Airport would be a key piece of infrastructure and a “cornerstone of tourism development”. In the *Kiribati National Fisheries Policy 2013-2025*, (Government of Kiribati (B) – Publication date not provided) the government stated, “Kiribati has few options for economic growth apart from its marine resources”, and its tuna fisheries resources were central to this. Kiribati’s development plans, including that of Kanton, were in the pipeline at least a decade before it re-established ties with China.

The Western allies’ (those operating in the Pacific) treatment of Kiribati’s efforts to develop is symptomatic of how they treat PICs in general. Policies intended to better PICs are interpreted and treated in the light of what is best for Western interests. When the Solomon Islands diplomatically recognized China, then United States Vice President, Mike Pence cancelled plans to meet with Prime Minister Sogavare. A senior United States government official is reported to have explained the cancellation in the following terms: “the decision by the Solomon Islands to change its diplomatic recognition from Taiwan to the People’s Republic of China has consequences. They’re hurting a historically strong relationship by doing this” (Rampton 2019). If one stopped reading there, one might be forgiven for thinking he was referring to the Solomon Islands – Taiwan relationship. That was not what he meant. He continued, “It’s a setback, and it’s prioritizing short-term gain with China over long-term commitment with the U.S” (Rampton 2019) When Western allies are not framing Pacific-China relations in terms of their strategic interests, they fall back on the paternalistic strategy. This was best summed up by former Secretary-General of the Pacific Islands Forum Secretariat, Dame Meg Taylor: “it is often difficult to engage in meaningful dialogue over relations with China without being labelled “pro-China” or perhaps even as naïve” (Taylor 2019). One might argue that arguments in favour of China’s increasing presence would fall victim to similar accusations. This ignores the probability that these decisions are made to enhance PICs economic development and secure their sovereignty. Importantly, these arguments could influence the policy and security narrative in the region to the extent that they hurt the countries that need development and respect for their sovereignty the most.

Conclusion

Ever since the Pacific Way was coined by Fiji's first Prime Minister, Ratu Sir Kamisese Mara, it has taken on various meanings and become the subject of much debate about how it defines and shapes the Pacific. Key values associated with it are mutual respect, inclusivity, consultation, consensus, and compromise. In the international relations of the Pacific, these are manifest in the principle of sovereignty and the goal of economic development. Mutual respect, consultation and consensus require countries to engage each other as sovereign equals and not as donors and recipients. The latter requires a measure of economic development. PICs have struggled to realise the sovereignty and autonomy they legally gained at independence and have struggled to develop economically.

The geopolitical competition that has developed in the Pacific, between Australia, New Zealand and their Western allies on the one hand, and China on the other presents both advantages and disadvantages in terms of the Pacific countries' ability to gain more autonomy and increase their prospects for economic development. Despite or because of Western countries' political and economic policies in the region, PICs remain disproportionately influenced by the former's interests and policies. The current regional situation, both formal and informal, favours Western countries' interests more than those of the PICs. China's increasing presence unsettles this balance or more accurately, imbalance. Both bilaterally and multilaterally, China is giving PICs options. Moreover, it presents PICs with new options and routes to become more politically and economically independent. Unfortunately, traditional benefactors appear determined to counter these, but in doing so are undermining the hope embodied in concepts like the Pacific Way.

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The “Pacific Way”, Traditional Hierarchy and Democracy in Fiji, Tonga and Samoa

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The “Pacific Way” has variously been conceived as an authentically *regional* approach to the management of Oceania’s domestic and international affairs or, alternatively, as an elite project elevating ‘tradition’ as an obstacle to greater democratization. The latter interpretation, which focussed on the role played by the chiefly hierarchy in Fiji, Tonga and Samoa, was most comprehensively elaborated in Stephanie Lawson’s 1996 book, *Tradition Versus Democracy in the South Pacific*, and amplified in a 2010 interpretive critique of Fijian chief Ratu Sir Kamisese Mara’s philosophy. This chapter asks whether the thesis that chiefly elites were manipulating tradition to suit their own advantage helpfully interprets what subsequently ensued in those three countries. In Tonga, popular pressure encouraged major reforms enacted in 2010 diminishing the powers of the monarchy. In Samoa, a universal franchise was introduced in 1990 and the powers of the *tama-a-’äiga* (paramount chiefs) were considerably diminished over time, not least in a *de jure* sense by the Supreme Court in 2021. In Fiji, the 1987 coup – which was followed by a new 1990 Constitution that strengthened the position of the Great Council of Chiefs – proved only the first of three illegal overthrows of Fiji governments. Paradoxically, it was not a populist election victory that carried forward the 1980s reformist project, but – after the 2006 coup – a Republic of Fiji Military Forces (RFMF)-backed government. It did so not as the agent of democratization but in defiance of electoral democracy, which was claimed to be conducive to empowerment of ethno-nationalist forces. In the process, the Bainimarama government also abolished the Great Council of Chiefs.

In the 1980s and 1990s, the fact that independence had mostly not been driven by concerted resistance to colonial rule on the part of Pacific political leaders encouraged many scholars to focus on continuity and alignment between the new and old orders. Because safeguarding or promoting ‘tradition’ became such a prominent feature of the

early post-independence political discourse of Pacific politicians, radical academics – influenced by a leftist reading of European history and by Karl Marx’s famous comment in the *18th Brumaire of Louis Bonaparte* about the ‘dead weight of tradition’ weighing ‘like a nightmare on the brain of the living’ – identified appeals for preservation of the customary framework in Pacific societies as instrumental in cementing the privileged position of the new empowered elites. Eric Hobsbawm and Terence Ranger’s edited book, *The Invention of Tradition*, was a key text for these scholars (Hobsbawm & Ranger, 1983). The 1987 coup in Fiji was the key confirmatory political development. In that year, a short-lived reformist government led by Dr Timoci Bavadra was overthrown by the country’s first military coup. The post-coup administration was widely seen – to some degree accurately – as entailing an attempted re-empowerment of Fiji’s hitherto dominant eastern chiefs. The new ruling indigenous party that subsequently won elections in 1992 and 1994, the Soqosoqo ni Vakavulewa ni Taukei (SVT), was itself the creation of the Great Council of Chiefs.

As Tongan academic Epeli Hau’ofa expressed this in 1987, ‘traditions are used by the new ruling class to enforce the new order’:

‘It is the privileged who can afford to tell the poor to preserve their traditions. But their perceptions of traits of traditional culture to preserve are increasingly divergent from those of the poor, because in the final analysis it is the poor who have to live out the traditional culture; the privileged can merely talk about it, and they are in a position to be selective about what traits they use or more correctly urge others to observe; and this is increasingly seen by the poor as part of the ploy by the privileged to secure greater advantages for themselves’ (Hau’ofa 1987: p12, p4).

This inequality-focussed perspective was thought particularly applicable to Polynesia ‘where aristocratic rules and Christian church traditions, combined with depredations of the emerging bourgeoisie, have inflicted suffering on the poor’ and where elites were enforcing ‘traditions on the poor in order to maintain social stability’ (Hau’ofa 1987: p. 12). Hau’ofa subsequently became better known for his later paper ‘Our Sea of Islands’, positively delineating scope for a new regional identity (after the fashion of that other authentically regional interpretation of ‘the Pacific Way’, albeit rather as an alternative Oceanic perspective) (Hau’ofa, 1998; Hau’ofa, 1994).

In *Tradition Versus Democracy in the South Pacific*, and in later writings, Stephanie Lawson drew on Hau'ofa's earlier class-based perspective and applied this to an investigation of political developments in Fiji, Tonga and Samoa, arguing that:

'(T)he idea of tradition has been deployed not so much in defence of highly prized aspects of unique cultural identities, but in defence of elite power and privilege against growing demands for accountability in government as well as more extensive opportunities for participation by those without traditionally derived political or social status' (Lawson 1996: p5).

Lawson's analysis consisted principally of an investigation of various powers exercised by the traditional hierarchy over national-level politics in the three countries and of Ratu Sir Kamisese Mara's 'Pacific way' conceptualization of regional identity. The latter was likewise deemed 'first and foremost a conservative discourse embracing notions of class and hierarchy common to elite elements among both colonisers and colonised' and to be 'inflected with chiefly values in accordance with the high standing of the figure who pronounced it' (Lawson 2010: p. 299, p. 301); Lawson 1996: p. 3-4, p. 165-66). Lawson rejected Ron Crocombe's efforts to recast the 'Pacific way' in an anti-colonial light on the grounds that the true meaning of ideas should be established with reference to the context in which they are first expressed (Lawson 1996: p. 299).

In this paper, I adopt the different approach of taking both ideas and institutions to be regularly re-moulded to fit the changing context and not to be necessarily tied to what they were at their inception. To ascertain whether or not elites were manipulating tradition to suit their own advantage, it is necessary to establish who the 'traditionalist elites' were, and whether or not they were able to shape policy formulation in their own interests. In some settings, the 'defence of tradition' consisted largely of a conservative upholding of the *status quo* (or, in the Fiji post-2006 coup case, of the *state quo ante*¹). In others, it entailed advocacy of de-centralization, which was not necessarily 'undemocratic' or 'anti-democratic'. In many cases, traditionalist justifications of policy changes have indeed disguised the pursuit of some form of group self-interest, but those elites responsible have not necessarily been the top-ranking chiefs. Conversely, reformists have not always been democrats, as is most obvious in Fiji's post-2006 coup era. In all three countries, at least some high-ranking chiefs have – at critical junctures – been deeply engaged either in democratic reform or the protection of democracy, as

was the case during the transition to a universal franchise in Samoa, with the shift to a majority popularly elected parliament in Tonga and with Ratu Mara's efforts to thwart the 2000 Speight coup in Fiji. Most importantly, the aspiration for styles of democratic reform that sit well with the customary order and resistance to external imposition, which is far from unique to the Pacific Islands, should not be rejected as a form of 'relativism' or democratic backsliding.

Economists too frequently perceive elite manipulation of traditional culture as an obstacle to modernization. Since survival of traditional hierarchies in Fiji, Tonga and Samoa was intimately connected with the continuation of communal land tenure, both have regularly been seen by neo-classical economists as 'binding constraints' on economic growth². For those modern economists who focus on the Pacific Islands, traditional consumption patterns inhibit private saving and investment and communal land tenure limits economic potential (Ward 1985). In the Fiji case, right-wing economist Ron Duncan therefore endorsed 2006 coup leader Frank Bainimarama's actions as a necessary step towards the removal of 'traditional institutions that have supported the chiefly elite'³. In 2021, Bainimarama's speechwriters echoed the same perspective:

'Attempts to modernise our land administration started in the early 1900s. Our colonial rulers then saw that our well-being and economic position could be improved if more control of our land were placed in our hands. However, there was one impediment – the then Council of Chiefs. They blocked attempts to improve our economic position through improved land administration. They felt it was their God-given right to retain the lion's share of the return on our resources. Let it be very clear to us that the Council of Chiefs was a Colonial construction. It was suitable for a particular time, but when I saw that they would continue to stand in the way of our progress, I decided to make them irrelevant. Chiefs are still with us, but where they should rightfully sit – in the vanua. That is where they will be more influential as they lead our people. That decision has affected you in a lot of good ways. Removing them has enabled us to progress better as a nation, as a race' (*Fiji Sun* 2021).

Such perspectives, which were used to retrospectively justify the 2006 coup, attracted some sympathy from some of the Pacific-watchers in Canberra, Wellington and Hawai'i and at multilateral agencies such as the World Bank and Asian Development Bank,

showing – once again – that concepts are not necessarily tied to what they were at their inception (Finin 2007; Herr 2010; Pacific Institute of Public Policy 2009; Khan ND; Baleinakorodawa, Barr & Qalowasa 2006).

The South-Central Pacific

Prior to colonial rule, Tonga, Fiji and Samoa formed a 'larger social system' tied together by traditional linkages through trade and hierarchical inter-marriages (Kaepler 1978; Davidson 1977). In contrast to Hawaii and Tahiti, colonial rule did not entail a wholesale reconfiguration of the traditional order, but its reshaping in some congruence with the new powers of the colonizers. Fiji was colonized in 1874, following a Deed of Cession by paramount chiefs, with the bulk of the land area retained under communal tenure. Samoa became a tri-dominion jointly ruled by Britain, the USA and Germany, before being divided between Germany (Western Samoa) and the USA (American Samoa) in 1899. The Germans established a Land and Titles Court to deliberate over disputes over chiefly titles and land rights, but here too land was mostly retained under communal ownership. In Tonga, key convulsions in the traditional order commenced prior to the 1870s and 1880s colonial scramble for the Pacific. King George Täufa'ähau Tupou I's promulgations of 1839, 1850, 1862, and 1875 sought to ward off the unwanted attentions of foreign powers by establishing a unified constitutional monarchy on the model of the European kingdoms. An 1862 Edict of Emancipation abolished the customary obligations of 'commoners' to their chiefs. In 1875 and 1881, thirty of the chiefs were ennobled and granted hereditary estates, while the rest became unrecognised in formal law (Bott 1981: p59). King George Tupou I's successor, King George II, proved less able to resist foreign encroachment, with the country becoming a British 'protected state' in 1900 (Fusitu'a & Rutherford 1977).

Those 19th century histories greatly influenced the politics of the post-colonial period, commencing in 1962 in Samoa and in 1970 in both Fiji and Tonga. In none of the three countries was there any concerted effort to resurrect the ancient order, although in Fiji the argument that the 1874 Deed of Cession ought to have been reversed so as to restore power to the paramount chiefs became an important component of the radical ethno-nationalist argument⁴. Instead, older institutions were re-moulded to fit the new circumstances, thereby creating an abundance of Hobsbawmian 'invented traditions'. In Fiji, for example, the *Vola ni Kawa Bula* (VKB, Register of Native Births)

became a cornerstone of indigenous identity, particularly after the 1990 constitution removed 'other Pacific Islanders' from the 'Fijian' electoral roll and explicitly based Fijian identity on the VKB (Republic of Fiji, 1990 Constitution, S. 156 (a)). Its true origins had been largely forgotten. In an effort to enlarge the land area available for state-orchestrated development projects or settlement, colonial authorities pioneered the drawing up of lists of *mataqali* (clan) members so as to identify 'extinct' *mataqali* whose land could be appropriated as crown land (Scarr 1984: p115; *Sunday Times* (Fiji) 2006). In Sāmoa, the German-initiated Land and Titles Court became known as a quintessentially Samoan institution, presided over by Sāmoan lay judges who are experts in custom, and displacing warfare as the arbiter over chiefly succession disputes (Meleisea 1987: pxii). Tonga's abundant 'invented traditions' were largely of indigenous origin, even if these were sometimes shaped by external influences (not least through the intermediation of Hawai'i diplomat Charles St. Julian). The very requirement, imposed by the processes both of colonization and decolonization (or resistance to these), that Tonga, Fiji and Samoa become nation-states imposed some inevitability that traditional institutions, concepts or even the language prevailing in one or other part of each country become formalized as 'national'.

Dual Power in Tonga

The Tongan story most closely fits the elite manipulation thesis, owing to the emergence of an electorally successful pro-democracy movement and royal resistance to reform. Yet reform, when it arrived, came largely at the instigation of King George Tupou V and in a shape that more closely resembled the aspirations of his government than those of the elected People's Representatives.

George Tupou I's 1875 Constitution formalized monarchic control over both the choice of Prime Minister and Cabinet, who sat in a legislative assembly alongside equal numbers of noble and people's representatives. Post-1875 Tonga is often described as a 'constitutional monarchy', but the King was not given a merely ceremonial role akin to that eventually assumed by the European monarchs, so it has aptly been identified as a 'constitution under a monarchy' (Powles 1990: p. 155). Those ministers, who also served as a Privy Council advising the King, had powers of veto over the decisions of the Legislative Assembly. From 1984, there were nine people's representatives, representing the 'commoners' and nine MPs representing the holders of 33 noble

titles (Campbell 2001 : p. 810, p. 815; James 1994). Through the 1990s, King George Tupou IV resisted calls for constitutional change, despite mounting protest against maladministration of government (Campbell 2008 : p.2). Only in 2004 – under the influence of his son and eventual successor, Tupouto’a – did major political reforms commence. In November 2004, it was announced that two Peoples Representatives and two Nobles Representatives would be appointed to cabinet after the 2005 election. In March 2006, Prince Lavaka, the King’s son, resigned the Prime Ministership and was succeeded by a ‘commoner’ closely associated with the pro-democracy movement, Feleti Sevele, the first time any popularly elected Peoples Representative had occupied that post. Nevertheless, this remained a government appointed by the King and one that could be freely discharged by the King.

The major constitutional changes in Tonga occurred in 2010, but these were devised in such a way as to avoid a ‘tradition versus democracy’ confrontation. A confrontation did occur, but only after the initial reforms of 2005-6. On 6th November 2006, protests outside parliament, directed against the slow pace of reform, sparked major riots in the capital, Nuku’alofa, culminating in the burning down of much of the city’s business district. Yet the Sevele government remained in office and, with the backing of King George Tupou V, it steered the necessary constitutional amendments through parliament. The King would henceforth act on advice in the selection of the Prime Minister and cabinet. The number of People’s Representatives was raised from nine to seventeen, who were to be elected under a first-past-the-post system in single member electorates. The King kept powers of veto, the right to dissolve parliament and control over appointments to the judiciary as well as the selection of the Attorney-General (Powles 2013: p. 31-50). A reconstituted Privy Council retained an advisory role for the monarch and was to serve, alongside cabinet, as a shadowy agency of dual power with often-uncertain authority. The Speaker was to be selected from among the noble MPs (Kingdom of Tonga 2010: S. 61). The King declined pressure to directly appoint four members of parliament, with those powers instead henceforth conferred on the elected Prime Minister (Kingdom of Tonga 2010: S. 51, (2a).

From the 2010 election onwards, Tonga for the first time had a majority popularly elected parliament, but with the nobles on occasion retaining the ability to control which faction formed the government owing to their retention of nine seats in parliament.

Noble alignment with conservative MPs, usually from the northern or outlying islands, enabled control over government in 2010-14 and again in 2019-21, but most nobles sat on the opposition benches under the 2014-19 and post-2021 governments. In August 2017, the King used his royal powers of dissolution to oust a government led by veteran pro-democracy activist 'Akilisi Pohiva, but – with the backing of most of the people's representatives – Pohiva was able to briefly return to office after the November 2017 polls (until his death in 2019). In office, Pöhiva pressed for a continuation of democratic reform through abolition of the nobles' seats and for an end to the exercise of various executive powers by the Privy Council (Moala 2014; ABC 2017). Further constitutional amendments to remove remaining executive powers of the King-in-Privy Council or to either abolish, or amend the method of election of, the nobles representatives are unlikely under the present monarch, King George Tupou VI, who succeeded to the throne upon the death of his reformist brother in 2012.

Fiji : The Rise and Fall of the Eastern Chiefs

The Fiji post-colonial experience resonates with the elite manipulation thesis owing to the 1987 coup's attempted re-empowerment of the eastern chiefs via the provisions of the 1990 Constitution.

Fiji became a British Crown colony in 1874, after the signing of a Deed of Cession with the country's leading chiefs. The colony's first governor, Sir Arthur Gordon, adopted a 'protectionist' policy aimed at arresting a steep decline in the indigenous population over the 19th century. Many of the most fertile lands had been alienated prior to cession, but further sales of indigenous land to white planters were forbidden. Fijians were to be governed 'in accordance with native usages and customs' (Roth 1951; France 1968). Ethnic Fijian employment on plantations was restricted. Over 60,000 indentured labourers were brought from the Indian subcontinent to serve as a labour force and became the mainstay of the country's sugar industry. By 1911, Fiji-born Indians outnumbered first-generation migrants. Indigenous Fijians were largely kept in their villages, obliged to cultivate specified crops to pay taxes-in-kind under an officially recognised chiefly system (Scarr 1980: p. 8). Designed to insulate Fijians from the market economy, at least until population levels recovered, the Fijian administration was to survive until the 1960s, despite cumulative erosion of chiefly powers and increasing drift from the village to the town (France, 1971).

After independence in 1970, the country was ruled under successive governments led by Lau high chief Ratu Sir Kamisese Mara, with the largely Fiji Indian-backed National Federation Party (NFP) comprising the largest opposition party. In the mid-1970s, the emergence of a Fijian Nationalist Party split the indigenous vote, leading to an April 1977 election defeat for Mara's Alliance Party. Siddiq Koya's NFP obtained a narrow majority, but Governor General Ratu Sir George Cakobau instead appointed Ratu Mara to lead an interim government pending fresh elections in September (Murray 1978). A decade later, in April 1987, a predominantly Fiji Indian-backed coalition between the NFP and the newly formed Fiji Labour Party (FLP) was able to win a narrow victory over Mara's Alliance, and this time briefly formed a government led by indigenous Fijian medical practitioner Dr Timoci Bavadra. That government lasted only a month before it was overthrown in Fiji's first military coup, led by third-ranking military officer Sitiveni Rabuka. The NFP-FLP coalition had drawn most of its support from western Viti Levu, not only from Fiji Indian voters but also from some indigenous Fijians opposed to the longstanding dominance of the eastern chiefs. In the aftermath of the coup, a new Constitution in 1990 reserved the position of Prime Minister for a 'Fijian' and introduced a wholly communally-based electoral system, with 37 seats allocated to indigenous Fijians and 27 to Fiji Indians in a 70-member parliament (Republic of Fiji 1990: S. 83 (2), S. 41 (3) & (4))⁵. A 34-member Senate was henceforth to be dominated by 24 Fijians nominated by the Great Council of Chiefs, further reinforcing the indigenous control over the upper house that had earlier existed under the 1970 constitution (Republic of Fiji 1990: S. 55, (1))⁶.

Ostensibly, these developments heralded a re-traditionalization of the Fiji political order, but several developments cast doubt on that interpretation (Norton 1999). First, in the wake of the 1987 coup indigenous Governor-General Ratu Sir Penaia Ganilau brokered peace talks between the post-coup government and the deposed Bavadra government (the 'Deuba Accord'), which were derailed by a further intervention by Rabuka (often called a 'second coup'), after which the 1970 constitution was abrogated and Fiji became a republic. Ganilau was a high chief, the *Tui Cakau*, but his authority had been successfully challenged by a military officer who held no chiefly title. Second, under the 1990 constitution, a new political party was forged in June 1991 at the instigation of the Great Council of Chiefs: the *Soqosoqo ni Vakavulewa ni Taukei* (SVT) (Tora 1990: p. 14). In the contest for SVT leadership, Ro Lady Lala Mara, the

Roko Tui Dreketi (paramount chief of the Burebasaga confederacy) and wife to the interim Prime Minister Ratu Mara was passed over in favour of Rabuka, another sign of the weakening of the traditional order⁷.

Rabuka was able to win elections in 1992 and 1994. Ratu Sir Kamisese Mara became President, but his rivalry with Rabuka remained an important feature of Fiji politics over the ensuing years. In 1999, Rabuka fought a fresh election – on the basis of a new 1997 Constitution aimed at bridging differences with Fiji Indian politicians. His SVT suffered a major defeat. A key reason for that defeat, at least as regards the indigenous Fijian vote, was the formation of a new party, the Veitokani ni Vakarisito ni Leweinivanua (VLV), which included among its leaders Ratu Mara's alleged illegitimate son, Poseci Bune and his daughter, Adi Koila Mara. The VLV took close to 20% of the indigenous vote, accounting for the lion's share of the fall in the SVT ethnic Fijian vote share from 65.3% in 1994 to 38% in 1999 (Fraenkel 2001: p. 14-15). The VLV joined new Prime Minister Mahendra Chaudhry's Peoples Coalition government with the blessing of Ratu Mara.

In accordance with the elite manipulation thesis, the Peoples' Coalition 1999 victory might potentially be seen as a triumph of democratic forces. Its overthrow, one year later in May 2000, could plausibly be seen as a reactionary reimposition of traditionalist power. Yet such an interpretation downplays the inter-communal tensions that arose during the May-July 2000 coup crisis.

Chaudhry's FLP had emerged from the 1999 election with an absolute majority of 37 of the 71 seats, but his party had only 1.9% of the ethnic Fijian first preference vote. His majority had arisen due to ballot transfers under the 1997 constitution's new alternative vote system, including – critically for three constituencies that took the FLP over the required absolute majority threshold – votes transferred from the VLV (Fraenkel & Grofman 2006: p. 642). Given that majority, Chaudhry had little need for his coalition partners, other than for non-electoral legitimacy. Nor did he any longer see the need, following the cautious 1987 precedent, to make an indigenous Fijian Prime Minister⁸. Instead, Chaudhry became Fiji's first Prime Minister of Indian descent. During his year in office, Chaudhry paid little attention to his slender support among ethnic Fijian voters. His primary constituency was Fiji Indian cane farmers, though his 1999 electoral triumph owed much to the backing also of the Fiji Indian urban middle classes and some support from multi-ethnic trade unionists. All three of his ethnic Fijian coalition allied

parties split. The dissidents joined the rising tide of indigenous resistance, while party leaders mostly remained in the Peoples Coalition cabinet. This was not a triumph of democracy over tradition. As hostility mounted, Chaudhry repeatedly insisted that he had a democratic 'mandate', as he did in raw numerical terms, but these claims could not conceal the fact that his backing within the *Taukei* community was negligible, despite that community having a majority in the population (Lal 2000b: p. 286). When the coup eventually came, on May 19th 2000, it had an air of inevitability. There were simultaneously several coup plots ready to roll, but George Speight's shambolic insurrection proved the first cab off the ranks (Digitaki 2000).

The May 19th 2000 coup could only superficially be interpreted as a resurrection of the traditional order against the forces of change. The coup itself was described as a 'civilian coup', but it had important backing within the Republic of Fiji Military Forces (RFMF). Speight himself had no military background. He was a part-European businessman. Some of his key allies were dissident members of the parties whose leaders had remained in Chaudhry's People's Coalition cabinet⁹. It was a chaotic coup. Speight and his supporters – including a small contingent from the RFMF's Counter-Revolutionary Warfare Squadron – seized control of parliament and held Chaudhry and most of his cabinet hostage for 56 days. The President, Ratu Sir Kamisese Mara proclaimed a state of emergency and the RFMF and police loosely ring-fenced the parliamentary complex. A standoff ensued. What followed showed the obsequiousness of the Great Council of Chiefs, rather than its ascendancy. The chiefs deliberated for three days, before making major concessions to Speight's demands, including offering further dialogue and a pardon for the hostage-takers. A delegation from the Council then trooped into the parliament building, where Speight and his accomplices held control, to placate the maverick coup leader, but to no avail (Fraenkel 2000: p. 297).

On May 29th, Ratu Mara stepped down as President at Bainimarama's instigation, and the Constitution was declared abrogated, this time not by the insurrectionists but by the military. It was a coup within a coup. Some amongst the chiefly elite, including Bau chiefs Adi Samanunu Cakobau and her sister Adi Litia Cakobau, backed Speight. They later convened a Bose ni Turaga (Council of Provincial Chiefs), as distinct from the Bose Levu Vakaturaga (BLV, Great Council of Chiefs), signalling the would-be ascendancy of the minor chiefs against the authority of the equivocating BLV (Fraenkel 2000: p. 302).

Nevertheless, this was a side-show compared to the real relocation of power. It was primarily the RFMF that defeated the Speight coup, even if – *de jure* – it was the law courts that in March 2001 pronounced the May 29th 2000 abrogation of the constitution unlawful.

The December 2006 coup brought a new ascendancy for the RFMF not as the harbinger of democracy but as its antithesis. The government that emerged in the aftermath of the 2000 coup was led by Laisenia Qarase, at the head of a new largely indigenous-backed party, the Sososoqo Duavata ni Lewenivanua (SDL). His government had important links with the traditional chiefs, but more importantly with the Methodist Church leadership. Military Commander Frank Bainimarama had been a very junior naval officer at the time of his appointment by Ratu Mara in March 1999 and had endured a major personal threat to his life during the mutiny of November 2000 (orchestrated by supporters of the Speight coup). His efforts to rebuild a fractured RFMF placed him on a collision course with Qarase's SDL government (Firth & Fraenkel 2009). In December 2006, he overthrew the Qarase government. Ideologically, Bainimarama's position had not been clear at the time of the 2000 coup, but in hostility to the Qarase government it had crystallized against the influence of church and paramount chiefs. Once in office, Bainimarama would subsequently dispense with the majority of his initial allies, including Catholic social justice advocates, Ratu Mara's descendants, the Fiji Labour Party, and various sympathizers in the civil society movement, most of whom soon changed from conditional supporters to virulent opponents of the Bainimarama-led government. The Great Council of Chiefs was abolished in 2012.

Bainimarama's FijiFirst Party was able to win elections in 2014 and 2018 with absolute majorities, but by December 2022 its popular support had waned to a point that allowed an opposition coalition government to narrowly assume office. Chaudhry and several of his Fiji Labour Party colleagues had joined the interim administration appointed in the wake of the December 2006 coup, though in 2008 Chaudhry resigned as finance minister and soon became highly critical of the military-backed government. When elections were eventually held in 2014, Bainimarama's newly formed FijiFirst Party won 59% of the vote, relying strongly on the Fiji Labour Party's former bases of support in Western Viti Levu and northern Vanua Levu. Policies on rehousing squatters, the minimum wage and free school fees aimed at improving the livelihoods of the urban

and rural poor¹⁰. The FLP vote collapsed to 2.3% of the national total in 2014, 0.62% in 2018 and 2.7% in 2022, each time falling below the 5% threshold required to gain seats in parliament. From a position of incumbency, FijiFirst was able to rally the support of those reformist-inclined areas that had backed the short-lived Labour-led governments of 1987 and 1999, but by 2022 the FijiFirst vote share was down to 42.6%. Sixteen years of semi-authoritarian rule did much to strengthen opposition support for democracy, media freedom, the rule of law and an end to police repression.

Samoa : Modernization Disguised as Tradition

Sāmoa's ability to elaborate its own political institutions in the last quarter of the nineteenth century was initially assisted by intense regional rivalry between Germany, America and Britain. The 1873 constitution established a bicameral parliament with an upper house (*Ta'imua*) and lower house (*Faipule*), both of which were occupied by matai chosen by other matai using customary methods of dialogue and consensus. Pressured by commercial interests, diplomats and developments in neighbouring Fiji to establish a centralised government, Sāmoa developed a fractious monarchical system, rotated between the country's two highest lineages (Sā Mālietoā and Sā Tupuā) for four-year terms. Monarchic rivalry during the 1870s resulted in the advent of four *tama-a-'āiga* titles (literally meaning 'one who is an offspring related to the established political families of Sāmoa'): Mālietoā, Tupuā Tamasese, Matā'afa and Tuimaleali'ifano. Under German rule (1900–1914), Governor Solf pursued a policy of restricting foreign land purchases and native employment on plantations in Western Sāmoa that kept the customary village-based system more or less intact. *Tama-a-'āiga* title-holders were appointed as advisors, and the *Faipule* was retained in a consultative capacity.

Following Germany's defeat in World War I, Sāmoa came under the stewardship of New Zealand, first as League of Nations Mandate (1919–45), and then as a United Nations Trust Territory (1946–61). The emergence of the Mau movement in the 1920s, an indigenous protest movement aimed at obtaining recognition for Sāmoan self-government, led the New Zealand administration to grant political concessions, including enhancing the authority of the *Fono* village council. The Samoa Amendment Act of 1947 provided for a Legislative Assembly with 11 Sāmoan members representing customary districts as a preparatory stage on the road to independence.

After independence in 1962, Sāmoan politics shifted away from the earlier consensus-based selection processes towards greater competition. During the pre-independence years, members of the Legislative Assembly had usually been selected unopposed, after village discussions declared in favour of a single candidate (a style of decision-making which reinforced the position of the traditional power-brokers of *Tūmua* and *Pule*¹¹). Because it equalised factors such as age, rank and experience that were thought to merit greater weight in decision-making, voting was viewed as contrary to the consensus principles of the village *fono*. MPs were frequently rotated among villages within a constituency, with each taking it in turns to nominate an unopposed candidate (Meleisea 1987: p. 212-213; So’o 2002: p. 228). From independence onwards, election rivalry sharpened, the number of candidates standing rose and the percentage of MPs returned unopposed fell. Nevertheless, the degree of control exerted by village councils over candidate selection and voter choice continued to provoke controversy. MPs were occasionally elected in defiance of local council choices and the villagers deemed responsible could face banishment, entailing either exclusion from council proceedings or, in the more draconian cases, loss of property including lands and removal from the village.

Similarly at the national level, critical decisions regarding selection of office-bearers tended initially to be taken by consensus and to facilitate the accession to the prime ministership of leading customary chiefs. Until 1976, Sāmoa’s prime ministers were all holders of *tama-a-’āiga* titles. Competition then sharpened, though at first the victors remained top title-holders. The opening up of constituency and prime ministerial-level competition in Sāmoa in the late 1970s coincided with the formation of a party-based system. Tupuola Efi’s narrow victory after the 1979 elections triggered the opposition to assume a more organised form. The Human Rights Protection Party (HRPP) was formed. It was able to win the general election of 1982 and – aside from the short-lived 1986-87 coalition government period – that party remained continuously in office from 1982 to 2021.

The HRPP nevertheless faced challenges, most notably from the *Tūmua* and *Pule* protests of the 1990s. Traditional orators on the island of Savai’i (*’Pule-e-ono’*) rallied behind customary representatives of the *Tama-a-’āiga* (paramount chiefs) on Upolu (*’Tūmua’*) to oppose a new 10% Value-Added Goods and Services Tax and press for a

change in government. Their spokesman was then Leader of the Opposition Tui Ātua Tupua Tamasese 'Efi (previously known as Tupoula 'Efi), also the holder of one of the four *Tama-a-'āiga* titles and Prime Minister prior to the HRPP's initial assumption of office in 1982 (So'o 2006: p. 353; So'o 2008: p. 187). Tupua Tamasese 'Efi became Head of State in 2007 and served two terms ending in 2017. His rivalry with HRPP Prime Minister Tuila'epa Sa'ilele Malielegaoi, who assumed office in 1998, was a continuing sub-plot of Sāmoan politics through the first two decades of the new millennium.

Ostensibly, the HRPP was the party of modernization, and its 1990s opponents were the traditionalists, but the controversies that led to the party's defeat at the 2021 election suggest a more nuanced interpretation. In 2020, a schism emerged in the HRPP over three bills designed to reconfigure the Land and Titles Court, supposedly to bring this more into line with Sāmoan custom and tradition. Under the pre-2020 arrangements, appeals from the Land and Titles Court were occasionally sent to the Supreme Court, but the 2020 reforms envisaged the establishment of a separate 'Land and Titles Court of Appeal and Review'¹². This would have 'supreme authority over the subject of Samoan customs and usages', leaving the ordinary court system responsible solely for criminal and civil cases. The breakaway HRPP MPs formed the *Fa'atuatua i le Atua Samoa ua Tasi* party ('Samoa United in Faith') which publicly dedicated itself to opposing these reforms and to upholding the 'rule of law'. This too was not a confrontation between FAST democrats and 'traditionalists'. In the April 2021 election, FAST drew particularly strong support from the more tradition-bound island of Savai'i. It pledged to revise constituency boundaries to give each of the six *Pule* (traditional authorities) of Savai'i its own district and promised that the next Head of State would hail from that island¹³. As incoming FAST Prime Minister Fiame Naomi Mata'afa indicated in the run up to the 2021 election, both sides were 'playing the "custom and tradition" card' (Islands Business 2020).

Sāmoa was never a good fit for the 'tradition versus democracy' thesis. Even under colonial rule, its customary order was less stratified than that of Tonga or Fiji.

Although frequently translated as 'chief', *matai* are rather family heads and no Sāmoan family lacks a *matai* (Tcherkézoff 1997: p. 419; Huffer & So'o 2000: p. 284). *Matai* are ideally the custodians of family estates, entrusted by their 'āiga (extended family or land-holding descent group) with authority (*pule*) over deployment of land and labour

(Ilati 2022). Matai are not necessarily selected with reference to descent. Community and family (*tautua*) service and personal qualities are often more significant, and *matai* titles can be reclaimed from holders who perform poorly or behave in an undignified manner (Tiffany 1974: p50-51). Other matai must be present during the conferring of titles, when the host family usually provides gifts entailing some combination of cash, fine mats or food. Decisions are endorsed by the village mayor (*pulenu'u*) before matai are registered with the Land and Titles Court. Titled household heads participate in village councils. Non-titled people are not allowed to participate except as observers. Consensus-based decision-making gives greater weight to the views of those at the helm of the village hierarchy and dissent is rarely openly voiced.

Insofar as it applied to Sāmoa, the elite manipulation thesis relied critically on two developments: first, the Village Fono Act of 1990; and second, the depiction of the 1990 transition to a universal franchise as a method of preserving the integrity of the *Fa'amatai* system¹⁴. In itself, the Village Fono Act was a de-centralization measure, granting village councils the power to determine 'custom and usage', but court controversies arose over the occasional use of those powers to 'banish' individuals (Forsyth 2009). The depiction of the Village Fono Act as inherently 'undemocratic' depends on a portrayal of the central state as the true guardian of democratic freedoms and a blanket view of the village *fono* as inherently more conservative. Second, the 1990 shift to a universal franchise was clearly a move towards a more democratic order, but it was presented as offering a defence of traditional institutions by the ruling HRPP. The restricted franchise, so it was argued, was creating strong incentives for the proliferation of *matai* titles since politicians could thereby expand their voter bases (Meleisea 1987: p. 234, p. 235; Macpherson 1999: p. 83). Yet there were also other reasons for *matai* title proliferation, including status rivalry, urbanization, and the desire to incorporate remittance-sending migrants overseas into the Samoan political system (So'o & Fraenkel 2005: p. 342-44). Pressures to shift to a universal franchise were not new. They had been anticipated by the framers of the 1962 constitution, which was a major reason why the restricted franchise was placed in ordinary legislation rather than in the Constitution. Agitation for change accelerated in the 1970s and 1980s, in the shape of the 1976 Tupua Tamasese Report and through recommendations by senior judges (e.g. Court of Appeal of Western Samoa 1982). That this reform was couched in terms of defence of the integrity of the traditional system did not convince the 47.4%

of voters who opposed the switch in the referendum conducted in 1990. Those voters who sought to preserve that matai-only franchise were clearly not convinced that this would undermine the integrity of the chiefly system.

Who were the 'Traditional' elites and were they in control?

In Fiji, Tonga and Sāmoa, those in key positions of executive authority after independence also held leading hierarchical titles in the traditional order. In Tonga, the head of government and the cabinet were appointed and dismissed at 'the King's pleasure' (Kingdom of Tonga 1875: S. 51). In Sāmoa, the 1962 constitution provided that the position of Head of State be initially jointly held by two *tama-a-'āiga* title-holders, Tupua Tamasese Mea'ole and Malietoa Tanumafili II for life, but since the death of the latter in 2007, the occupancy of that office by *tama-a-'āiga* title-holders has been by convention rather than constitutional requirement. In Fiji, the 1970 Constitution left a Governor General appointed by the Queen, an office replaced – after the 1987 coup – by a President appointed by the *Bose Levu Vakaturaga* (Republic of Fiji 1990: S. 31). In both Fiji (post 1990) and Sāmoa, the Head of State held formal executive authority, but the intention of the framers of those constitutions was clearly that the President would, in the Westminster fashion, 'act in accordance with the advice of the Prime Minister' and that Prime Minister would be the elected member who 'commands the confidence of a majority of the Members of Parliament' (Government of Samoa 1960: S. 31, (1), S. 32 2 (a); Republic of Fiji 1990: S. 82, (1); S. 83 (3)). That model of the Head of State acting 'on advice' was also adopted in Tonga from 2010 onwards, but with substantial powers still resting with the King.

In practice, occupants of the offices of Governor-General or President (Fiji) or Head of State (Samoa) initially, after independence, remained the holders of powerful titles in the traditional system. In Samoa, the Head of State has remained one of the *tama-a-'āiga* title-holders. The Council of Deputies, which is periodically entrusted to conduct the duties of the Head of State, was initially – by convention – filled by other such title-holders. In 1988, Vā'ai Kolone became the first of five non-*tama-a-'āiga* title-holders appointed to the Council of Deputies, signalling a change that many in Samoa view as a precursor to a likely future assumption of the position of Head of State by an individual without such a title. In Fiji, post-independence Governors General – Ratu Sir George Kadalevu Cakobau (1973-1983) and Ratu Sir Penaiia Ganilau (1983-1987) –

were both holders of paramount chiefly titles. After the 1987 coup, when Fiji became a republic, the Office of the President was also at first held by paramount chiefs (Ratu Sir Peniia Ganilau 1987-93 and Ratu Sir Kamisese Mara (1993-2000), but since the 2000 coup presidents have held lesser standing in the traditional order. In accordance with the Westminster tradition, the powers of Heads of State (i.e. disregarding the British Queen) were largely ceremonial, but there were exceptions (as indeed there have been in the United Kingdom, e.g. in 1931 when King George V brokered the formation of a grand coalition government in the midst of the Great Depression).

In both Fiji and Sāmoa, Heads of State reinforced constitutional power with traditional authority at critical junctures. In 1975 and 1982, *tama-a-`āiga* title-holders serving as Heads of State appointed Samoan Prime Ministers who did not command a majority in parliament. In neither case were those decisions challenged in the courts. In both cases, those appointments proved only of short duration (So'o 2022). In Fiji, Governor General Ratu Sir George Cakobau appointed Ratu Sir Kamisese Mara as Prime Minister after the March-April 1977 election, despite the defeat of his Alliance Party by the largely Fiji Indian-backed National Federation Party (NFP). That was a decision often compared to Governor-General Sir John Kerr's dismissal of Gough Whitlam in Australia in 1975, but in the Fiji case it was not a dismissal, but rather a decision as to who should become Prime Minister. The NFP had exactly half of the parliamentary seats, rather than a clear majority and major dissension within the NFP ensued centred on the leadership of Siddiq Koya. In his own 'deliberate judgment', Ratu Sir George Cakobau re-appointed Ratu Mara as purportedly 'best able' to command a majority (Scarr 2008: p. 232-35; Premdas 1979: p. 196). Yet customary authority ultimately proved unable to trump parliamentary sovereignty: that government soon fell, leading to fresh elections which – owing to a major rift in the NFP and a decline in the vote for the radical Fijian Nationalist Party – Ratu Mara's Alliance Party was able to win.

In both countries, later Heads of State too have acted outside the Constitution, occasionally appealing to the 'doctrine of necessity' or even to 'prerogative powers' inherited from the British monarch. Ratu Sir Kamisese Mara navigated the crisis occasioned by the Speight coup in May 2000 by declaring a 'state of emergency'. Since Prime Minister Mahendra Chaudhry was being held hostage inside the parliamentary complex by Speight and his supporters, Ratu Mara claimed to be constitutionally

entitled to swear in a new head of government (Republic of Fiji 1997: S. 106 (1)). He briefly appointed western chief Ratu Tevita Momoedonu as acting Prime Minister, who immediately dissolved parliament, thereby allowing Ratu Mara to assume executive authority (Fraenkel 2000: p. 297). When those decisions were later challenged, the High Court found them consistent with the 'doctrine of necessity' – purportedly allowing action outside the constitution if the ultimate objective is to preserve the constitution (High Court of Fiji 2000). This had not been a President using his traditional powers to curb, constrain or usurp popular accountability, but a paramount chief attempting to use that authority to safeguard democracy during a period of acute crisis.

What was striking about the exercise of presidential power after the 2006 coup was neither its appeal to the letter of the law nor to traditional authority. This was a puppet president dancing to the tune of the military commander. When the High Court controversially upheld those presidential powers in late 2008, it did so not by appeal to Fijian tradition but with reference to 'prerogative' powers supposedly inherited from the British monarch (Williams *et al* 2008). That flawed judgment was reversed on appeal. The better indicator of the greatly weakened role of traditional authority in 2006 was the unceremonious dumping of Vice President Ratu Joni Madraiwiwi, who had strenuously attempted to stop Ratu Josefa's acquiescence to the military takeover. Ratu Madraiwiwi, the *Roko Tui Bau*, came from what was once traditionally the most powerful lineage of Bau Island, the political centre of the Kubuna confederacy. He was also Bainimarama's own high chief, but that did not stop soldiers being deployed to evict him from his official residence the day after the 2006 coup. Ratu Joni was later, in 2012, appointed as one of the life peers in Tonga.

Samoa has avoided Fiji's many experiments in unconstitutionality, but it sailed close in April-July 2021, and at this point too traditional authority was contested. In the wake of the April 2021 election, with the outcome deemed tied at 25 seats for the Human Rights Protection Party and 25 for the *Fa'atuatua i le Atua Samoa ua Tasi* (FAST), the Head of State Tuimaleali'ifano Sualauvi Va'aletoa II purported to cancel the April 9th election and schedule a fresh election. (In fact, FAST had a majority due to the backing of a single independent in the 51-seat parliament). The judges who sat to deliberate on the constitutionality of that decision found that the Head of State had no 'reserve powers' to void an election and that there was therefore 'no lawful basis for the Head of State

calling for a new election on 21 May 2021' (Supreme Court of Samoa. 2021a : S. 91, S. 94). This judicial affront to traditional authority was enough to trigger menfolk from the village of Falelatai to descend on the capital to 'protect' their *tama-a-'āiga* from what they deemed culturally inappropriate judicial pressures to convene the opening of parliament. The equivocating Head of State at first bowed to the legal judgment and called the required parliamentary meeting for the last possible date, 24th May, but then issued another promulgation rescinding this. The exasperated judges were in no doubt that he was acting on the advice of the defeated former Prime Minister.

Owing to the absence of a Head of State convening of a lawful parliamentary meeting, FAST unofficially held a swearing in ceremony on the lawns outside a parliament on 24th May 2021, without the presence either of the Head of State or the Clerk or the outgoing Speaker. The Speaker, a Tuila'epa loyalist, had instructed the Clerk of parliament to lock the doors of parliament. The judges at first rejected the constitutionality of that ceremony and upheld the 'cultural propriety, solemnity and continuity since independence of the swearing in by the Head of State of constitutional office-holders' (Supreme Court of Samoa 2021b: S. 57). Yet when the Head of State still more emphatically rejected a court ruling that parliament meet by July 5th accusing the judges of 'flagrant disregard, and disrespect, of the powers of the position of Head of State', the judges lost patience. They insisted that the Head of State was 'a servant of the Constitution, not its master' and that he had no power that 'sits alongside' or 'trumps' the Constitution (Court of Appeal of Samoa 2021: S. 60). Fiamē Mata'afa was deemed to have been legally sworn into office as Prime Minister on 24th May. As Asofou So'o has argued, the result has been a further weakening of the powers of *tama-a-'āiga* serving as Heads of State and a greater 'constitutionalization' of Samoan politics (So'o 2022).

Those holding honorific titles should not be confused with the 'chiefly elite', if by that expression one means those at the top of the neotraditional order. By 2012, the number of *matai* titles recorded by the Land and Titles Court in Sāmoa was over 60,000, though many individuals hold multiple titles and some titles are split between individuals. The 2016 *Census of Population* reported that 14% of the population held such titles (Samoan Statistical Bureau 2016 : p. 29). In Tonga, there exist 33 recognised noble titles (though one is presently held by the King and some are occasionally vacant), as well as six *matapule* titles and five life peers¹⁵ In Fiji, the Native Lands Commission recorded 18,221

titles in 2004, though 62% of these were *Turaga ni Tokatoka* ('family heads'), *Turaga ni koro* ('village chiefs') and *Turaga ni Tikina* ('district chiefs'). The Commission itself regarded 'chiefly' positions rather as those bestowed on individuals with the higher-ranking titles, the *Turaga ni Yavusa* ('heads of tribes'), *Turaga ni Mataqali* ('clan heads') and *Turaga ni Vanua* ('provincial chiefs') (*Fiji Times* 2004). At that time, the Commission reported that close to 30% of those higher-ranking titles were vacant, meaning that no accepted claimant had been installed (*Fiji Sun* 2004). Fifteen years later, in the wake of the Bainimarama coup and the abolition of the Great Council of Chiefs, that share of vacant titles had risen to 52% (FBC 2019). The Bainimarama government's halting of the disbursement of *iTaukei* Land Trust Board rental incomes to title-holders probably explains a good part of that increase, indicating not only a decline in chiefly political power but also a major diminution in economic power.

Drivers of Change

In the 1980s and early 1990s, the key 'impetus for democratic reform' in Fiji and Tonga seemed to be coming from those who backed the Fiji Labour Party and the pro-democracy movement in Tonga (Lawson 1996: p. 163; p. 8; p. 112-3). There was no similar movement in Sāmoa. There, it was not a mass-based democracy movement that triggered the shift to a universal franchise in 1990-91, but the HRPP government.

In Tonga, proposals for reform during the 1990s were mostly cautious. There were annual calls for constitutional change, and for expanding elected representation in parliament, but most proposals did not impinge on the King's prerogative in selecting the Prime Minister or cabinet. Some called for a bicameral parliament, with an upper house for the nobles. Others favoured direct popular election of nobles (see the review in Campbell 2011). In the 1990s, some reform-minded ministers and members of the royal family rhetorically embraced the need for change over the longer-run, but posed the barrier as a question of timing or as requiring greater sophistication on the part of popularly elected MPs or as a counterpart of the development of a robust party system (Lätükefu 1993: p. 62).¹⁶ Such public statements imparted a sense of inevitability to the transition, even when they were often accompanied by claims that the people's representatives were making demands in culturally inappropriate ways or were showing disrespect towards the king. Elite resistance to those reforms encouraged greater radicalization in the 2000s. An early 2000s campaign against Prince Lavaka's

restrictive media laws and the 2005 public sector strike were critical watersheds. Even if the key reforms were ultimately introduced at the behest of the Sevele government, the rising tide of protest and the strong electoral performance of the pro-democracy politicians, provided the critical context.

In Fiji, advocacy of greater democracy by adoption of a common roll was complicated by the inter-ethnic dimension, and the perception that this would disadvantage the indigenous community. When Fiji Indian political leaders, who had in 1929 been for the first time elected (rather than nominated by the Governor-General), put forward a motion for 'common roll' elections in the Legislative Council, this was defeated by an alliance between Fijian, European and official members, resulting in an Indian walk-out and boycott (Gillion 1977: p. 130-46). NFP leader A.D Patel fought a vigorous campaign in the 1960s to abolish communally-reserved seats and to instead conduct elections on a combined electoral roll which would give each citizen 'one vote, one value' (Lal 1997: p. 39-40, p. 191-3; p. 194; Lal 1992: p. 195-96). In the Fiji context, where Indians from mid-century until the 1980s out-numbered ethnic Fijians, the demand for a common roll was often interpreted not as an issue of egalitarian principle, but as an expression of communal self-interest. As such, it strengthened the emerging alliance between Fijian and European members and it encouraged traditional chiefs, such as Ratu Sir Lala Sukuna to adopt an overtly anti-democratic stance.

Fiji went to independence in 1970 under interim electoral arrangements that Prime Minister Ratu Sir Kamisese Mara promised to review subsequently. The consequent Street Commission report in 1975 did not recommend the abolition of communal rolls, but instead the election of 25 of the 52 parliamentary seats on a common roll 'with no restriction of race or religion for either voters or candidates', using a single transferable vote electoral law. Ratu Mara did not accept those proposals (Lal 1992: p. 222-224). When the Fiji Labour Party emerged in the mid-1980s, its main focus was on opposition to Mara's wage-freeze rather than the constitutional question. Labour's 1987 leader, Dr Timoci Bavadra, did echo the elite manipulation thesis, arguing that Fiji's leaders had 'amassed huge personal wealth by making use of their traditional political powers' and that culture and tradition were being used to preserve those privileges (Lal 1992: p. 263). But this was couched in terms of a class-based emphasis on social inequality and on the potential for a cross-ethnic coalition to defeat Ratu Mara's Alliance Party. Bavadra saw no need for a showdown with the chiefly hierarchy:

'The chiefly system is a time-honoured and sacred institution of the *taukei*. It is a system for which we have the deepest respect and which we will defend. But we also believe that a system of modern democracy is one which is quite separate from it. The individual's democratic right to vote in our political system does not mean he has to vote for a chief. It is an absolutely free choice' (Bavadra cited in Lal, 1992: p. 263)

When a gradualist move towards greater democratization eventually occurred, it was through a mid-1990s power-sharing compact between the leaders of the main Fiji Indian and indigenous Fijian-backed parties. In the mid-1990s, Prime Minister Rabuka, in co-operation with National Federation Party opposition leader Jai Ram Reddy, established a Joint Parliamentary Select Committee and a Constitutional Review Commission to propose amendments to the 'interim' 1990 constitution¹⁷. In the resulting 1997 constitution, 25 common roll constituencies were introduced, with no ethnic designation of candidates, alongside 46 communal or racially-reserved seats. A multi-party cabinet provision was adopted, entitling all parties with more than 10% of seats in the 71-member parliament to participate in government. Such a power-sharing arrangement had been foreshadowed in 1970s calls for a 'government of national unity', but this had been rejected by radical critics of the 'plural society syndrome' on the grounds that it entailed recognition, rather than the quashing or transcending, of ethnic differences¹⁸.

The difficulties encountered in implementing that 1997 power-sharing agreement laid the groundwork for the December 2006 coup and the sixteen years of military-backed government that followed it. In 1999-2000, Chaudhry proved able to avoid the intent of that new law by excluding the largest indigenous party by first preference vote share and by weakening the position of those indigenous Fijian parties that participated in his Peoples Coalition cabinet. After the May 2000 coup, Chaudhry's successor as Prime Minister, Laisenia Qarase, tried to follow suite by excluding the largest Fiji Indian backed party but this was ruled unlawful by Fiji's Supreme Court and Court of Appeal¹⁹. A short-lived experiment in multi-party cabinet did commence in May 2006. Nine ministers from the largely Fiji Indian backed Fiji Labour Party joined Qarase's government, but Labour leader Mahendra Chaudhry declined to participate. In July, the new cabinet was saluted by military commander Frank Bainimarama as a 'great and new concept

of power sharing at the executive level of government' (*Mataivalu News* July/August 2006; *Fiji Times*, 28th July 2006). He did not stick by that view. Fiji's power-sharing government was cut short by Bainimarama's December 2006 coup, which offered instead a program of suppression of ethnic politics in the name of 'good governance'. Those years of authoritarian rule were opposed by most in the traditional Fiji hierarchy, including deposed Vice President Ratu Joni Madraiwiwi, but these continued an earlier established trend. 'The BLV itself is in many senses a symbol', wrote Ratu Joni in mid-2007: 'in treating it in such a cavalier and contemptuous manner, the Commander exposed the facade of its authority. This has compounded the erosion of traditional authority structures. That may not be such a bad thing, replete as it is with shibboleths and anachronisms which need to be cleared' (Madraiwiwi cited in *Fiji Times*, 26 July 2007). Thus not all customary chiefs rallied behind a stirring defence of the traditional order.

Traditionalization or State-ification?

In Fiji, Tonga and Sāmoa, the recasting of traditional authority has been interlaced with an extension of state authority. In Tonga, the system of high-ranking titles was levelled upwards, with the 1875 creation of 20 noble titles (raised to 30 in 1880), but with other chiefs reduced to the *de jure* status of 'commoners' (James 1992 : p. 95; Marcus 1997). In Samoa, the pre-contact hierarchical system had comprised distinct *ali'i* ('chiefs') and *tulāfale* ('talking chiefs' or 'orators'), but this difference was gradually whittled away in favour of the generic term *matai* (Meleisea 1995: p. 34; Meleisea 1992: p. 22). What Serge Tcherkezoff describes as a 'the levelling of the chiefly system' entailed 'the merging of what used to be the egalitarian notion of family or household head with the old notion of sacred chief' (Tcherkézoff 2000: p. 115, p. 122-4). German establishment of the Land and Titles Court assisted this evening out process. In Fiji, paramount chiefs were incorporated into a Native Administration (later Fijian Administration) as salaried civil servants, initially with rights to extract tribute formalized in statute (MacNaught 1974). Yet even in Fiji, cultural restraints prevented the chiefs from consolidating as a ruling class. As Carmen White pointed out:

'... even as chiefly status has been transformed and institutionalized through colonial and state structures, chiefs have been precluded from straying from certain moral imperatives – namely, their redistributive functions and their role

as representatives of the collective honour and prestige of their constituencies. The prominence of these imperatives in Fijian notions of the proper roles of chiefs has impeded chiefs from becoming a ruling political and economic class in Fiji' (White 2015 : p. 169).

That has been less true of Tonga, where the 1875 constitution substituted inflexible rules of hereditary succession for earlier more flexible rules and where the system of town and district officers displaced the local-level power of the nobles making them more responsive to centralized power (Powles 1990: p. 145-6; Bott 1981: p. 59-60). Nevertheless, Tonga's nobles too became a salaried elite and through the 20th century 'Increasingly the status and wealth of a noble depend on his relationship with government, and with the royal family, not with his people' (Campbell 2006 : p. 279).

In many cases, modern reform initiatives purportedly inscribing tradition into law have in practice served to strengthen the power of the state, a trend discernible in the Fiji case from the onset of colonial rule (France 1969). For example, electoral reforms promoted by the HRPP governments in Sāmoa to institutionalise customary compulsory service ('tautua') for candidates were promoted as codification of 'tradition' but, as Suaalii-Sauni shows, can better be understood instead as 'the nation state directly imposing itself on what was once the prerogative of the village or the aiga' (Suaalii-Sauni 2017: p. 176-77). The proposal for a new court to deal with appeals from the Land and Titles Court, which figured so centrally during the 2021 election campaign, was depicted by the HRPP as enshrining indigenous control in law to displace 'palagi' (foreigner) institutions, but that interpretation depends on ignoring the fact that the original objective in establishing the Land and Titles Court was not, as Malama Meleisea points out, 'preserving Samoan institutions, as many Samoans suppose today, but more to manipulate and control the decision making process by which the legitimacy of chiefly titles and authority over land was recognised' (Meleisea 1987: p. xii). In Fiji, Laisenia Qarase's 2006 *Qoliqoli* bill – which so inflamed opposition from the RFMF and Fiji Labour Party – set out to transfer beach, lagoon and reef areas to indigenous owners 'in accordance with traditional customs, practice and usage', but its major inspiration came from the New Zealand 2004 Foreshore and Seabed Act rather than Fijian tradition. Its practical effect would have been to establish a new state body tasked with collecting and transferring payments to Fijian owners (Parliament of Fiji 2006). There exist numerous other similar examples.

Attacks on tradition too should not necessarily be read at face value. In the aftermath of the 2006 coup, military commander Frank Bainimarama famously told the chiefs to go and 'meet under the mango tree and enjoy home brew' (Bainimarama, cited in *The Australian*, 22 Nov 2006). But his showdown with the Great Council of Chiefs was primarily a corollary of the coup-triggered struggle for legitimate power. The Bose Levu Vakaturaga was, constitutionally, the critical appointing authority for the President, but in the aftermath of the December coup it rejected Bainimarama's efforts to install his own preferred Head of State (Fraenkel 2008: p543). Once in office as Prime Minister, Bainimarama may have abolished the Great Council of Chiefs and halted payment of land lease rents to the various tiers of chiefs, but the FijiFirst government also took steps to resurrect a purified and de-politicized version of the chiefly hierarchy – through proposals for village bylaws and through its controls over the provincial councils²⁰. After an elected parliament was restored in 2014, Bainimarama's FijiFirst party persistently claimed to be a better custodian of customary land tenure than the main opposition party, SODELPA, accusing the latter of facilitating the privatization of native land (Fraenkel 2019: p. 486). In the run up to that election, traditional chiefs from around the country were enlisted in support of FijiFirst (Fraenkel 2015: p. 156). Prior to his 2022 election defeat, Bainimarama toured the country on the campaign trail repeatedly lamenting each province's large number of uninstalled chiefs and vacant titles.

Conclusion

The elite manipulation of tradition thesis acquired some currency in the early post-independence years because high chiefs initially retained key political positions in the de-colonised state, but the longer-run trend in both Fiji and Samoa has been for those without such titles to assume greater political prominence. In Tonga, that transition has been much more recent, but also both more and less emphatic – more emphatic since it entailed relinquishment of major royal powers of control over government; less emphatic since the noble representatives remained a powerful bloc in parliament. In all three countries, urbanization and economic growth have created affluent middle classes that have a limited stake in the traditional order. Those with traditional authority are not necessarily the most prosperous or powerful of their country's citizens. Those who acquired power through modern post-colonial channels are sometimes able to

acquire customary recognition by gaining neo-traditional titles, whether as 'life peers' in Tonga, by selective installation of chiefs regulated by the Ministry of iTaukei Affairs in Fiji, or through the granting of *matai* titles recognised by the Land and Titles Court in Sāmoa.

In this chapter, three main arguments have been advanced against the 'democracy versus tradition' framing as a tool for understanding post-1990s political developments in Fiji, Tonga and Samoa. First, to ascertain whether traditional elites were manipulating tradition in order to protect their privileged position, it is necessary to establish who traditional elites were, and whether or not they were in control. If a 'traditionalist elite' can be so identified, does the proposition refer to *all*, *some* or *most* chiefs, and is this a question of probability or close correlation? Alternatively, is the obviously correct claim merely that *some* or even *many* chiefs, on *some* occasions, used tradition to protect their own interests? In *Tradition Versus Democracy*, we are offered an interpretive answer to an empirically verifiable proposition, but what is required is both a political economy analysis of class differentiation and a more careful investigation of which influences are shaping public policy. Second, although some radical reformists, and critics of the traditional hierarchy – such as Chaudhry in Fiji or Pöhiva in Tonga – pressed for democratic reform, others – such as Bainimarama in Fiji – either did not do so or else, if one believes the heroic reading of the 2006 coup, insisted that 'true democracy' could only be achieved after a period of authoritarian rule. In Fiji after the 1987 coup, the eventual shift towards greater democracy was through the 1997 constitution, with its power-sharing provisions, but that was a road Chaudhry preferred to avoid when the opportunity arose in May 2006 and a route that was disavowed by critics of the 'plural society syndrome'. In Tonga, Pöhiva too chose a confrontational route to democratic reform and rejected opportunities to reach a compromise with the Sevele government. Third, where acts of parliament were passed with 'traditionalist' justifications, these were often not exactly what they appeared to be, and those responsible were not necessarily 'traditional elites'.

The 'tradition versus democracy' thesis lends itself to a *tabula rasa* approach to democratization that rejects approaches that find potential agencies conducive to greater accountability of political leaders within indigenous ideas or institutions. This is denied by Lawson (Lawson 1996: p. 67). On the one hand, she rightly rejects the

argument that 'there is only one "correct" universal form,' of democracy. On the other hand, she notes that 'a substantial part of the history of democratic development in the West has been about depersonalizing political power, and vesting it in impersonal institutions' and then concludes 'that democratic politics is characterized by the depersonalization of power' (Lawson 1996: p. 30, p. 12, p. 35)²¹. Yet the depersonalization of established political power primarily characterizes the British history of democracy, particularly via the ideas and institutions of parliamentary 'sovereignty' (Loughlin 2003). In contrast, greater democracy emerged in America and France through revolutions. In many other parts of the world, it arose through adaptations that did not necessarily echo the British experience. In America, arrangements were adopted that were less oriented towards de-personalized power and more oriented towards institutionalized checks and balances 'pitting ambition against ambition' (Madison 1788). In the newly independent states, partial democracy often emerged only in the twilight of the colonial era, with local elites either subsequently adapting to its presence or reverting to some form of authoritarian rule (since colonial rule was itself invariably authoritarian). In many of those cases where forms of democracy have survived, as in much of the post-colonial Pacific, these have been reconfigured or at least re-styled – for better or worse – in a manner perceived as possessing greater symmetry with traditional ideas or institutions, a process which should not be confused with either a philosophical endorsement of 'relativism' or democratic backsliding.

Where does that leave deliberations on 'the Pacific way' as the supposed regionalist pinnacle of that conservative defence of tradition? Must one be bound by the way Ratu Mara understood that phrase, or should we join Epeli Hau'ofa in discarding this as 'a shallow ideology that was swept away by the rising tide of regional disunity in the 1980s' (Hau'ofa 1998: p. 43)? Whether one opts for 'the Pacific way' or Hau'ofa's 'Oceanic' identity what is conveyed is normally either a yearning for regional cohesion, particularly attractive for those seeking to strengthen linkages with other Pacific Island states (as for New Caledonia and French Polynesia), or else a preference for home-grown institutions or reforms rather than carbon copies of those elaborated in 'the west'. In that latter sense, 'the Pacific Way' does not differ greatly from other badges of regional identity that emphasise consensus decision-making in contrast to the supposedly adversarial qualities of Anglo-American, francophone or continental European democracy, such as 'the African way', the 'ASEAN way' or the 'the Caribbean way' (also a popular

name for restaurant chains). In short, there seems no good reason to either be greatly worried or enthused by 'the Pacific Way'.

Notes

1. See, for example, deposed Prime Minister Laisenia Qarase's stout defence of the Great Council of Chiefs in the aftermath of its abolition by the Bainimarama government, Turaga na Tui kobuca Laisenia Qarase replies to Khaiyum, 13th July 2014, <https://www.facebook.com/FijianChiefs/videos/1855643758056253>.
2. Thus, for Ron Duncan and Hilarian Codippily, 'the primary reason for the difficulty in achieving economic reform in Fiji has been the lack of motivation to take collective action and that the reason for this is the adherence of the indigenous Fijians to the vakavanua lifestyle/mentality, wherein cultural obligations/allegiances are given priority over any other obligations or considerations' (Duncan & Codippily 2014: p.53).
3. Ron Duncan indicates some 'sympathy for the actions taken by the military through Commander Bainimarama (sic) in Fiji' on the grounds that the prospects for economic growth had been improved because 'many of the actions taken by the military government since the December 2006 coup have been designed to break down the traditional institutions that have supported the chiefly elite (such as the Great Council of Chiefs and the Methodist Church)' (Duncan 2014).
4. See for example, the 'Deed of Sovereignty' released at the height of the Speight coup in Fiji by Maika Qarikau, NLTB General Manager (Qarikau 2000).
5. Of the remaining six seats, one was allocated to those from the island of Rotuma and the other five were allocated to the so-called 'general voters', i.e. Europeans, part-Europeans, Chinese and 'other Pacific Islanders'.
6. Under the 1970 Constitution the 22-member Senate had eight members nominated by the Great Council of Chiefs, seven nominated by the Prime Minister and six nominated by the leader of the opposition, with one member nominated by the Council of Rotuma (Government of Fiji 1970: S. 45 (1)).
7. On the growing power of the military relative to the chiefly order, see Fraenkel 2013 & Lal 2000a: p177.
8. Labour's Tupeni Baba had previously believed that an indigenous Fijian would be the Peoples Coalition preference as Prime Minister and that he himself was the preferred FLP choice, see Field, Baba & Nabobo-Baba, 2005: p.48, p. 52, p. 56.
9. Including Speight's right-hand man, Ratu Timoci Silatolu. See Fraenkel, 2001: p. 26-27).
10. For further analysis of the 2014 outcomes, see Fraenkel 2015b.

11. *Tūmua* and *Pule* refer respectively to customary spokesmen for the capital villages of the traditional districts on the islands of Upulo (3) and Savai'i (6), although when referred to conjointly '*Tūmua* and *Pule*' implies inclusion also of the other two of Sāmoa's 11 districts.
12. Constitutional Amendment Bill 2020, S. 104c; Land and Titles Bill 2020, S. 46.
13. Six pule of Savai'i should have seats: Former M.P', *Samoa Observer*, 17th February 2021; 'F.A.S.T. manifesto electrifies big island', *Samoa Observer*, 7th November 2020.
14. Lawson's argument in *Tradition Versus Democracy* in relation to Sāmoa rests centrally on accepting at face value the HRPP's 'traditionalist' portrayal of the rationale behind the switch to a universal suffrage (Lawson 1996: p. 118, p. 139-40, p. 148, p. 158).
15. List as of 13th October 2022, kindly supplied by Lopeti Senituli. Another four life peers are reported as deceased.
16. Kavaliku, cited Campbell, 2011, p. 70; Tupouto'a, cited Campbell, 2011: p. 72.
17. On the history of the 1990 constitutional review process, see Lal 1998.
18. Lawson sees the power sharing approach as reliant on 'the plural society syndrome', correctly noting that 'the idea that political conflict between groups in plural societies can only be managed rather than resolved is implicit in the theory of consociational democracy, especially as formulated by Arend Lijphart', (Lawson 1996: p. 184, p. 43).
19. For a detailed account of the court controversies, see Fraenkel 2017.
20. The details were covered in Fraenkel 2009: p. 346; see also *Fiji Times* 2008.
21. Other passages imply different ideas about what 'democracy' consists of (e.g. Lawson 1996: p. 34-5, p. 66-67).

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The Pacific Way and the New Sovereignty in Oceania

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Decolonizing Sovereignty in Pacific Politics

A foundational inquiry into normative pluralism understood as “the presence in a social field of more than one normative order” (Griffiths 1986: 6) offers a particularly fruitful approach to unpacking the conceptual basket of the “Pacific Way” in the wake of passing time. Whether Sir Kamisese Mara’s vision, articulated at the dawn of Fiji’s independence in the 1970s, is applied to the internal legal order, to regional relations in identity, or to political, economic or cultural registers, we observe a foundational opposition to the Western normative order(s) in and by which non-Oceanian states exercised colonial rule and diverse governmentalities across the region. However, tides rise and fall. Reflecting on the passage of time in regional political philosophy and praxis, we argue that the Pacific Way of the 1970s, whatever the register, significantly prefigures yet contrasts with foundational aspects of Hau’ofa’s vision developed 20 years later (1993:36), particularly when he affirmed “anyone who has lived in our region and is committed to Oceania, is an Oceanian”. In conversation with our ongoing project to rethink some of the currents, eddies, and tidal flows of sovereignty dynamics in 21st century Oceania, both collectively and separately (Rigo 2010, Bambridge, D’Arcy,

Mawyer 2021; Le Meur and Mawyer 2022), here we reflect on the persistence and presence of Mara's transformative vision.

We begin by recalling the context in which the "Pacific Way" emerged as a consensual watchword for achieving successful decolonization in Oceania. We note that the translation of the "Pacific Way" within internal political registers did not constitute a radical break with the Westphalian model in the reconstitution of self-governing Oceanian states but was instead part of its continuity though localized and, figuratively and literally, Oceanized. In our critical reflection here, we evoke the loss of the mobilizing power of this slogan and the criticisms which followed: reification of culture, instantiation of a weak often elitist pluralism, an ideology which risked being characterized as insufficiently radical, even neo-colonial, and which consolidated the domination of external and regional powers alongside the urbanized elites frequently operating in the socio-political and linguistic codes of English or French. Finally, we highlight new non-state, local and regional dynamics exquisitely visible when one scrutinizes the region through a normatively pluralist lens which reframes the very notion of sovereignty across Oceanian states. Finally, we highlight the reticular and multi-centred recompositions (Bonnemaison 1985, 1992) between the "Pacific Way" and other approaches that contribute to the dynamics of contemporary Oceanian societies.

The Pacific Way

Though Sir Kamisese Mara used the formula for the first time in 1970 at the United Nations General Assembly when Fiji had freshly obtained its independence (Blanchet 1988 : 390), he had in fact begun to articulate the dialogic and mutualist commitments that infused his formulation a quarter of a century earlier:

"I had coined the phrase 'The Pacific Way' and felt we could speak from our own experience, insofar as Fiji was recommending continuing dialogue as a means of resolving differences on a basis of mutual understanding" (Mara 1997:117)

Mara conceived that the foundational commitment to dialogue and exchange should make it possible to overcome local to national to regional scale differences and achieve a common understanding of situations. Poorly conceived colonial boundaries and migrant labour policies divided the formerly united and unified previ-

ously distinct peoples across the Pacific. As a decolonial praxis, the Pacific Way thus oriented Fiji's independence within the context of a consensual and fundamentally peaceful postcolonial transition which avoided the "furnace of wars of national liberation... the errors committed in Africa and the massacres that bloodied Southeast Asia" (Panoff 1991:3). As Mara clarified,

"But this is nothing new in the Pacific. Similar calm and orderly moves to independence have taken place in Western Samoa, the Cook Islands, in Nauru, and in Tonga. We like to think that this is the Pacific Way, both geographically and ideologically." (Mara 1997 : 238).

This last perspective is interesting, because if the notion of a dialogic and relational post-coloniality inclusive of Oceanian forms and functions of exchange is inscribed at the beginning of the 1970s in the context of the construction of a State endowed with the same institutional forms—e.g. bureaucratic government, representative democracy, policing—as that under colonial domination. The formula introduces the ideology of a plurality of approach to solving political, economic and social problems, a plurality based—in particular in the case of Fiji, Samoa, Tonga and the Cook Islands—on the existence and maintenance of a chieftaincy which was to continue to retain whole swathes of material agency, domain-specific authority, and actual sovereignty over the land, despite the political upheavals introduced into land tenure by colonial policy at the turn of the century.

This form of intra-state pluralism developed in Oceania stands on particularly fertile ground since Oceanian societies sometimes, rightly or wrongly, characterized and considered as conflictual (Naepels 1998), had a myriad of local, culturally integral institutions and approaches aimed at solving problems through exchanges and discussion. These institutions were often diminished or greatly simplified during the colonial era (Ward and Kingdom 1998, Bambridge 2009) in order to ensure state control over the relations between individuals and groups. Today, in an educational register, the formula of the Pacific Way is still mobilized in terms of methodological approach to solve problems with a variety of institutions (Crocombe 1975) from Talanoa (Vaioleti 2006) in Tonga, Samoa, Fiji, to Hui in Aotearoa-New Zealand (Robinson 2005) defined as "a personal encounter where people talk about their problems, their realities and their aspirations" (Vaioleti 1999-2003).

We argue here that this longstanding practice of predominant and fluid local management, supplemented by occasional and temporary surrender of local control to colonial authorities, endured across the violences and disruptions of the colonial era precisely because of its efficacy and because it offered a means of resolving tensions and best accommodating the diversities and local, rights'-based within rapidly transforming contemporary Pasifika communities and states.

Critical Currents

Since the 1990s, one of the most intriguing aspects of the conversations around the Pacific Way becomes evident in the tension between these exceedingly enduring normative currents noted above—mutualism, dialogue, and the continuity of traditional orders of power alongside and within emerging elites across the region—and broad criticism both from outside and within the region across three primary registers: identity, politics and society.

If the formula was above all a political watchword in the context of the independences of the 1960s and 1970s, Ron Crocombe, professor at the University of the South Pacific, first questioned the mobilizing capacity of Pacific Way as a driving force of new regional identity/ties (Crocombe 1975) and as a process in reaction to colonization (Crocombe 2001: 150). Similarly, Teaiwa (2002) opens up a critical approach to the formula “Pacific Way” because one might perceive in it a form of reification of culture that obeys more to an identity assignment by external forces, underlining the permanence of a neo-colonial continuity. Mélanie Anae goes further when she writes about the annual Pasifika festival in Auckland in which “the ironic thing is that the Pasifika promotes this pan-Pacific ideology of the ‘Way of the Pacific,’ while reducing culture to traditional aesthetic elements represented in music, dance and fashion mixed with globalizing modern influences producing a ‘hybrid’ model” (Anae 1997: 131). Thus, “the reification of terms or concepts such as -Polynesia, Polynesian, Pacific Island and, more recently, the ‘Pacific Way’ serves to create a myth of the ‘unity’ or ‘community’ of the Pacific Island. (...) On the contemporary scene, this vision has highlighted the total lack of consideration for the distinctive character and diversity of each Pacific island nation encompassed in this cultural area” (Anae 1997: 129; c.f. Kabutaulaka 2015 and Hanlon 2009 for Melanesia- and Micronesia-centered re-figurations of this problematic).

From a societal point of view, we note that criticism appears to emerge mainly within and after independence. According to Ratuva (2003: 247), the Pacific Way reflected a romantic euphoria about a Pacific renaissance that modernity could embrace while fostering a unique peaceful identity shared by all island states, or more particularly, by the emerging Pacific elites “who saw themselves as the founders...of the new Pacific postcolonial order.” The Pacific Way is thus denounced as an elitist ideology (Hau’ofa 1994), a “hegemonic practice” of local elites (Lawson 2010) that conceals social and political inequalities in the internal state order.

In terms of regional policy, Panoff (1991) speaks of a “vanished dream” due to the proliferation of conflicts and the need for independent states to deal with sometimes complex socio-economic situations in which the consensual approach is no longer effective. Huffer (1992: 15) questions the end of the Pacific Way in Fiji following the seizure of power by a military regime in 1987. Thus, on a regional level, the legitimacy of the Pacific Way to articulate intra- to inter-state community is also questioned by the most populated states including Vanuatu, PNG and the Solomon Islands whose articulations and actions indicated strong preference for a “Melanesian Way.” If at the beginning of the 1990s, Blanchet (1988) suggested that highlighting a Melanesian Way responded to the concern to affirm a poorly recognized specificity and probably aimed more to broaden than to reduce the content of the “Pacific Way,” within twenty years, Tcherkezoff (2009) noted that this is an ethno-geographical division that reflected the geographical power-functions of prior colonial institutions and orderings. Tcherkezoff and others’ comparable insights thus complicate and, in a sense, give lie to any sense that the post-colonial era reflects the telos of the colonial when, in evident fact, the tentacles of colonial power functions extend into the present in subtle and not-so-subtle ways. Thus, for some observers, the Melanesian Way appears as a radical criticism of a Pacific Way considered too conciliatory with regard to both former colonial powers and also vis-à-vis New Zealand and Australia which, through their presence in regional institutions (particularly the Forum), continue to exert an influence deemed neo-colonial, by influencing decisions to advance their interests even when not aligned with those of other regional partners (Firth 2008: 122).

In an article entitled “Regionalism and changing regional order in the Pacific Islands,” Tarte (2014:313) suggests that much of the new regional dynamism is driven by the discontent of a growing number of Island states vis-à-vis the established regional order

and by the desire to assert greater control over their own future, whether conceived pragmatically or metaphysically. The management of fisheries by the Parties to the Nauru Agreement (PNA) which established new practical governance and management of fisheries and their socioeconomic benefits, including significant increase of income from fishing, is thus also a remarkable realization of a vision of local-to-national-to-regional agentive potency. The development of the Melanesian Spearhead Group which excluded the regional powers of NZ and Australia to similarly diverse ends. These Pacific Island states have, according to Tarte (2014:315), achieved a historic victory by renaming the regional bloc to which they belong, now the grouping of developing Asia-Pacific small island states. They are now constituted as the Pacific Small Island Developing States Group on Sustainable Development Issues and Climate Change, rather than as the Pacific Islands Forum Group. In doing so, they distance themselves even further from the regional powers accused of exercising a neo-colonial influence. What is criticized is not the “emergence of a regional anti-colonial political identity” to use Crocombe’s (1993) formula. What is called out, instead, is the absence of a radical break with the old world, the neo-colonial influence of external or regional powers in the Pacific.

For Oceania’s peoples, like those of other places, the (re)capture of sovereignty is associated with the end of the colonial period and generally corresponded to the accession to independence, that is to say to “full sovereignty” with regard to international law (for Africa, Cooper 2015, Coquery-Vidrovitch 2011; for Oceania, Campbell and Latouche 2001; for the Americas, Centeno 2002, Klooster 2009). Thus, the question of the sovereignty of the diversely constituted Oceanian states in the globalized world of the end of the 20th century is clearly at the centre of the concerns surrounding the discussions around the Pacific Way. After independence and even for non-independent States, Oceanian Nations are now beset by development problems and must face new challenges related to global climate change regionally and locally imminent, alongside environmental degradation, biodiversity loss, and other hazard drivers of the Anthropocene, as well as shifting geopolitical currents in the new contest around China’s place in the region (Wesley-Smith and Porter 2022).

What dominated the period 1960-1990 is the idea that sovereignty is synonymous with the construction of a Westphalian state in the Western sense. This idea ultimately refers

to a “graft of the state” (Bayart 1996), that is to say to a product imported into Africa, Asia and the Pacific by colonial powers, usually without regard to local circumstances and social, economic and political ways of being. Broadly speaking, Westphalian citizenship is based on residence within a geographically fixed bloc of territory and acknowledgement of and adherence to centrally derived laws. In notable contrast, what we have been terming ‘Oceanian sovereignty’ (Bambridge, D’Arcy, Mawyer 2021) is more fluid, pluralistic, and relational, and focuses as much on ongoing actions and obligations to kin, community and locality than rights based on adherence to uniform rules by geographically defined members/citizens. In reflecting on how such Oceanian sovereignties emerged and have become visible in diverse domains, we note that the formula of the “Pacific Way” as an ideology could have but did not always (or often) participate in a reflection on the concrete processes of formation of a pluralist State or even in a deconstruction of the notion of sovereignty to take into account social, cultural and individual dynamics.

New Sovereignties, New Sovereign-Ties

It is clear that today’s claims for sovereignty have different aims and take paths where political claims are not the only priority. As Clifford (2001: 472) points out: “nation-state affiliations no longer seem, so unambiguously, the royal road to a better future”. The concept of “sovereignty” is indeed mobilized by a variety of social, environmental and political actors and movements and invested with new meanings (Barker 2005, Maaka and Fleras 2005, Kauanui 2008, Liffman 2011, Fabricator Nicole et Gustafson Bret 2011). It encompasses a multiplicity of social, economic, cultural and political rights and duties, shifting sovereignty from a “matter of state” to the right to self-determination in various areas.

To illustrate these new dynamics, we draw on three examples in North, Central and Eastern Oceania. Indeed, the struggles of indigenous peoples and local communities are no longer the only ones to play a central role in a redefinition that calls into question the model of the nation-state, perceived as a legacy of the logics of colonization (Hernández-Díaz 2010, Gasparello and Quintana Guerrero 2009). These projects have in common the explicit objective of implementing greater cultural, political, economic, environmental self-determination, leading to a pluralist redefinition of sovereignty (Gagné 2020).

Since the mid-1990s in Oceania, a new movement was emerging based on strengthening community participation in monitoring and assessment of marine resources in Fiji, Papua New Guinea and the Solomons. These communities were part of a network project that in 2000 would become the founding sites of the “Locally Managed Marine Area” network. Today, the LMMA network includes more than 1000 communities in seven countries: Fiji, the Solomons, Papua New Guinea, Palau, Pohnpei, Indonesia and the Philippines.

In 2006, this same dynamic gave rise to a non-governmental organization “OneReef” domiciled in Palau. It now includes around fifteen sites spread across North Oceania (Palau, Yap, Pohnpei) working with local communities to develop their food sovereignty and control their lagoon area.

In 2019, the Rāhui Center was created in French Polynesia. The Center brings together fifteen sites on three archipelagos (Tuamotu, Leeward Islands, Society Islands) and has also developed collaborations with Rapa Nui, the Cook Islands and NGOs from the Hawaiian Islands. While these three entities have very different histories, they share a common socio-political strategy, inclusiveness and methodological approaches. All aim to allow local communities to regain a form of sovereignty over their resources, associate local communities and scientists from the region or outside, and support the actions of communities according to their own priorities in a way, articulated with local, national and regional public policies (Fabre *et al.* 2021).

These new locally grounded, reticular, multi-centred and dynamic projects evidence significant governance articulations and action. However, they are not locked into a national and/or regional dichotomy since they articulate their actions at these three scales (regional, national and local) clearly pursuing the objective of “recovering their lost sovereignty” (Hau'ofa 1994:33-34). The words of Hau'ofa (1994:35) illustrate the approach of these non-governmental organizations :

We cannot confront the issues of the Pacific Century individually as tiny countries, nor as the Pacific Islands Region of bogus independence. We must develop a stronger and genuinely independent regionalism than exists today. A new sense of the region that is our own creation, based on our perceptions of our realities, is necessary for our survival in the dawning era. (1994: 35)

According to the approach of these NGOs, the state in Oceania is no longer considered as the sole guarantor of sovereignty over the resources of the populations, since the populations and village communities actively participate in it. We note the remarkable originality of this approach to sovereignty grounded in identity developed by and through communities it is centred on the individual and his affinity relationships (family, friends) rather than in relation to the state, thus radically distinct from the classic Westphalian concept of sovereignty. On another scale, Hau'ofa emphasizes in this regard the limitation, both geographical and institutional, of the concept of sovereignty based on a state in Oceania, even when it relates to the Ocean:

It is one of the great ironies of the Law of the Sea Convention, which enlarged our national boundaries, that it also extended the territorial instinct to where there was none before. Territoriality is probably the strongest spur for some of the most brutal acts of aggression and because of the resource potentials of the open sea and the ocean-bed, the water that has united subregions of Oceania in the past may become a major divisive factor in the future relationships between our countries. It is therefore essential that we ground any new regional identity in a belief in the common heritage of the sea. (Hau'ofa, 1994:39)

Combined with a sociological perspective, the sovereignist approach of local communities is both a continuation and a break with the ideology of the "Pacific Way". Continuity is highlighted in decision-making after a broad debate with the plurality of actors involved, who are thus relational co-actors in decision. Rupture is highlighted when, as a result, the decisions no longer reflect the agency or vision (or possibly goals) of an administrative elite. This participatory approach reverberates in Hau'ofa's analysis:

It is a world that we have created largely through our own efforts, and have kept vibrant, and independent of the Pacific island world of official diplomacy and neocolonial dependency. (Hau'ofa, 1994:32)

An original aspect underlined by Hau'ofa (Hau'ofa 2000) is in fact the equivalence he posits between oceanic and Oceanian identity metonymically represented by the relation between the title of his essay "The Ocean in Us," and the essay's concluding line, "The ocean is in us". As Bevacqua (2010:83) points out, Hau'ofa invites us to re-think the ocean as a metaphor for sovereignty in Oceania.

Another originality of the sovereignty proposed by these localizing and Oceanizing approaches lies in what makes up the “we” to which reference is made. It brings together local communities as well as scientists and actors concerned with the health of the oceans and the wellbeing of societies. As Hau'ofa formulates:

But what or who is a Pacific Islander? The issue should not arise if we consider Oceania as comprising human beings with a common heritage and commitment, rather than as members of diverse nationalities and races. Oceania refers to a world of people connected to each other. (...) For my part, anyone who has lived in our region and is committed to Oceania, is an Oceanian. This view opens up the possibility of expanding Oceania gradually to cover larger areas and more people than is possible under the term Pacific Islands Region. (...). We have to search for appropriate names for common identities that are more accommodating, inclusive and flexible than what we have today. (1993:36)

Thus, in addition to other ‘we-s’ which matter profoundly in the region. Here is a “we” that is neither based on an ethnic or cultural principle or on a common language. On the contrary, Hau'ofa recognizes the great variety of cultures and languages in Oceania which is the strength of this community. Like the approaches discussed above, the “we” is based on a common historical and cultural heritage. Thereby: “All of us in Oceania today, whether indigenous or otherwise, can truly assert that the sea is our single common heritage.” (1994: 39)

The unifying element of belonging to a new form of sovereignty is itself original because it is not based on established and clearly delimited borders: “It is of utmost significance for the strengthening of a regional identity to know that our region has achieved its greatest unity on threats to our common environment: the ocean... Oceania refers to a world of people connected to each other.” (1994: 35-36)

Therefore, unlike a sovereignty delimited by the borders of a State or on an “Indigenous community”, the network approaches identified are part of a new paradigm of a more open sovereignty:

“Realization of the fact that the ocean is uncontainable and pays no respect to territoriality should spur us to advance the notion based on physical reality and practices that date back to the initial settlements of Oceania—that the sea must remain open to all of us.” (1994: 40)

This change in posture (the individual and his community, rather than the State) is combined with a change of scale:

“Scholars of antiquity may raise the issue of continental cultural influences on the western and north-western border islands of Oceania, but these are exceptions, and the Asian mainland influences were largely absent until the modern era. On the eastern extremity of the region there were some influences from the Americas, but these were minimal. It is for these reasons that Pacific Ocean islands from Japan, through the Philippines and Indonesia, which are adjacent to the Asian mainland, do not have oceanic cultures, and are therefore not part of Oceania. This definition of our region delineates us clearly from Asia and the pre-Columbian Americas and is based on our own historical developments, rather than on other people’s perceptions of us.” (1994: 38)

Finally, the last originality of these approaches is based on the proposal of a new mechanism for regulating this sovereignty on another scale similar to that proposed by Hau’ofa: “Our most important role should be that of custodians of the ocean, and as such we must reach out to similar people elsewhere for the common task of protecting the seas for the general welfare of all living things.” (1994: 40)

The conception of sovereignty developed by these local approaches since the beginning of the 2000s is original from three points of view. First, it is centred on the individual and their relationships, therefore on a sociology of reciprocity. Secondly, it challenges the delimitations of Westphalian states in a plural and non-exclusive framing of potential moral and practical agency in governance which, *at least in some domains*, includes all those who identify with a common heritage, the ocean. Finally, it suggests an alternative mode of governance in which humans act as guarantors of a balance between all living beings.

Finding Our (Pacific) Way in Normative Pluralism

The questioning of state-based sovereignty appears as an implicit critique of neo-colonialism and the “Pacific Way” and is based on a pragmatic approach developed by community actors and activists, cultural practitioners, and research networks in Oceania. In various forms (a code of ethics for the Rāhui center, a social contract for

the LMMA or conventional community agreements for OneReef), these approaches are not part of the philosophical presuppositions that underlie the Western imagination of a state. They do not evoke the idea according to which, “man is a wolf for man” (Hobbes 1921) and that the freedom of each must be abandoned in favour of a superior entity capable of guaranteeing the freedom of all. In the same sense, they do not subscribe to the idea of the “social contract” (Rousseau 2001) that is the basis of the myth of the Western state. As in most Pacific societies, the legal security of individuals is today shared between the groups to which the individual belongs, his extended family, the village, and the State, which ensure certain security prerogatives according to various modalities.

From these points of view, the conception of sovereignty developed by these approaches seems “anarchic” because it is based on the practice of individuals and the identity consciousness of the existence of a common heritage rather than on the verticality of a power state. This refusal of an overhanging and encompassing state power is not, however, the affirmation of an “anarchic” tendency but rather the proposal of an Oceanian-style democracy, that is to say a democracy where the people is not the sum of individuals but of collectives. It is precisely these “collectivities” that found the social order, that is to say the bond and the rule of which the Rāhui center, the LMMA network and OneReef are a good example. Sovereignty here emanates not from centralized states that monopolize decision-making and rule-making powers but from these collectives who are decision-makers. Thus, belonging to these collectives is defined by the sharing of the link (to the ocean and the land) and respect for the social and environmental rules on which it is based.

If state and/or indigenous sovereignty is often defined as a right to self-determination, it is not in terms of right but of responsibility in which these approaches fit. This responsibility is established with regard to the ocean in the sense that all Oceanians are accountable for acts and uses likely to harm them. This vision is thus part of an epistemological revolution because sovereignty is developed from a sociological position rather than a political and legal one. It inscribes sovereignty in an anthropology of daily life (cf. Hau'ofa 1994) which insists on the daily life of ordinary people as opposed to a state and necessarily “elitist and westernized” conception of sovereignty. On a methodological level, sovereignty is approached as implicit: we do not ask people

what sovereignty is for them, but the observation of the way of life of people infers questions in terms of identity and sovereignty.

Finally, the identity associated with this new Oceanian sovereignty is not exclusive, nor closed but appears as a procedural identity, that is to say, it is relational and engendered by active and experiential relationships to specific land and sea locations and their human and other-than-human communities. Importantly, Hau'ofa challenges use to reflect how the irreducible rights of Oceania's Indigenous peoples must be engaged in some domains, in others the form and function of the identity that underpins community and collectivity does not rest on an ethnic basis, which distinguishes it from the principles of sovereignty defended by the declaration of the rights of indigenous peoples. Nor is it based on arbitrary boundaries usually associated with a state border. It is based on the practices resulting from both the anchoring and mobility of Oceanians (Bambridge 2004), and on a praxis of care and responsibility to local resources, the wellbeing of communities, and the collective and integral futurity. The Ocean, as a common heritage, becomes a relevant space for the integration of identities, cultures and societies.

In this conception, it is the social and cultural relationship to the ocean that constitutes the Oceanian identity. Some will rejoice, others will chafe and challenge. Tensions and contrastive differences with Mara's articulation, and those who built off of it, will undoubtedly be debated. A delicate point is the risk of dilution of sovereign authority in extended membership except to describe the specificity of this relationship with the Ocean and the Fenua. The strong point that we are seeking to articulate here, is a clear argument for perceiving that the region and its diversely constituted states, those both self-governing and non-self-governing are, broadly speaking, collectively-moving away from a Western vision of sovereignty and may be doing so, per Hau'ofa, in a manner that is avoiding an ethnicist drift.

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In search of the Pacific Way Consensus in Regional Politics

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Ever since the phrase 'Pacific Way' was introduced in the 1970s it has become the term to articulate the construction, becoming, unity, and agency of a regional community in the most culturally and geographical diverse area in the world. Moreover, the phrase is synonymous with political regionalism of the Pacific Island Forum (PIF), formerly the South Pacific Forum, and its evolution. For over fifty years the term "Pacific Way" has been manifested in regional politics and its policies in various articulations – Pacific Plan, Framework of Pacific Regionalism and the Blue Pacific in many ways. "The Pacific Way is a set of ideas, visions and processes that are dynamic, reinventing itself." (Kabutalaka, 2021)

However, at the PIF 50th anniversary there was no celebratory mood as the region held its breath with the unravelling of unexpected events. COVID 19 pandemic closed the countries and region from the rest of the world and from each other – isolating leaders and its states to online zoom meetings. Geopolitical manoeuvring by external partners whether old and emerging partners intensified in the lockdown through the humanitarian corridor and numerous high level state visits to the islands. Within this context, the internal politics of the PIF were disrupted with the selection of the new Secretary General of Henry Puna from Cook Islands, which prompted the five states from Micronesia (Palau, Federated States of Micronesia, Nauru, Kiribati, and Marshall Islands) to leave the organisation. The leaders from Micronesia drew dissent from a gentlemen's agreement that meant it was their subregional time to lead the organisation. Much of the political commentary, and rhetoric by leaders at the time, called out the regional organisation the Pacific Way and its value of consensus in crisis.

The Pacific Way is a far more complex and nuanced method of decision-making than a gentlemen's agreement or a handshake. It is often misunderstood and dismissed as an inferior system of political decision-making compared to a merit, rules-based method seeking expediency and efficiency. We base the Pacific Way on face-to-face meetings, its strength is in our words and the actions, and the integrity attached to them. It is built on consensus. It also allows for the most difficult conversations to take place and to understand different positions with wise counsel, a critical ingredient to ensure unity. The collective amnesia now being exposed by our Pacific island leaders denying that such an agreement existed warrants interrogation. (Panjueli, 2021)

This poignant call by renowned Pacific activist and scholar Maureen Panjueli underscores the significance and relevance of this 50-year-old phrase of the Pacific Way, in contemporary regional politics. This concern and conflict of the term and state of politics as Tarcisius Kabutaulaka posits, "over the years these values have been marginalised in favour of the increasing bureaucratisation of regionalism and regional organisation... requirements and processes...while such requirements are important, they need to be grounded in regional values." (Kabutalaka, 2021).

While many have sought to decipher its various meanings and evolution throughout the decades (Huffer, 2006; Lawson, 2015; Fry, 1981; Fry 2017), very few have sought to unpack the utility of the phrase – that is, explore the value of 'consensus' in regional politics. What is idea and practice of consensus in the Pacific Way? The closest was an encouragement from the Eminent Persons Group of the Pacific Islands Forum that reviewed the Pacific Plan, posit "'... this concept or style — which is often mentioned but seldom defined — implies *honesty, mutual respect and tolerance*. It is based on recognition and *acceptance of differences*, but with an underlying awareness of the need to find unity and consensus. The Pacific Way is guided by a sense of *justice, compassion, tolerance and understanding*. It is about working together" (EPG 2004: 2004).

As a contribution to the collection of papers celebrating 50 years of the Pacific Way, this paper seeks to explore the Pacific Way consensus in the imagination and utility of actors in regional politics. It focuses on the processes of politics inside the Pacific Islands Forum in how it builds and achieves consensus. In the new body of work on

Oceanic diplomacy (Carter, Nanau, Fry 2001), a community or 'aiga' of scholars attempt to document the distinctive diplomatic practices and principles that come out of the long history and diverse cultures of the Pacific Islands. These longstanding indigenous and traditional systems are still important in the conduct of relations among tribes and clans within the modern states of the Pacific. These principles, practices and protocols work alongside Western diplomatic practices in the performance of modern diplomacy by Pacific Island states and are sometimes employed in the region's diplomatic approaches to the global arena. One area of exploration is the place and role of consensus in regional politics.

In order to understand the Pacific Way consensus, this paper revisits literature on the Pacific Way throughout the decades that unpack philosophical, post-colonial and critical reviews of the concept. At the same time this paper is informed by personal research utilising what I call Global Talanoa. This is a political ethnography of the international politics of climate change that Pacific states and peoples participate and lead at the United Nations Framework Convention on Climate Change, United Nations General Assembly – and significant to this paper, at the regional politics of PIF (Carter 2018). The underlying concept examined in these multilateral forums is consensus decision-making.

The Pacific Way

The first prime minister of the Republic of Fiji, Ratu Sir Kamisese Mara, first coined the phrase Pacific Way in the 1970s to articulate the coming together of the nation of Fiji as a political community. Inspired first by this partnership of uniting a multiracial country “people of different races, opinions and cultures can live and work together for the good of all, can differ without rancour, govern without malice, and accept responsibility as reasonable people intent on serving the interests of all.” (Mara, 1997) He would famously reintroduce the term in the global arena and imaginations at the UN “symbolise a way of doing things specific to the Pacific: a way that emphasised moderation, respect, consensual dialogue, [and] reflected a constructed regional consciousness.” (Huffer, 2006). Ratu Mara notes in his biography that it was based in respect for human beings, which obliges us not to condemn outright but to sit down and talk so that here can be better understanding which can lead to tolerance and good will (Mara, 1997).

The phrase was born in a time of decolonisation and the construction new political communities – not only for cosmopolitan Fiji, but also the Pacific region. While regionalism as a project to share technical and humanitarian resources (Fry, 2017; Fry 1997) was conceived in the colonial administrations purposes of the South Pacific Commission. By the 1970s the strained relationships with the French government and nuclear testing in the region coincided with the period of decolonisation. The Commission did not provide a platform for states and colonies at the time to discuss political issues – like self-determination or anti-nuclear testing.

The new independent modern states and their leaders were in search new communities, and identity. Thus, five independent or self-governing states at the time – Samoa, Tonga, Nauru, Fiji and Cook Islands established the South Pacific Forum in 1971. It underscored Pacific exceptionalism. “The colonial experience left a common unpleasant taste in the mouths of islands people: a common humiliation, a common feeling of deprivation and exploitation”. (Crocombe, 1976:13). While states were enthralled by nation building, the creation of the South Pacific Forum was born as an expression of regional self-determination. The Forum was the first regional organisation created with the intent of placing the independent Pacific’s interests and perspectives at its heart (Huffer, 2006).

As the term Pacific Way was galvanised to bring national unity in multi-ethnic Fiji, the phrase would also be used to unite the multi-island and most diverse ethnic-linguistic societies of the Pacific Ocean. The Forum was the meeting of Pacific states leaders, and the leaders would naturally rally around a concept of the ‘Pacific Way’. As an ideology it became a tool for continued cooperation with metropolitan powers such as Australia and New Zealand who were invited to join the Forum, and as a diplomatic device for maintaining Pacific protocol and approaches (based on harmony and pragmatism) in regional and international affairs (Huffer, 2006). The South Pacific Economic Bureau was the secretariat arm of the leaders meeting; the Bureau would come to socialise the Pacific Way as an identity to frame and rationalise their becoming as a legitimate organisation. The Bureau used the Pacific Way to frame mandates of the leaders throughout the 1970s. It is important to note here how the Leaders and the Bureau used the term to legitimise and socialise their mandate and work – with the use of the term “Blue Pacific” by the Pacific Islands Forum at the time.

Consensus as value of the Pacific Way

With the exception of the leaders meeting, the term “consensus” was enshrined in the meetings as a core value, essential in supporting the legitimacy of those institutions. From the very first communique and meeting papers, the Leaders affirmed the value of consensus in its decision-making as a key value of the Pacific Way. Critiques of the Pacific Way and the use of consensus have focussed on its elitist decision-making constructed by elites to serve elites. As Epeli Hauofa argued in his seminal *Sea of Islands* work, there is no connection with local people (Hauofa 1993). The emergent Pacific elites “who saw themselves as founders ... of the new postcolonial Pacific order” (Ratuva, 2003) legitimised their decision-making through this consensus. Nevertheless, despite its elitist orientation, as well as the fact that it is often “embarrassingly clichéd”, it remains a popular way of representing the region collectively. (Meleisa, 2000: 76). However, within the realm of regional political organisation – decision-making by consensus upholds the sovereignty and dignity of diverse political communities despite material wealth or size (Lawson 2010).

The collective decision-making of leaders needed an elite system and process of decision-making. The Forum is state-centric and elite-centric, this is undeniable. It is unsurprising that as states constructed their regional political identity, especially by the first five founders of organisation, that an elite decision-making process – consensus - emerged. While some have argued that it was primarily Polynesian, nevertheless it was a form of decision-making that was accustomed and familiar to these leaders. It was form of decision-making that was present at the local community level, and practiced at the national level. The argument here is that elite decision-making processes at local communities levels whether villages or tribes, were re-introduced and transplanted into national systems. Consensus decision-making, through respectful and honest conversations of leaders would be preferred than leadership and decisions made through voting.

How is consensus practiced and perceived inside regional politics?

Across the humanities and its disciplines, consensus is a concept used to explain the rationality of group decision-making. Wherever and whenever individuals gather to

make decisions, the sum decision is perceived to be the consensus: whether it is an agreement to conclude, continue or defer. Whether it be a village meeting to decide a moratorium on fishing grounds, or states negotiating a treaty on conservation of forests – consensus decision-making is a practice of everyday life.

Studies by anthropologists and historians have identified forms of consensus decision-making that were present in societies throughout history and across the globe. From early hunter-gatherer societies (Silberbauer, 1982), to village communities in Japan (Smith, 1959), Sierra Leone (Ferme 1988), India (Dumont 1980), Vietnam (Popkin 1979) and Papua New Guinea (Marai 2001). Each discipline lines differ in their approaches, not to mention the subjects at the focus of their analysis. For psychology the behaviour and mind of individuals in a group are key in their analysis; sociology and anthropology explore societal groups and their relationships, interactions and cultures of individuals in a decision-making setting; while international relations and diplomatic studies focus on the behaviour of states in a multilateral setting. In other words, consensus decision-making is present and studied at three levels: the individual, societal groups, and states. Despite these differences of unit analysis there is general understanding even as presented in the simplest of definitions: consensus is achieved (an agreed outcome), and what it represents (a group solidarity or belief in an idea or opinion).

This paper unpacks consensus decision-making inside regional politics. Utilising global *talanoa* or a political ethnography of the annual leaders meeting, in this case the ethnography during the 2015 PIF Leaders' meeting in Port Moresby, and the 2019 PIF Leaders' meeting in Funafuti – this study traces the practice and processes of decision-making. What comes to the fore, are two elements or approaches that broaden our conceptualisation on consensus not for PIF, but also in understanding authority in international politics in two ways. Consensus can be visual, and seen in the transactions of states and their representatives to build and reach consensus through a process. The second is that consensus is relational and can be understood as the perception, mental consciousness of identity of those involved in achieving the decision. Together both these elements – transactional and relational consensus help explain not just state behaviour, but also relationships between states over time.

Transactional Consensus

The first element is transactional consensus or the interactions and observable behaviour of states and individuals in a decision-making process that lead to a

collective outcome. It involves structural factors like procedures, communication and negotiations on what Crocombe calls Pacific Way as the consensus of material interactions in discussions about trade, investment, free movement of people, security, to name a few (Crocombe 2004: 300)

The PIF was established in 1971 as the main political multilateral organisation in the region. Created out of the demand by Pacific leaders for a space to dialogue the "high politics of the region", this "inner circle of regionalism" (Fry 1991:169) was conceived in the era of decolonisation. In part it was borne out of the frustration of newly independent states over colonial government administrations' unwillingness to discuss political issues in technical regional arrangements such as the South Pacific Commission on issues like self-determination and the French government's nuclear testing policy in its territories (Shibuya).

Over the next four decades, the Forum's membership has grown from the five founding states into a robust organisation that includes all the sixteen independent states in the Pacific region¹. While originally membership was limited to independent or self-governing states, the French territories of French Polynesia and New Caledonia would gain full membership after a lengthy campaign for recognition. As the preeminent regional political body, the Forum's legitimacy is cemented in the recognition by states and intragovernmental bodies outside of the region. These partner relationships were visible in the PIF Dialogue Partners meeting, which was established in 1989 for its 18 observer partners to meet with its Pacific counterparts². More importantly, the Forum's legitimacy was affirmed in the work of its highest council, the PIF Leaders Meeting. The Leaders Meeting allowed states to consider both international and regional politics. The communique sets out the annual priorities for the region. The Leaders Meeting was also responsible for approving political declarations or mandates of cooperation on shared regional issues of concern that ranged from security, law enforcement, development agenda, transportation, a nuclear-free Pacific to climate change.

The PIF communique decisions and its subsequent political declarations serve as the instruments by which regional policies are developed and implemented (PIF Standing Committee). The organisation has no charter, so judgements are reached by members

¹ The organisation in 2016 - increased to 18 to include two French territories - comprises 18 members: Australia, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Nauru, New Caledonia, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu, and Vanuatu.

² Canada, People's Republic of China, Cuba, European Union, France, Germany, India, Indonesia, Italy, Japan, Republic of Korea, Malaysia, Philippines, Spain, Thailand, Turkey, United Kingdom and the United States

at each Forum meeting by a process of discussion and those conclusions on which consensus has been achieved are announced in a communique (South and Veitaiyaki 1999). As the PIF had no formal constitution to guide its work, it depended on the leaders' prerogatives year by year. Consensus decision-making was norm at the United Nations- a decision-making process familiar to the newly independent countries in the 1970s. This regional agenda and priorities were coordinated by the PIF Secretariat, under the leadership of the Secretary General, amongst the nine technical regional organisations that make up the Council of Regional Organisations in the Pacific³.

Consensus is a product of discussion and dialogue, and not consensus by negotiation that on the surface seemed straightforward. The highest body in the Forum is the Leaders Meeting which is hosted in alternating island countries. The Leaders meeting has transformed from what Mara reported as a three-day meeting, to the current mini UN conference of parties with multiple side meetings and bilateral showcase of events. Nevertheless at the final Leaders retreat meeting paper discussed by Forum leaders in a closed retreat that allows Leaders space for discussion. However, the process of discussions was also a source of uneasiness and frustration amongst members especially when regional good impinges on national policies and interests.

The Chair of the Leaders' Meeting (and the rotating host of the annual summits) and the Secretariat have considerable influence in suggesting rules of procedures for leaders to approve. This proved advantageous for member states to suggest agendas and priorities for the regional leaders to consider. With no formal voting rules in the Leaders' council, the preferred and only rule of procedure was consensus. "While the Pacific Way is supposed to bring about flexibility and compromise, the strong desire for consensus (at times for its own sake, it seems) gives each Forum member a de facto veto during the Forum meetings, thus weakening the collective unity and power of the Forum" (Shibuya 108).

While leaders were instrumental in affirming decisions, the task of the detailed language and wording of what the final outcome would look like, took place in informal settings with a small group of officials. The PIF Forum Officials Committee engages in preparatory meetings and online email negotiations. The preliminary result from this process would

3 The nine agencies of CROP as of 2015 were: Pacific Aviation Safety Office (PASO); Pacific Islands Development Programme (PIDP); Fisheries Agency (FFA); Pacific Islands Forum Secretariat (PIFS); Pacific Power Association (PPA); Secretariat for the Pacific Community (SPC); Secretariat of the Pacific Regional Environment Programme (SPREP); South Pacific Tourism Organisation (SPTO); and University of the South Pacific (USP)

be considered by Leaders and given the mandate to continue or to discontinue. Once the consent from Leaders was received, usually through affirmations at the opening plenary, negotiation bargaining and monitoring by officials would then take place.

This negotiation process took place in closed informal chambers, where participating states would take on board new or revised positions from national policies. The positions of states communicated in the persuasive debates of its official negotiators present in the room during this stage is most vital. The ability of states to influence the outcome of decisions made in regional organisations rests heavily on the presence of representatives who can lobby other officials in favour of a compromise. While officials present ranged from diplomats, foreign affairs people, environmental climate change practitioners, and the representatives of regional organisations and non-governmental organisations there was a smaller coalescent group driving these negotiations.

Consensus decision-making in regional politics is transactional. Inside PIF the procedure and mode of decision-making is by consensus, not voting. This is a procedure that is familiar with states, as it is used in international forums like the UN, and, as indicated above, in local communities. The only time voting as a decision-making procedure is used is when it comes to elections, in this case selection of the Secretary General. Furthermore, consensus decision-making takes place in process or series of meetings that aim to remove disagreements of parties. Agendas are nominated and discussed by the Forum Officials Committee, much of which are suggested by work of the Secretariat of the Pacific Islands Forum (formerly the South Pacific Bureau for Economic Cooperation). These are then elevated to the annual Leaders Meeting, the pinnacle is the Leaders Retreat where Leaders meet face to face with the Secretary General.

Relational Consensus

A second element that is ascertained in the global *talanoa* examination of PIF meetings and argued by many scholars from Mara, Crocombe to Penjueli and Kabutaulaka—concerns consensus decision-making as relational. Relationality in international relations recognizes the importance of ongoing relationships by peoples, actors in international spaces, in terms of relations in motion as ontologically significant. It not only recognises the material capabilities, but also the perceptions, positionality, practices and norms of

people. Relational Pacific 'relationality' involves the harmony of humans living with the natural world of ocean and land, taking in wellbeing and the spiritual realm. (Carter and Fry, 2023). Indeed consensus may be a process of decision-making, but it is also a complex web of relationships of leaders and officials forged from meetings, but also of culture. In this context, it is a deeper appreciation of collectivist Pacific values not subsumed by power, but more concerned with authority.

Relational consensus is the psychological impact and the process of consensus as ideology, identity, idea; that the Pacific way of consensus is building and maintaining consensus. Crocombe refers to this as the Pacific Way identity. "It is in this area that Pacific Island regionalism has greater strengths — including feelings of common origins and historical experiences, common elements in value systems, cultural patterns and symbolic representation" (Crocombe 2004: 300). He goes on to explain that the identity factors are particularly important in the region, given that in most of the world's regional organizations both material (transactions) and identity factors are strong (*ibid.*). One shared identity for the 'political region' was the self determination and colonisation that island political communities have endured in the last hundred years.

Relationality refers to connectedness of political communities, and this can be found in pan Pacific identity and ideas – similar to the Pacific way. Across cultures of the Pacific there are shared values that shape Pacific peoples' identity and societies: these include a sense of belonging and relationship with others, the environment, space and time. Moana, Oceania and Solwara (salt water), and concepts *mana*, *tapu*, *talanoa*, *va* have broad shared meaning within the region, that remind sacredness, taboo, people and places, relational space, the ocean and the Pacific as a region shaped by shared kinship. The seminal work on 'whole of life' relationality by Reverend Professor Upolu Vaai work reminds us that consensus decision-making and indigenous Pacific ways of knowing and relations with humans, animals, nature and spirituality. Decision-making is not just based on personhood, but more importantly the wellbeing of all beings – harmony of man, nature, and spirituality (Vaai and Caisimira 2017). The values of environmental stewardship – of land and sea – and in connection with the spirit world (whether indigenous religions or Christianity) personify the worldviews of Pacific peoples.

Relationality is also evident in the relationship of leaders. Crocombe identified a core of island elites from Fiji, Tonga, Samoa applied primarily "to an inner group of English-

speaking, tropical islands of the south Pacific ... the chiefly ideology emanating from the core island groups exhibiting strongly hierarchical socio-political structures had considerable strength and influence over the broader region, at least to the extent that "the idea of chieftain-ship had become an accepted part of the Pacific Way "(Crocombe 2004). Leaders like Ratu Mara, King Tupou IV of Tonga and Tupua Tamasese Lealofi IV share royal lineage of inter-marriages, war and appeasement of hundreds of years of Oceanic diplomacy. In Pacific Way discourse, according to Crocombe, the differences between these highly stratified hereditary hierarchies on the one hand, and the "bottom up" egalitarian systems of societies in other parts of the Western Pacific — namely Melanesia — on the other, tended to be minimized, "for the development of Pacific unity necessitates a playing down of internal differences and a maximizing of similarities" (Crocombe, 1976: 11).

Furthermore, Ratu Mara reminds us of the importance of the shared experience. "Because of our experience...I was glad we could have the opportunity...my own feelings...I felt we could represent a view ... that each country must be approached with understanding of its own individual and special problems, and that the pace of the [constitutional] change must be in accordance with the wishes of the people themselves" (Mara 1997:118). In the early days of the Forum this was the shared experience of colonisation and coming out of decolonisation. In a way this experience created us and them inside the Pacific islands forum – Lawson calls neo-colonial. By the turn of the 1980s it was the shared experience for the need for collective action on the management of ocean through Law of the Seas, and work around management of fisheries. It was a shared experience to counter nuclear testing in the Pacific, or development in the states and region by the 1990s, or security from ethnic tensions and instability, and more recently is the shared experience calling on more climate action, and protecting the oceans. It is vital for a regional consensus to act on these regional challenges.

Culture or political culture is a significant element in relationships. Naraki (1980) once said consensus is an end product of conflict resolution. This prominent Melanesian philosopher argued that consensus is a Melanesian way of life of solving disputes. Without consensus, there is no Melanesian way of resolving conflict. Consensus is a collective effort by which the majority of the group members agree to a resolution in regard to

the conflict, a culture of establishing peace among warring tribes (Narakobi, 1980). When both conflicting parties agree to certain terms of reference, consensus is valued as ending conflict. Cultural rituals are performed to enable the consensus process to reach the required level. During the process of conflict resolution, the rituals of using natural objects such as food, plants, or songs that have some symbolic meaning aid the process. Some cultural events are used, like 'breaking of spears' (Kemelfield, 1990), killing of pigs, feasting, singing, shaking hands, and dancing to celebrate and mark such occasions. Cultural diplomacy prescribes ways that could vary from breaking of spears used in fighting as a symbolic way of ending the dispute to eating sugar canes. These have symbolic meanings of peace and resonate with the idea of long lasting friendship between the groups once in conflict. Leaders, whether the 'big man' or chiefs, are the centre of gravity by which people abide and whom they follow, but through the art of consensus; the spirit of collectivism exists, and not individualism. (See Hofstede, Marai)

One critical ingredient that aids consensus is having leaders with skills who can muster the group into one whole entity (Mara 1997). These leaders are skilful in handling conflicts and also lead a tribe or clan in culturally prescribed ways (Narakobi, 1983). In the scenario of conflict resolution, both parties come to compromise to end the conflict. This may sometimes involve intervention by a third neutral party in bringing the two conflicting parties to reach a peaceful solution in regard to the problem.

Consensus is reached on the basis of the interest of the group rather than of the individual leader. The group cohesion exercised through collectivism in Melanesian societies arises from child rearing practices. The child is taught how to work as a group member and to follow culturally prescribed norms in order to maintain group identity, which is of paramount importance for the group's survival. The clan family lineage must be emphasised by respecting the group members first, rather than one's self. Sharing and caring for other members of the clan come first before oneself. One's self is captured through group dynamics; without putting the group first, the self has no value. This cultural principle serves as the basis of a collectivism tendency, which is evident in Melanesia societies. (Marai)

Conclusion

The phrase 'Pacific Way' describes and prescribes the unity of the region. For over fifty years it has been manifested in regional politics and policies in various articulations – Pacific Plan, Framework of Pacific Regionalism and the Blue Pacific in many ways. Coined by regional leaders, and prescribed in the work of regional organisations, the values of the Pacific Way remain evermore relevant and significant in the evolution of regionalism. This paper is informed by the multi-disciplinary literature on the phrase and the global *talanoa* unpacking how consensus is built and achieved the Pacific Islands Forum.

Consensus or consensus decision-making is a cornerstone of the Pacific Way. As the regional political organisation Pacific Islands Forum was constructed by leaders, it is unsurprising that states and their leaders would incorporate a decision-making process that was recognised as an international norm, shared decision-making process in national and local communities that were unpinned by culture and traditions.

The concept of the Pacific Way has been constructed and incorporated in the process of decision-making to depict a form of deliberation. Leaders invoke the concept of the Pacific Way to initiate a process and to conclude an outcome (Carter 2018). The Pacific Way describes the political dialogue of leaders in both consent for an agenda of negotiations to take place, and in agreement to conclude or affirm decisions. It is a political concept that yields to the practice of persuasion by parties to influence, compromise and agree on solutions (Sohn 1997). At the same time, it is important to acknowledge that not all participants have an equal footing in terms of power. It is a forum or situation of negotiating multiple options proposed by interested parties. Not all participants would agree on one option or combinations; consensus decision-making is a forum of disagreements. According to Michael Haas the significance of consensus of the organisation meant working around the philosophy of the 'Pacific Way' or a system of 'unanimous compromise,' where everyone sacrificed something for the overall benefit of the whole and all decisions are made by consensus.

By exploring the process in which individuals, societal groups or states come together to make decisions, there is an added richness in understanding the complexity and management of this endeavour. Through tracing the complexity of actors and issues, and the management of activities in consensus decision-making, this can help explain

factors in building and reaching consensus. In unpacking Pacific Way consensus, there are two elements in understanding of consensus in regional politics: transactional and relational.

In regional politics consensus as outcome refers to details of decisions, whether in the language of a final communique or a political declaration, negotiated by a small group of officials, previously discussed and agreed to by leaders in a closed meeting at the Leaders' Retreat. The process is closed and state or leader centric, but advantageous in consolidating legitimacy for decision-making that actually took place in closed small group official negotiations. Needless to say, what supports these processes are the relationships or relational consensus. This is informed by shared identity, shared culture, shared experience and shared diplomacy. Consensus as both transactional and relational makes us appreciate more what Ron Crocombe was trying to explain about what the Pacific Way promotes – it “satisfies both psychological and political needs, in that it helps to fulfil a growing demand for respected Pacific-wide identifying symbols and for Pacific unity... that reduces the extent and intensity of neo-colonial dependency of the islands countries [sic] on the richer Pacific border-lands” (Crocombe 1976).

It is now 50 years since the Pacific Way has provided a blue print for regional political action. Consensus was enshrined for the beginning as a value of the Pacific Way. It validated a process of transactions for Leaders and its officials in the Pacific Islands Forum to create a decision. But at the same time it underscored relationships- or relationality of consensus. It promulgated an identity, ideas and value for regional Pacific. So when the Pacific leaders voted for the Secretary General in 2021, that led to the fracturing of the PIF- the comment that Pacific Way and consensus was under threat may be misleading. Rather the decision-making of voting for a PIF chair would bring about more issues. The resilience and longevity of the PIF lies in its ability to uphold the Pacific Way and its value of consensus.

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The French Pacific collectivities in the concert of nations

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On this fiftieth anniversary of the *Pacific Way*, promoted at the United Nations by Sir Ratu Kamisese Mara, then the first leader of a country that was gaining independence, Fiji, we can ask ourselves what contribution the French Pacific collectivities can make to multilateral dialogue in Oceania. We will leave aside the Wallis and Futuna archipelago which, because of the “crystallisation” of its 1961 customary status, has no competence in international matters (Lotti, 2011), to concentrate on the role of New Caledonia and French Polynesia. It may be objected that the monopoly of international legal personality enjoyed by the French State excludes sub-State authorities from exercising powers in the conduct of international relations as a matter of principle (Patry & Laferrière, 1983, Zöllner, 1992, Ndiaye, 1994, Gueguen, 2015) and that, even if these authorities are, to varying degrees, involved in the State’s external action, the State always remains, in the final analysis, the “master of international commitments”.

So why question the international capacity of the French Pacific territories?

- Firstly, because these collectivities give France an “unexpected” strategic depth (Mallatrait, 2009), enabling it to deploy its “Indo-Pacific” diplomacy in Oceania. At a time when France is seeking to guarantee access to vital zones or strategic points of passage that could be under threat (Ministry of the Armed Forces, 2019, Ministry of Europe and Foreign Affairs, 2022, Assemblée nationale, 2022), its diplomacy can only work with “Oceanian words”, to use Ambassador Lechervy’s phrase (2019 & 2021), by “narratively (re)valuing its island territories in its strategy” (Milhiet, 2019 & 2022, Frécon, 2022). A simple “rewriting of a neo-colonial narrative” would not take long to raise questions among all the political forces in the communities of Oceania as well as in the countries of the region. France therefore has every interest in “thinking the [Pacific] region from the inside out to legitimise its place in the Pacific” (Mohamed-Gaillard, 2019) by developing

territorial diplomacy aimed at gradually integrating its Pacific collectivities into their regional environment, but also on an international scale. This is all the more important given that, for the countries of the South Pacific, the French territories of the Pacific, through France, provide a gateway and privileged access to the European Union, and enable closer links between Oceanians to tackle global challenges such as climate change, or the major energy or digital transitions (Al Wardi, 2017).

- Secondly, because these French Pacific collectivities, the product of a recent colonial history, have been included by the United Nations in the list of non-self-governing territories within the meaning of Chapter XI of the United Nations Charter (articles 73 and 74) (Pastorel, 2021). In this context, the UN Decolonisation Committee is encouraging the regional and international integration of these territories. Even if, for the time being at least, France is limiting its cooperation with the UN to developments in New Caledonia, it has resigned itself to supporting the integration of its Pacific collectivities into their geopolitical ecosystem (Libération, 2017) to show that its territories have a “free hand” in terms of regional cooperation (Maclellan, 2018, Chauchat, 2021) and, indirectly, to demonstrate that the regional integration of these territories can take place... without independence.
- As overseas countries and territories (within the meaning of Part Four of the Treaty on the Functioning of the European Union) associated with the European Union, the French Pacific collectivities are also encouraged to promote the values and standards of the “European family” in order to better integrate into the global economy (Pastorel, 2018). The special preferential arrangements (art. 355-2 TFEU), which give them free access to the European market while protecting their domestic market, are not intended to be maintained indefinitely (as can be seen from the parallel development of the arrangements for the ACP countries). When renewing the association decision with the European Union in 2021 (Council Decision, 2021), the Council of the European Union noted that “the special relationship between the Union and the OCTs [must] evolve from a development cooperation approach towards a reciprocal partnership fostering the sustainable development of the OCTs” (preamble, point 11) and [be based on] “the promotion of cooperation and integration between the OCTs and oth-

er partners and neighbouring regions" (preamble, point 14). It is committed to supporting the participation of the OCTs in regional integration organisations (Art. 7-4) and considers the OCT authorities to be 'the actors of cooperation' (Art. 11). Within the framework of the Overseas Countries and Territories Association (OCTA), whose secretariat is based in Brussels, the French authorities in the Pacific have set themselves the objective of strengthening their participation in the cooperation initiatives of regional and/or sub-regional organisations, in particular by aligning themselves with the Green Pact and blue growth, youth, education and culture (OCTA, 2021-2027). This "territorial economic diplomacy" (National Assembly, 2016) aimed at developing the economic, cultural, scientific and technical potential of these local authorities is now encouraged by the State, which has come to regret the "under-utilisation of [these local authorities'] capacity for action in international matters" (Senate Law Commission, 2019).

- Finally, the processes of devolution of autonomy to the French Pacific collectivities and, in the case of New Caledonia, decolonisation, have generated a "multiplied diplomacy" (Fabius, 2012) of these territories. "Opening a new stage, marked by the full recognition of the Kanak identity, a prerequisite for the rebuilding of a social contract between all the communities living in New Caledonia, and by a sharing of sovereignty with France, on the road to full sovereignty" (cf. preamble to the Accord), the Nouméa Accord expressly places New Caledonia's international and regional relations under the heading of "shared competencies" (art. 3.2). While the status of Polynesia maintains foreign policy within the remit of the State (art. 14 of the Organic Law of 27 February 2004), it allocates significant means of action to this collectivity under the heading of "special powers of Polynesia" (art. 15 to 17).

All these factors combine to give the French local authorities in the Pacific a sphere of competence in international matters that goes far beyond what French law on the external action of local authorities provides not only for authorities in mainland France, but also for overseas departments and regions (Délégation pour l'action extérieure des collectivités territoriales, 2019).

Can we then outline the means available to these communities to integrate into the community of nations? To answer this question, we will classify these means under three

headings: those resulting from the colonial era and which were formerly devolved to governors (I); those that are linked to the globalisation of economies (II); and, finally, those that France now recognises in its strategy of reinvesting in the geopolitical field of the Pacific (III).

I. Skills inherited from colonial history

Under the “imperial” Republic (Le Cour Grandmaison, 2009 & 2019), the governor was the true repository of the Republic’s powers and had very wide-ranging powers, including in international matters, especially as there was no specific text setting out his powers (Charmeil, 1922, Cohen, 1973, Ramognino, 2001, Dasque, 2005, Morlat, 2010). The imperatives of colonial public order justified such prerogatives. Now divided between the central state and the territorial authorities, these prerogatives are a contemporary legacy of metropolitan France’s grand imperial design. Two examples will serve to illustrate our point:

A. Consultation of local and regional authorities on the State’s draft international agreements

By way of symmetry with the old principle of legislative speciality, according to which laws and regulations enacted by the central government only applied in the colonies if expressly mentioned and subject to a particular formality of introduction into the local legal system, international practice accepts the existence of a principle of territorial speciality of international commitments in the overseas collectivities.

Traditionally, it was up to the government to extend the effects of an agreement to these territories by means of an express declaration. This declaration could be made when the agreement was signed or ratified, or at a later date. For treaties as for laws, there was therefore no systematic application in the overseas territories. In an old article published in 1960, Pierre Lampué gave a significant list of agreements containing “territorial” clauses.

As with the principle of legislative speciality, the opinion of the authorised representatives of these territories was sought.

Neither the Fourth nor the Fifth Republic changed this situation.

In his book *Le statut constitutionnel de la France d'outre-mer* (1992), constitutional scholar François Luchaire explains:

[...] Article 74 of the Constitution [...] requires that the territorial assemblies be consulted prior to any law amending the specific organisation of the territories concerned. This organisation gives the authorities of the territory [...] competence in many areas; an international convention that intervenes in one of these areas modifies this particular organisation; it can therefore only be the subject of a law authorising ratification after the opinion of the territorial assemblies concerned has been obtained.

It should be noted that the opinion of these authorities is in no way binding on the authorities of the Republic, who “retain complete freedom” to decide whether or not to follow up the international agreement (Const. Council, no 2000-435 DC Recital no 24). However, the Organic Law must set out “*the conditions under which the institutions [of the local authority] are consulted on [...] the ratification or approval of international commitments entered into in matters within its jurisdiction*”. The Organic Law of 19 March 1999 on New Caledonia (art. 89) and the Organic Law of 27 February 2004 on the autonomous status of French Polynesia (art. 9) have thus made subject to consultation (1):

- Bills authorising the ratification or approval of France's international commitments in the local authority's areas of jurisdiction;
- Treaties or agreements, prior to their ratification or approval, which are not among those mentioned in the first paragraph of article 53 of the Constitution and which fall within the remit of the local authority.

B. Involving local and regional authorities in the negotiation and conclusion of international agreements by France

During the colonial era, the French territories in the Pacific were either placed directly under colonial rule, such as New Caledonia (1853), or administered as protectorates, such as Tahiti and its dependencies, as well as Wallis and Futuna, before the fiction of the protectorate (Pastorel, 2020) was dissipated by pure and simple integration into the colonial heritage (from 1880 to 1901 for the *Établissements français d'Océanie*) or,

in the case of Wallis and Futuna, and contrary to the decolonisation movement, into the category of overseas territories (1961).

Under the supervision of the Ministry of the Navy and then, from 1894, the Ministry of Colonies (for the colonies) and Foreign Affairs (for the protectorates), these territories were administered by representatives who, since the organic ordinances of the Restoration, had been the agents of the Head of State. These representatives could negotiate and sign protectorate treaties with the local chiefdoms, following the example of the proclamation of the protectorate over Tahiti (1842) on the personal initiative of Admiral Dupetit-Thouars in 1842, ratified by Guizot, and then the decision, Tahiti (1843), this time disavowed by the French government (1843) or, later, the protectorate over the islands of Rurutu (27 March 1889) and Rimatara (29 March 1889) negotiated by Governor Lacascade.

Admirals or, from 1879, governors, certainly acted on behalf of the State and only the Head of State was authorised to ratify these agreements or conventions; but it was they who were “in charge”. The decrees of 12 December 1874 (art. 71) for New Caledonia and 28 December 1885 (art. 58) for the French Oceania Establishments confirmed their exorbitant powers by granting them the power to “negotiate, when authorised and within the limits of their instructions, all commercial and other agreements”.

This system has lasted until the present day, adapting to the institutional changes in these territories. The statutes of these authorities (art. 8 of the statutes of French Polynesia and art. 28 of the statutes of New Caledonia) allow the State to involve them in the negotiation and conclusion of international agreements with the States of the South Pacific, the international institutions of the region or the regional bodies dependent on the specialised agencies of the United Nations, and even the European Union (Senate, 2020) (art. 41 of the statutes of French Polynesia and art. 30 of the statutes of New Caledonia).

In a context marked by the desire to re-establish peaceful relations with the States and territories of the region, relations damaged by the events in New Caledonia, by the resumption of nuclear testing and by the *Rainbow Warrior* affair (Mrgudovic, 2006), one of the promoters of this jurisdiction explained to the National Assembly that it was a question of “giving [these territories] all the appearances of a State to put it on an equal footing, as it were, with its partners in the South Pacific” (National Assembly,

1996). However, when negotiating or signing an agreement in the State's area of competence, the territorial executive always acts "as the representative of the State and in the name of the French Republic" and "must, in the execution of [its] mandate, implement the instructions given to [it] by the competent authorities of the Republic"; these same authorities "remain free to issue powers to other plenipotentiaries or to issue powers [?] for only one of the negotiation and signature phases; they may withdraw the powers thus conferred at any time" (Const. Council, no. 2000-435 DC Recital no 18).

II. **Skills linked to European and international developments**

With the globalisation of economies and the single European market, French local authorities in the Pacific have benefited from powers granted, within a general framework, to all local authorities in European States. Since the Framework Act of 6 February 1992 establishing the legal framework for decentralised cooperation, which was passed on the eve of the signing of the Maastricht Treaty establishing Economic and Monetary Union (7 Feb. 1992), the French legislature has gradually strengthened the external action of the overseas collectivities, starting with the overseas departments that are an integral part of the European Union (Act 13 Dec. 2000) and extending these powers to all the overseas territories, including those that are only associated with the European Union (Act 5 Dec. 2016). However, it is not certain that these new powers are suited to the geopolitical context of the Pacific.

A few examples will suffice to demonstrate this trend.

A. **Negotiating and signing administrative arrangements**

Well known in international practice (Coulée, 2018), the administrative arrangement is an act "of limited scope or of a technical nature" which must be, in the words of the Constitutional Council itself (Const. Council, no. 96-373 DC, Recital no. 13 and no. 2004-490, Recital no. 28), "made necessary by the implementation of other international agreements" and subject to the issue of an appropriate power by the authorities of the Republic, as well as "compliance with Articles 52 and 53 of the Constitution" (Const.

Council. no. 96-373 DC Recital no 11). Its sole purpose is therefore to “supplement or clarify an existing agreement or, at the very least, organise administrative cooperation of limited scope” (Circular Prime Minister, 1997).

It was introduced into the Statute of Polynesia in 1996 (current art. 16 of the Statute of Polynesia) at a time when France was trying to get back into the diplomatic game in the South Pacific after the nuclear tests (Mohamed-Gaillard, 2010). This delegation of signature had a political function, as it was intended to “showcase” the French territories in the Pacific by presenting them as autonomous collectivities, proud of their membership of the Republic. In the same spirit, the then President of the Polynesian Government was mandated by French President Jacques Chirac to sign the three protocols to the Treaty of Rarotonga on the denuclearisation of the South Pacific (Le Monde, 27 March 1996). By giving French Polynesia the possibility of “signing and approving” administrative arrangements, “in compliance with and for the application of the Republic’s international commitments”, the organic law sought to promote the territory’s cooperation with “the administrations of any State or territory in the Pacific”.

However, these acts of limited scope were emptied of all useful effect by the Constitutional Council (Oraison, 2004 and 2006, Goesel-Le Bihan, 2006) and were not incorporated into the status of New Caledonia. Moreover, they fell far short of what the Noumea Accord of 5 May 1998 was to confer on the territory, which was henceforth entitled to “conclude agreements [with countries in the Pacific zone, international organisations or organisations associated with them, and the European Union] in its areas of competence” (art. 3.2.1).

B. Decentralised cooperation agreements

In the context of European integration, the French local authorities in the Pacific inherited from the Act of 6 February 1992 the possibility of concluding decentralised cooperation agreements with other French or foreign sub-national territorial authorities, in compliance with the principles laid down by the Constitution and the Republic’s international commitments (Const. Council no 94-358 DC, Recital no 52 and no 96-373 DC, Recital no 14). However, while the legislator has made the procedures for implementing these agreements more flexible, by lifting the requirement for a local public

interest (Thiollière Act of 2 Feb 2007), by replacing the requirement for decentralised cooperation with the concept of “external action” (Act of 7 Jul. 2014) or by adding to the objectives of these agreements the policy of solidarity-based development and the fight against global inequalities (Act of 4 August 2021), these agreements, which the Conseil d’État considers (25 Oct. 1994) to be mere contracts under domestic law (Zoller, 1990), “may not be entered into with a foreign State, unless their purpose is to enable the creation of a European grouping of territorial cooperation” (art. L 1115-5 CGCT). These groupings were created by European regulations to strengthen the economic, social and territorial cohesion of the European Union (Regulation EC 2006 & 2013).

Inserted in the statutes of Polynesia (art. 17) and New Caledonia (art. 33), these instruments are ill-suited to the context of the South Pacific because they were conceived within the framework of cross-border cooperation between European territorial authorities, excluding any agreement with a foreign State (Blanc & Rakotondrahaso, 2018) (2) (except for the famous territorial cooperation groupings), which limits the interest of this mechanism in a regional environment composed essentially of States. At most, they would allow agreements to be signed with the Hawaiian Islands or Easter Island, not even with the Cook Islands, whose status as an associated state does not lend itself to this type of partnership (Goesel-Le Bihan, 1997, Al Wardi & Pastorel, 2020).

III. Skills related to France’s redeployment in the Pacific

France’s redeployment in the Pacific, against a backdrop of warming relations with Australia and New Zealand, has resulted in an “oceanisation” of French diplomacy.

A. Negotiating and signing regional agreements

Long reserved for the State (Admin. Tribunal, Noumea, 1985), the power to negotiate and sign regional agreements with States, territories or regional bodies in the Pacific or regional bodies dependent on the specialised agencies of the United Nations has been recognised for both New Caledonia (art. 29) and Polynesia (art. 38).

Because of their autonomous status, the scope of these agreements is as extensive as their area of jurisdiction. As the State only reserves jurisdiction over sovereign functions,

the French Pacific collectivities can therefore equip themselves with international regulatory instruments to fully exercise their powers.

However, this power is only “partial” (Goesel-Le Bihan, 2006, p. 3-11) insofar as the authorities of the Republic can not only impose themselves in the negotiations within the delegation of these territories, but also, in any case in Polynesia, oppose purely and simply the very principle of the negotiations (art. 39-2 of the Statute). The agreement resulting from these negotiations is then submitted for ratification or approval under the conditions laid down in Articles 52 and 53 of the Constitution.

It is undoubtedly this “sharing of powers”, which is complex to implement, that explains the caution of these local authorities in taking initiatives. However, if we take as an example the issue of tax treaties designed to avoid double taxation of taxpayers, these local authorities would have the greatest interest in negotiating and concluding tax treaties (already with Polynesia and New Caledonia, but also with neighbouring countries). The memory of a tax treaty between the French Republic and New Caledonia, qualified by the Constitutional Council in 1983 as a simple “treaty of pure domestic law” (Const. Council, 83-160 DC, recitals no. 5 and 9 and Cabannes, 2015), has no doubt also contributed to dissuading the most daring.

As our colleague Géraldine Giraudeau points out, “the sovereign State never completely relinquishes the power it has to negotiate and conclude international agreements” and only delegates [...] under the protection of effective safeguards and control mechanisms” (Giraudeau, 2010).

B. Diplomatic representation at international level

Historically speaking, the first manifestation of the participation of entities dependent on a State in international organisations was the admission of colonial territories as long as these entities made a “contribution distinct from that of the administering State” (Kovar, 1969). In the South Pacific, associated states such as the Cook Islands and Niue, recognised by the United Nations as *Self Governing States*, have been admitted to organisations such as UNESCO, the WHO and the ILO, even though they are not formally independent of New Zealand (Agniel, 2011, Havard, 2016) (3).

The question of the French Pacific territories is more ambiguous because, unlike the Cook Islands or Niue, the United Nations considers that their statutes are no more than “dependent governance arrangements modernised over the years, in form and nomenclature, but not in substance” (UN 2016, AG/COL/3299 & A/AC.109/2017/7). They nevertheless support their participation, to varying degrees, in international bodies (UN, 2021). France’s diplomatic policy has itself adapted to these changes by encouraging its Pacific collectivities to become part of the Oceanian ecosystem while “always remaining in the background” (Fisher, 2015):

- By associating these Pacific communities with regional organisations on an Asia-Pacific scale: the Pacific Commission in 1983, the Pacific Regional Environment Programme (SPREP), the Pacific Islands Development Programme (PIDP), the *Pacific Power Association* responsible for promoting direct cooperation between Pacific Island electricity utilities or the South Pacific Tourism Organisation (SPTO), the Western and Central Pacific Fisheries Commission (WCPFC).
- The participation of the French Pacific collectivities in these organisations is not at odds with French diplomacy, since these collectivities are only “partial” members (Dormoy, 2022), to use Daniel Dormoy’s expression, in the sense that they are not contracting parties, which excludes them from exercising competences relating to the constituent act, and also because their financial contributions remain relatively modest compared with those of the member states (4).
- By allowing both New Caledonia (art. 31) and Polynesia (art. 42) to join regional organisations and, with the agreement of the State, international organisations, as members, associate members or observers.

These local authorities were initially encouraged to join regional organisations such as the Pacific Islands Forum (PIF), which were initially forums for regional political consultation and even spearheaded opposition to the French presence in the Pacific (De Deckker, 2002, Al Wardi, 2018). Against a backdrop of reconciliation with the regional powers of the South Pacific, France supported the membership of its Pacific collectivities in the PIF, which gradually moved from a purely advocacy role to regional policies in the fields of transport, communications, development and international trade (see SPARTECA, PIC and other agreements).

SPARTECA, PICTA, PACER and PACER Plus agreements), as well as the sustainable management and conservation of marine and coastal resources in the Pacific region (see Forum Fisheries Agency, High Commissioner for the Pacific Ocean, etc.). The participation of the French collectivities in the Pacific can therefore be an asset for the Republic to avoid being isolated in the Oceanian world (Lechervy, 2015, National Assembly, 2020), even if the internal tensions that weaken Oceanian regionalism (Korinman, 2022) and narrow it to identities more closely based on a tripartition opposing Melanesia, Micronesia and Polynesia (Al Wardi, 2015), sometimes make regional actions illegible (National Assembly, 2022, p. 80).

The French Pacific collectivities were subsequently authorised, as associate members, to join specialised UN agencies (New Caledonia's membership of the WHO and UNESCO), or other international organisations (New Caledonia's membership of the International Organisation of the Francophonie and New Caledonia and Polynesia's membership of the World Meteorological Organisation). Even though these territories cannot, as associate members, put forward candidates for posts to be filled in these international organisations, nor put themselves forward as candidates to host meetings of the bodies, nor sit in on closed sessions and take part in a vote within the bodies, they can play a full part in the work of implementing the actions of these institutions and thus take ownership of their objectives and agendas.

- By encouraging the establishment of relations with States or territories in the Pacific: although diplomatic representation remains the prerogative of the Republic (Const. Council no 2004-490 DC, Recital no 27), the State has recognised for both New Caledonia (art. 32) and Polynesia (art. 15) the possibility of having "representations" of its Pacific collectivities in countries in the Pacific zone.
- Only New Caledonia, which is committed to the Nouméa Accord process, has adopted these arrangements by using the French diplomatic network to open delegations hosted in the French embassies and consular offices of the host country (Australia, Fiji, New Guinea Papua, New Zealand, Vanuatu) and has developed its economic cooperation with these countries through cooperation agreements. However, it should be noted that they are not very far removed from the system applicable to the overseas regions which, following the Letchimy law

on overseas diplomacy, were authorised to appoint public officials to represent them in France's diplomatic network (art. L 4433-4-5-1, L 7153-10 and L 72-53-10 CGCT) (Bertile, 2016) (5).

So as not to conclude...

As suggested by Polynesian MP Steve Chailloux, the external action of the French collectivities in the Pacific can be a vector of the *Pacific Way* by promoting closer ties between the peoples of Oceania, while respecting their differences, for example around cross-cutting issues (climate change, biodiversity, sustainable development, communications, etc.) or issues linked to regional economic integration (free trade areas, relations with Europe or with Australia and New Zealand, with the WTO, etc.). This development is not in contradiction with France's Indo-Pacific strategy, provided that the French government strengthens co-management with the French overseas territories.

However, as noted in a recent Senate information report on France's strategy for the (Indo)Pacific (French Senate, 2023), the French territories in the Pacific are not fully involved in defining a global strategy at the heart of one of the areas where the world is being shaped today. This strategy is adopted by the executive in an exclusively vertical approach (Lechervy, 2019), and sometimes borrows a neo-colonial narrative that resurrects the myth of "power through colonial empire" (Ageron, 1985), where the French overseas territories are merely pawns on the geopolitical chessboard. It is also reflected in a stiffening of the State's stance on developments in its territories in the Pacific, likely to call into question the decolonisation process in New Caledonia or the autonomy of Polynesia (6), or even the customary status of Wallis and Futuna (Regnault, 2021, Chauchat, 2022).

If France's (re)commitment to Oceania is not based on its island power, France "would be depriving itself on the international stage of the relays of influence offered by a very dense web of political, economic, cultural and social interactions" (Senate, 2023) and could even give rise in the long term to questions in its own Pacific island territories and in the countries of the region that could have an impact on its geopolitical ambitions. The creation in June 2022 of a fact-finding mission by the Assembly of French Polynesia on the impact of France's (Indo)Pacific strategy on its French collectivities in Oceania

reflects this expectation. The challenge is therefore to successfully integrate the French Pacific collectivities into multilateral dialogue by strengthening their capacity for action in the field of international relations.

Notes

- (1) Defined by law no. 61-814 of 29 July 1961, which has only been amended from time to time since then, the status of Wallis and Futuna does not include a formal obligation to consult or, *a fortiori*, a time limit for consultation, but these consultations do take place by reference to article 4 of the aforementioned law.
- (2) Information report No. 519 (2008-2009) by Mr Doligé, on behalf of the Mission commune d'information outre-mer, submitted on 7 July 2009, p. 248.
- (3) Since 2001, New Zealand and the Cook Islands have stated in a joint declaration that «in the conduct of its foreign affairs, the Cook Islands maintains relations with the international community as a sovereign and independent state» (Joint Centenary Declaration of the Principles of the Relationship between New Zealand and the Cook Islands, 11 June 2001).
- (4) The SPC's financial statements for 2020 show that the four Western powers that are members of the SPC (the United Kingdom will not rejoin the SPC until 2021) contributed 7,682,000 euros to its budget out of a total of 9,744,000 euros, i.e. almost 80%. New Caledonia, which hosts the headquarters of the SPC, contributed 485,000 euros, the fifth largest contribution after the Western States.
- (5) Ms Bertile, Ambassador, Regional Cooperation Delegate of France, explains that it is a «win-win strategy because France comes out stronger with an even stronger influence and so do our overseas collectivities without there being any conflict or opposition».
- (6) When the President of Polynesia holds the Indo-Pacific Axis and China [the Silk Roads] at equidistance, hailing “these two initiatives [which] are tools for cooperation that each of our island countries can use in the sustainable interest of its development (*in* Alwardi (Sémir) and Regnault (Jean-Marc), 2021. *L'Indopacifique et les Nouvelles Routes de la soie*, Université de la Polynésie française, 5-7 Nov. 2019, ApīTahiti éditions and Société française d'histoire de l'outre-mer, pp. 11-14), French President Emmanuel Macron replied “You can't be French one day and Chinese the next” to oppose an aquaculture farm project in Hao promoted by Chinese interests (28 July 2021).

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The search for a national identity claim alongside the “Pacific Way” through the emergence of National Universities of the Pacific:

The case of the National University of Vanuatu

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When it was proposed to me to contribute to this “Pacific Way” symposium, I immediately welcomed the idea with keen interest. Having myself embraced this concept as a Ni-Vanuatu who has grown up and started my career in the era of decolonization, I immediately wondered about the relevance of my contribution in view of the so recent emergence of the National University of Vanuatu which I have been leading since September 2020 with the support, in particular, of my collaborator Anne-Sophie Vivier, also present at this symposium and of the University Council as well as close colleagues from the Ministry of Education and Training, and the university team that supports me. The desire to share the unique experience we live in our Pacific archipelago finally overcame our reservations and setbacks. Thus, this communication is first and foremost a testimony to an ongoing process of institutionalizing academic bilingualism, and then multilingualism, in a minority context through the promotion of a distinctive Vanuatu identity in the Pacific region.

The presence of French and English languages in the education system of Vanuatu is the result of its historical heritage as a country colonized by France and England until its independence on 30 July 1980¹. Thus, article 3 of the Vanuatu Constitution clearly

¹ For a historical overview of Vanuatu up to independence, see Jeremy MacClancy (1981).

states that there are three national languages: Bislama², French and English, and two main languages of education: French and English. In the Pacific region, where this particularity added to the highest linguistic density³ in the world is an exception, the Government could have chosen, for both operational and political reasons, to keep only the English language in the reform of its education system initiated in 2015 integrating higher and technical education in the work axes of the Ministry of Education and Training⁴. Yet the new university structure is based on the existence of bilingual higher education courses, accessible to both French and English-speaking students. The current institutionalization process is also based on the structuring of a tertiary education sector, which exists in particular with collaborations set up through agreements and programs linking the Ministry of Education and Training, NUV and international partner universities.

This paper will present the steps that led Vanuatu, a small island state in the South Pacific, to develop the project of creating a national university with the specificity of being bilingual and plurilingual, and then analyse the challenges that it represents in societal, linguistic, political and economic terms at the national and regional levels.

I. The genesis of the national bilingual university project: an historical and political issue

During the 1970s, the leadership of the New Hebrides (now Vanuatu) was not immune to the decolonization trend in the Pacific region. Leaders followed and closely adhered to the advocacy of self-determination and decolonization models, as well as the anti-nuclear testing campaigns in the Pacific and internationally. Father Walter Lini, Donald Kalpokas, Peter Taurakoto, Barak Tame Sope and their relatives were closely following these developments, inspired by their counterparts in Samoa, Fiji, Papua New Guinea and the Solomon Islands in their quest for independence.

The “Pacific Way” was then seen as a concept to claim a mythical identity for Pacific Island peoples. I remember the academic days of the early 1980s when the “Pacific Way” was used as a slogan to distinguish our Pacific Island cultures and norms from

2 Bislama is a pidgin with an English lexical base, also the lingua franca of the archipelago.

3 Vanuatu is said to have 117 vernacular languages according to linguistics research, see François, Alexandre et al. (2015).

4 Reform that created a Directorate of Tertiary Education including higher and technical education

those introduced or rather “imposed” on Pacific peoples. Realizing that the Pacific Path was a rather mythical concept put forward to mobilize attention to Pacific regionalism, but which in reality was more economically beneficial to the Fiji and Eastern Pacific context, which along the way also gave rise to “Fa’a Samoa” in Polynesia, the three Melanesian Prime Ministers of Papua New Guinea, Solomon Islands and Vanuatu, together with FLNKS representatives from New Caledonia agreed to set up a Melanesian sub-regional organization known as the Melanesian Spearhead Group (MSG). The MSG was formed at an informal meeting in Goroka, Papua New Guinea, on 17 July 1986.

The regional institutions created under the Pacific Way campaign then include the current Pacific Islands Forum, SPREP, USP, Air Pacific and a few others. Most, if not all, are based in Fiji, and even the Noumea-based SPC has a “regional office” in Fiji. Gradually, the independent Pacific island countries began to establish their own national entities such as airlines, banks, teacher training institutions, and universities, which are the focus of our paper today. Thus, the National University of Vanuatu was born, following the trends of Samoa, Fiji, Solomon Islands and Tonga.

1.1 Review of regional Higher Education in the South Pacific

Until the recent development of the project to create a national university with a bilingual dimension, Vanuatu's French-speaking elite was mainly trained at the University of New Caledonia (UNC) while the vast majority of the English-speaking elite was trained at the University of the South Pacific (USP) and at the universities of Australia, New Zealand and Papua New Guinea. The University of the South Pacific (USP) is a regional university established in 1968 with twelve Pacific island member states: Cook Islands, Fiji, Kiribati, Marshall Islands, Nauru, Niue, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu and Vanuatu.

The UNC, a French university, developed in a political context of self-determination. Created in 1987 as a component of the French University of the Pacific, whose administrative headquarters were in Tahiti, the two centres became two autonomous universities and the Caledonian branch became the University of New Caledonia in 1999. It receives its funding from the French State and must meet the requirements of French higher education as a public scientific, cultural and professional institution

governed by the Act of 26 January 1984⁵. At the same time, it also aims to train a Kanak elite in priority sectors for New Caledonia. Thanks to a network of French research laboratories present in the territory, numerous investments and the development of a Cooperation Consortium for Research, Higher Education and Innovation (CRESICA) bringing together all the locally based research institutes, UNC is a magnet for New Caledonian students, three thousand two hundred and seventy-nine of whom were enrolled in 2019, as well as for ni-Vanuatu students, whose numbers have increased steadily since 2005, from one hundred and fourteen to three hundred and eighty in 2019.

Headquartered in Fiji, USP has a network of campuses and training centres throughout the member countries and operates mainly with funding from these states with grants from Australia and New Zealand. As a centre of excellence in the region for the past 50 years, USP has answered the call of the Pacific Way and offers an extensive English language training facility with a number of 30 547 students enrolled in 2021⁶ among whom approximately 16,000 are full-time students. Over the course of its existence, USP has developed close links with countries such as Australia and New Zealand, which also contribute significantly to its funding. It also maintains an extensive network of partnerships with several universities and institutions in the Oceania region and internationally. The Vanuatu campus offers a face-to-face law course and has over time developed a French-language course based on the translation of courses from English into French and the use of French-speaking tutors⁷.

The University of the South Pacific has a major political and linguistic influence in the Pacific region through the training of the future elites of the island countries and through research at the regional level, in particular through its *Journal of Pacific Studies*, a multidisciplinary scientific journal focusing on development issues in the Pacific, to which many researchers from the region have contributed since 1975. Since the appointment in 2018-2019 of the Vice-Chancellor of the University of the South Pacific, the university has experienced some institutional and political difficulties within its structure between its Management and its Council, but also between its staff, the student association and the Board as well as between the main administration and the host country (Fiji)

5 Established by Decree No 99-445 of 31 May 1999

6 Data found in USP annual report 2021 https://www.usp.ac.fj/wp-content/uploads/2022/07/USP-Annual-Report-2021_V4.pdf

7 The courses offered in French include a master's degree course for secondary school teachers and a so-called "second chance" course to enable students to resume their studies with a view to entering university.

which expelled its Vice-Chancellor from Fiji; the latter had to operate from Nauru and then Samoa. This instability has also caused friction between USP member countries, and Fiji's decision to cease payment of its statutory contributions to USP since 2020 threatens the regional cohesion around this prestigious Pacific institution and the understanding of other USP member countries which are also threatening to reduce their contributions to USP whose headquarters remain in Suva, Fiji.

1.2 The parallel development of national universities in the region

The existence of USP has been accompanied by the parallel desire of some of its member states with the largest populations to have their own national university as an expression of their own identity. The following can be cited in the chronological order of their appearance:

- National University of Samoa established in 1984
- Fiji National University in 2010⁸
- Solomon Islands National University in 2013⁹

These universities have different outlines but the essence of their creation is based on the same principles expressed by Professor Fui Le'apai Tu'ua 'Īlaoa Asofou So'o, then President of the National University of Samoa: "the University of the South Pacific was established in 1968 to cater for the needs of the South Pacific region. However, along with the wave of decolonisation came the realisation among some of the Pacific Island countries that in order to be true to the democratic principle of self-determination, each country must have its own institution of higher learning"¹⁰.

For example, the establishment of the national university was a "dream" of the founding fathers of the State of Samoa at independence in 1962, but it was not until 1983 that the idea took shape when the government of the day took into consideration the problems faced by Samoan students studying abroad and expressed a desire to ensure that graduates would be able to meet the specific labour needs of the country. The Bachelor of Education degree was the first degree course established in 1987 followed

8 Act passed by Parliament in 2009

9 Act passed by Parliament in 2012

10 The full speech can be found on the National University of Samoa homepage, <https://www.nus.edu.ws/s/index.php/free-extensions-3/university>

by the Bachelor of Humanities and Literature. The first students graduated in 1990. In 1997, an amendment to the University Establishment Act of 1984 replaced foreign members of the Board of Governors with local members appointed by the Head of State on the recommendation of the Cabinet. In 2010, the University of Samoa had about two thousand students; in 2022 and after the merger of several higher education institutions including the Polytechnic Institute in 2006, six faculties coexist in the following disciplines: education, health, science, arts, commerce, technical education as well as a maritime training school.

The creation of the Fiji National University followed a different process from Samoa in that it was established in 2010 on the basis of the merger of six pre-existing higher education institutions¹¹. Thus, the Government of Fiji wanted to structure its tertiary education system across the country with the ambition of becoming the premier university in Fiji and the Pacific region and a national centre of excellence in training and productivity¹². After more than ten years of existence, the Fiji National University also aims to be a vehicle for economic and social development by promoting the employability of its students and applied research for the benefit of Fijian society¹³. In line with the original vision, it is now the largest university in the South Pacific with an enrolment of about 27,000 students and five institutes covering all scientific disciplines¹⁴.

The third national university in the Pacific region, the Solomon Islands National University (SINU), was established in January 2013 after a bill for its establishment was passed by parliament in late 2012. Following the same process as in Fiji, Solomon Islands already had a network of educational institutions, some of which existed before independence in 1978. In 1984, a law adopted by the Parliament allowed the creation of the National Institute of Higher Education, but the need to diversify the fields of training and to have them recognized internationally led the Government to develop the university project from 2008. SINU currently has about 4,000 students enrolled and is comprised of five schools¹⁵, mainly offering bachelor's degrees.

11 The six institutions are: Fiji Institute of Technology, Fiji School of Nursing, Fiji College of Advanced Education, Lautoka Teachers College, Fiji School of Medicine and Fiji College of Agriculture

12 Vision and Mission that can be found in the 2014 Annual Report https://www.fnu.ac.fj/new/images/dpd/Annual_Report_2014.pdf

13 Vision and mission enshrined in the latest 2018 annual report available at https://www.fnu.ac.fj/new/images/FNU_Annual_Report_2018.pdf

14 College of Agriculture, Fisheries and Forestry, College of Business, Hospitality and Tourism Studies, College of Engineering, Science and Technology, College of Humanities and Education, College of Medicine, Nursing and Health Sciences

15 School of Business and Management, School of Technology and Maritime Studies, School of Nursing and Allied Health

Some states in the region have chosen not to join USP, such as Papua New Guinea, which has six universities, four of which are public and two private, as well as numerous higher education institutes. New Caledonia, a French territory, has established the previously mentioned UNC.

1.3. The proposed National University of Vanuatu as a symbol of “national unity and social cohesion

In this regional context, where the importance of a national university project for the emancipation of these young States can be perceived, the arrival of a new Government in Vanuatu in January 2016, whose Prime Minister, Mr Charlot Salwai Tabimasmass, was a French-speaker, gave new impetus to the project of creating a national university. In the Government's 100-day plan, several actions related to higher education and research were mentioned, including the development of a program for the establishment of a National University of Vanuatu.

The National Sustainable Development Plan 2016-2030 commonly referred to as the “People's Plan” has a vision of a stable, sustainable and prosperous Vanuatu and is based on three pillars: societal, environmental and economic. Within this framework, the societal pillar provides for “an inclusive, equitable and quality education system with lifelong learning for all” and aims to expand opportunities for higher education, including vocational and technical education. The plan is also in line with the global framework of the United Nations' seventeen Sustainable Development Goals, of which Goal 4 calls for access to quality education¹⁶.

This requirement to offer quality and affordable access to higher education to the many young people wishing to pursue their studies locally has been acutely recognized by the Ministry of Education and Training in charge of proposing reforms. With a view to considering its linguistic particularity and gradually offsetting the imbalance in terms of university provision between English and French-speaking courses, the Ministry thus undertook, as of 2015, to create a tertiary education department responsible for developing higher and technical education in Vanuatu and, in particular, for

Sciences, School of Natural Resources and Applied Sciences, School of Education and Humanities

16 “Target 4.3 Ensure that, by 2030, women and men have equal access to affordable quality technical, vocational and tertiary education, including university education.” <https://www.un.org/sustainabledevelopment/fr/education/>

creating a national university that would include bilingual programs and courses. This commitment of the Government was unanimously agreed by the political class through several decisions of the Council of Ministers on 13 May and 4 August 2016, 31 August 2017, 31 August 2018 and 30 October 2019.

In this emerging context, a reflection was also undertaken in 2016 to establish a list of higher education streams to be developed as a priority, which led to the formulation of a report in July 2016¹⁷ highlighting four sectors that are essential for Vanuatu's development: tourism, agriculture, environment and IT. Since then, several franchised degrees offered in the framework of international partnerships with French and English-speaking universities¹⁸ have been opened, with nearly four hundred students in 2022, which are now an integral part of the national university in the framework of international co-graduation.



Launching of the 2020 academic year with partners universities

In the official press release issued on the occasion of the new academic year ceremony in February 2019, the Minister of Education was keen to reiterate the importance of the national university project in the following terms: “Vanuatu needs to strengthen its elites and develop its own bilingual cadres. With the development of the university and the enrichment of qualification levels, a dynamic conducive to social advancement is underway, which will act on all sectors.”

17 Synthesis on the establishment of a National and Bilingual Institutional Structure of Higher Education and Research, July 2016

18 In 2022, the partner universities are: Toulouse 1 Capitole University, the University of New Caledonia, Toulouse 2 Jean-Jaurès University, Victoria University of Wellington (New Zealand), Taylor's University (Malaysia) and James Cook University (Australia).

II. The main axes of the emerging university

II.1 A bilingual university to ensure a future for the French language in the Pacific region

Vanuatu has a population of about two hundred and eighty thousand in 2017¹⁹ of which it is generally said that about 35% is French speaking and 65% English speaking²⁰. As a member of both the Commonwealth and the International Organization of La Francophonie, it has consistently asserted since the early 1990s the importance of maintaining and building on the linguistic heritage of the Franco-British colonial presence between 1907 and 1980²¹. Thus, after an initial complex period from independence to 1991, when the French-speaking community was rather associated with the colonial power by the first Government led by Mr Walter Lini, the Prime Minister Maxime Carlot Korman, who was elected in 1991, spoke of the importance of the French-speaking community as a tool for regional and international influence, in accordance with the text of the Constitution of Vanuatu: "According to the Constitution, which the Vanuaaku party signed, the English and French languages should be treated equally and, in particular, taught in all schools" (Howard Van Trease, 1995, 169).

The commitment to the promotion of the French language has since varied according to the political majorities in power, but no one has ever really challenged the binary structure of the primary and secondary education system, relying instead on this particularity that Vanuatu has in the Pacific region where the only other francophone territories are New Caledonia, the closest neighbour, Wallis and Futuna as well as French Polynesia. However, the education reform under way since 2016 has a more inclusive approach through learning in the vernacular languages and in Bislama in the early years of study, followed by the gradual integration of French and English.

This particularity constitutes a structuring anchor of the young national university whose model is based on the coexistence and promotion of bilingualism and multilingualism as formulated in Article 3 of Law No. 34 of 2019 establishing the NUV: "The purpose of the University is to provide advancement in higher education and lifelong learning through academic and professional excellence through training, instruction and learning in the two official languages of English and French, and through research and international cooperation."

¹⁹ Source : World Bank

²⁰ There is no reliable data on the language distribution in Vanuatu.

²¹ The New Hebrides Condominium was a Franco-British colony in the New Hebrides archipelago of present-day Vanuatu from 2 December 1907 until its independence on 30 July 1980.

II.2 A federative university integrating existing training institutions

Following the model of Fiji National University and Solomon Islands National University, the National University of Vanuatu is intended to be a focal point for the existing technical training institutions, namely the Vanuatu Institute for Teacher Education, the Institute of Technology, the School of Nursing, the Maritime College, the College of Agriculture and the Police College. To this end, it is necessary first to bring them under the Ministry of Education and Training to ensure that their level of qualification is raised²². The current characteristic of these institutions is the heterogeneity of the training offered, which ranges from level 1 to 4 certificates according to the Vanuatu Qualification Framework²³, i.e. a secondary technical level. The various ministries (health, agriculture, etc.) that manage most of these institutes have no expertise in the field of training and are therefore unable to support them in implementing the necessary reforms. The desired transition to the Ministry of Education and Training will make it possible to establish a strategy with appropriate supervision by the Department of Higher and Technical Education, a teacher training plan and the establishment of partnerships to support these institutions with a view to ensuring their gradual integration into the national university. As part of this evolution, the Institute of Teacher Education was the first institution to integrate the NUV in March 2021 by Ministerial order as provided for by the act governing the university. The new School of Education is gradually becoming part of the university.

In parallel to this development, the Ministry of Education and Training started in 2013 to develop general bilingual courses in collaboration with foreign universities. The first program was initiated thanks to the technical and financial support of the French Embassy in Vanuatu and the local branch of the Agence Universitaire de la Francophonie following a feasibility study carried out in 2011, which had demonstrated the importance of offering a multidisciplinary higher education program for young French-speaking people in particular, in order to avoid them having to move abroad to pursue their studies in French. Thus, the first delocalized Bachelor's degree in Economic and Social Administration was created at the beginning of the 2013 academic year in partnership with the Université Toulouse 1 Capitole. At that time, the content was taught only in French; little by little, awareness of the importance of introducing courses

22 Currently, only the Institute of Technology and the former IFEV are under the supervision of MOET.

23 The Vanuatu Qualifications Framework includes levels 1 to 10. Entry to higher education begins at level 4.

in English made it possible to review the contractual framework and led in 2017 to the signing of a new agreement between UT1 Capitale University and the Ministry of Education providing for at least 30% of the courses to be taught in English.



November 2017: launch of the bilingual tourism and hospitality degree in the presence of members of the Government and representatives of partner universities

Two other Master's courses were gradually added to this first course in 2017, including a Master's degree in Economic and Social Sciences as an extension of the AES degree and a Master's program in town planning and development of Oceanian territories in partnership with the University of New Caledonia. In 2018, a new bilingual bachelor's degree course in tourism and hospitality was introduced with a consortium of four partner universities, the University of New Caledonia, Toulouse 2 Jean-Jaurès University, Victoria University of Wellington (New Zealand) and Taylor's University (Malaysia). In order to ensure the consensus of the political class on the setting up of higher education in the country's leading economic sector representing 40% of the GDP, the proposal formulated by the universities after a public tender process was approved by the Council of Ministers and the launch of the first bilingual tourism-hospitality degree, even led to an interruption of the parliamentary session in November 2017 so that the Prime Minister and all the Members of Parliament could be present, the first strong sign of a commitment by the political class to support the process underway.

Following the priorities set by the Vanuatu National Sustainable Development Plan 2016-2030, of which the environment is one of the three pillars, the latest degree in environmental science was introduced in 2020 through a partnership with the University of New Caledonia and James Cook University. Finally, according to the results of a feasibility study commissioned in November 2019 by NUV, two new homegrown courses should be introduced in 2023 in the areas of IT and new technologies and humanitarian action and climate resilience. All of the above sectors address Vanuatu's priorities, but regional resonance is also an ambition, albeit a secondary one.

II.3. A tool for economic, social and cultural development

By its ambition to be fully integrated into the economic and societal reforms initiated by the Government of Vanuatu, the national university is contributing to the emancipation of this country. Thus, by taking into account the specificities clearly expressed in the People's Plan 2016-2030, but also in the recently introduced National Human Resources Development Plan, it will be able to respond to the shortage of qualified manpower capable of implementing the desired vision of a “stable, sustainable and prosperous” Vanuatu. This human resource gap was stated by the Prime Minister, Mr Charlot Salwai Tabimasmal, in the National Human Resource Development Plan, launched in November 2019, which “recognises the need for a more skilled workforce in Vanuatu, particularly professional technical and associate qualifications²⁴”.

Research is also at the heart of the current reflections. In order to be a pole of attraction for research institutes in the region, one of the university's major axes is indeed based on innovation as expressed in the university's values in its 2021-2030 strategic plan²⁵. In this regard, there is a renewed interest in Vanuatu from French research institutes based in New Caledonia, in particular the Institut de Recherche pour le Développement (IRD) and the Institut Pasteur, which have expressed their desire to participate in the development of the research component within the university by setting up ambitious projects. The strategic plans of these institutions foresee an opening to the Pacific and Vanuatu represents, by its bilingualism, an undeniable asset in the perspective of French cooperation.

Two approaches have been adopted to date to train the researchers of tomorrow: training of PHD students through the establishment of partnerships with doctoral schools

24 <https://ogcio.gov.vu/images/nsdp/Vanuatu2030-FR.pdf>

25 <https://www.univ.edu.vu/en/structure/overview>

in the region, in particular the Pacific doctoral school attached to the University of New Caledonia and the University of French Polynesia; grant of scholarships for their further studies and promoting research by organizing annual symposiums on the country's fundamental development challenges. In 2018, a seminar on university bilingualism entitled "From linguistic plurality to university bilingualism, realities and issues" was held²⁶, in 2019, a symposium organized by UT1 Capitole in Vanuatu and entitled "Which tax system for Vanuatu?" and more recently in 2021, the first symposium organized by the NUV on the themes of Education, Cultures and Identity bringing together researchers from the country and the region. These events, which focused on issues that are crucial to Vanuatu's future, have attracted a great deal of interest from government authorities, the private sector and civil society. To date, Vanuatu has been the site of much research, but little of it has been conducted in response to local needs and even less has been publicly reported. The first publication of the proceedings²⁷ of the 2021 symposium is in this sense a first achievement for the promotion and structuring of national research.

III. The future is still uncertain

III.1 Issues related to the presentation of the law to Parliament

The drafting of the Act establishing the National University of Vanuatu was a long collaborative effort between the Ministry of Education and Training and the State Law Office, the originality of which was recognized by the Parliamentary Counsel during one of the consultation meetings held between late 2017 and 2019. Thus, the shape of the university was really designed in consultation with the national bodies in order to consider the particularities of the country and the region while counting on the support of foreign experts.

The National University of Vanuatu Act was introduced in Parliament on 17 December 2019 during the last parliamentary session of the Salwai government's term. This was therefore the last opportunity for the Education Minister Jean-Pierre Nirua to support the project before his peers. The members of parliament studied the 37 provisions in

²⁶ Proceedings of the seminar published by the Vanuatu Cultural Centre in 2019, ISBN 9789829178756

²⁷ "Proceedings of the International Symposium in Vanuatu Education, Cultures, Identity" UNV publication, Vanuatu Cultural Centre, Ministry of Education and Training ISBN 9 789821 012461

great detail. Some of the opposition objections questioned the timing of the bill, saying that Vanuatu was not yet ready for a national university, that the cost of building the university would be exorbitant, and that the recruitment of teachers would be a problem. The Opposition Leader then reiterated the importance of providing Vanuatu with its own academic horizon on the eve of the 40th anniversary of its independence. During the debates, the Minister had argued and assured that the university project was home grown without external pressure or influence. He further justified that a national university for Vanuatu would strengthen the foundations of the LDC-graduating state and serve as a needed pillar to grow the new developing state to come. The bill was finally passed unanimously by all fifty-two members of Parliament and the law was published in the official gazette on January 24, 2020²⁸.

This unanimous agreement of the political class, beyond its differences of principle, highlights the good timing of the project and makes the university one of the major advances in a process aimed at restoring the linguistic balances within the population.

The university not only has bilingual streams but also has a hybrid institutional model. Largely inspired by the Anglo-Saxon model for its administrative management, this allows it to generate funds thanks to registration fees that do not, however, reach the prohibitive amounts that can sometimes be charged by private universities, and thus to reap all the benefits of the development expected of an institution of higher education at the national level. But can this model really be sustainable given the geopolitical situation of Vanuatu, a small island country landlocked in a predominantly English-speaking region? Time will tell, but we have a spirit of optimism with the unfailing support of the government and partners who want to see the university succeed.

III.2 English-French bilingualism in question

The reflection on the linguistic aspects and the desire to restore the balance between the English-speaking majority and the French-speaking minority has been at the origin of a well-considered vision of the 2016-2020 government which has made this university project one of its priorities. This priority is to lay a solid foundation for nation building by creating the socio-educational pillar of national higher education in the country itself. However, there is no denying of the reluctance of some Anglophone political actors who still question the cost and feasibility of establishing a bilingual English-French

28 National University of Vanuatu Act No. 34 of 2019, enacted on 10 January 2020 and effective from 24 January 2020

higher education system, especially for the integration of young Anglophones. Others question the place of Bislama, the third national language and lingua franca, in this scheme, as expressed by Leslie Vandeputte, anthropologist, specialist in Bislama, at the seminar organized in July 2018 by the Directorate of Higher Education on university bilingualism: “What image do we want to show of Vanuatu? That of a national university where the national language is excluded? Or that of inclusion as a witness to the full consideration and need to use Bislama (and local languages) as an integral part of the country’s languages” (Vandeputte, 2019,49), as well as by Robert Early, linguist and former director of the Pacific Language Centre at USP, who at the same event spoke in these terms:

Of course, there are specific English and French competencies that provide necessary skills for external interaction and international engagement, but more is hoped from tertiary education than just this, and specifically characterising the new university as bilingual, or limiting access to the learning it offers only to students who have facility in both languages may appear to be unnecessarily restrictive. (Early, 2019, 27).

In response to Leslie Vandeputte and Robert Early, the then Minister of Education, who was entrusted by the government with the delicate task of leading the assembly and installation of the National University of Vanuatu, said:

We have a heavy responsibility in building our national university to create a high quality tertiary institution the values and standards of which will be measured against international standards. The specific value of this National University of Vanuatu will be measured by the level of academic and professional competence that will emerge from its graduates qualified in the two international UN languages, not from a language that has no common vocabulary or grammar.

That said, it is important to remind ourselves of the need for Vanuatu to assert its place in the regional and international community as a newly developing nation that will graduate from the group of least developed countries in December 2020. A university is a place of advanced culture of intelligence and international learning and the French and English languages are clearly identified as “languages of instruction” in the Constitution, and it is imperative that they

are used simultaneously for the teaching and learning of the Ni-Vanuatu elites of tomorrow. Bislama and national vernaculars will be researched, documented grammatically and taught for local and sub-regional business or preservation when properly documented. Finally, a bilingual or multilingual university is what Vanuatu needs to reflect its own identity. As a place of social cohesion, a bilingual university offers the most inclusive environment for young Ni-vanuatu who aspire to become international citizens and key players for development and evolutionary innovation.

These concerns, as expressed, do not call into question the benefits of the French language for Vanuatu, but they do raise questions about the place of Bislama in the bilingualism claimed by the university project. However, the bilingual nature of the university does not mean that Bislama and the vernacular languages cannot be represented within the university. The law provides that the university will have a school called the School of Vanuatu Arts, Languages and Cultures, which will be responsible for providing training and research programs related to linguistic and cultural issues specific to Vanuatu. The existence of a language centre attached to NUV and the development of a language policy for the university also demonstrate its commitment to this field of study, which is the university's third priority as expressed in its 2021-2030 strategic plan²⁹. Furthermore, the title chosen for the university is translated into the three national languages, i.e. Nasonal Yunivesiti blong Vanuatu – National University of Vanuatu – Université Nationale de Vanuatu. The use of Bislama is not only symbolic but also reflects a desire to ensure it has a place in the emerging university system, as an object of study as well as a vehicle for learning in certain disciplines.

The bilingual nature of the university means that programs of study are offered in bilingual versions whenever possible. As required, some programs may be offered only in English and/or French. Bilingualism is an asset for Vanuatu and makes it a unique country in the Pacific region. Its qualified bilingual human resources set it apart from other countries in the region and can be a factor of economic development, particularly through the possibility of attracting large-scale French-speaking businesses and industries. Bilingualism is also a major factor in attracting tourists and businesses, as tourism accounts for 40% of Vanuatu's GDP. At this stage, the question of the

²⁹ The third strategic priority is entitled "Cultivating our uniqueness" and is broken down into three objectives. <https://www.univ.edu.vu/en/structure/overview>

languages to be used in the national university is above all a process in which the strength of conviction and communication play a major role. It cannot be denied that bilingualism is a challenge for Vanuatu, particularly in terms of cost. In this regard, it is not insignificant that Canada, a large state known for the bilingualism of its population, has made the majority choice of unilingualism in secondary and tertiary education. Nevertheless, it is important to bear in mind the social and economic benefits that Vanuatu will derive from this. This political choice is ambitious, of course, but it is also a founding one and will give Vanuatu a unique position on the regional and international scene, which could be of interest for the establishment of partnerships with universities that are members of the Agence Universitaire de la Francophonie and the Commonwealth Universities Agency.

III.3. Quality, the only guarantee of success for the university

The quality of the training programs offered at the university will be the fundamental element of its sustainability and its recognition at the national and international levels. This is why the project places the partnerships set up with foreign universities for the operation of general higher education courses in a long-term vision through the perspective of sharing knowledge leading to co-graduation, National University of Vanuatu – partner universities. This system should also contribute to facilitating the mobility of students who plan to pursue their studies abroad. In this sense, the bilingual aspect of the university is an undeniable asset in multiplying the opportunities for graduate students who will be able to apply for courses offered by both English and French speaking universities. The links with the Organisation Internationale de la Francophonie and the Commonwealth, such as the Agence Universitaire de la Francophonie (AUF) and the Agency for Commonwealth Universities (ACU), also ensure that the university has an international profile as well as possibilities for technical support and solid partnerships that are absolutely essential in the current phase of implementation and structuring.

These partnerships, however relevant they may be, cannot suffice to engage the university in a process of ensuring local training by local faculty when there are barely more than a dozen ni-Vanuatu PhDs in 2022. In this regard, one of the major challenges is to put in place a training plan to promote the pursuit of higher education at the

doctoral level in order to address the shortage of qualified local human resources. More generally, the training of PHD students raises the question of research, which can be described as embryonic in Vanuatu due to the lack of a supervisory structure and the significant funding needs associated with it. The project to set up a Vanuatu doctoral unit associated with partner doctoral schools, including the Pacific Doctoral School³⁰, is a first step in structuring research. Support for students wishing to pursue their studies through the allocation of doctoral scholarships is also an essential support to which the Government of Vanuatu should allocate significant funding in addition to that already provided by donors. The national university will have to equip itself with lecturers and researchers who will enable it to play its role as a vector of innovation and to develop research themes at the service of national and regional societal issues; for example, issues related to climate change, languages and culture, sustainable development, etc. To do this, the State will have to make the necessary investments and federate the various stakeholders, universities in the region, research laboratories, and potential donors.

Finally, the question of the professional integration of graduates is also at the heart of the reflections on the emergence of the national university. It is indeed essential that they represent the pool from which the public and private sectors will draw their next resources. In this perspective, NUV has already signed several agreements with government departments in the environmental sector as well as with the tourism sector to ensure the employability of young people at the end of their studies. The university has also partnered with the AUF and a local incubator to promote entrepreneurial training sessions and internships for students in all fields of study. These activities are in line with its missions and objectives as expressed in its strategic plan 2021-2030.

Conclusion

From the all too brief overview presented above, it is clear that Vanuatu is indeed writing a new page in its history, forty-two years after independence, and even concretely building its institution of high-level thinking, through the emergence of its national university, a unique, complex but rich project.

Linking back to the spirit of the Pacific Way symposium, it is proven that one major aspect to safeguard our common interests is to accept that our Pacific is a bilingual/

30 The Pacific doctoral school associates the University of New Caledonia and the University of French Polynesia.

multilingual region and therefore the best way of realizing that is to “bilingualise the Pacific”. The linguistic solution of the Pacific Way is to nurture our “bilingual Pacific culture and space” and to cherish it as a concrete living experience. Citizens of the region must be given an opportunity to study in the two main international languages (English and French) that we have inherited to be ours in the Pacific, so that we can embrace a more common Pacific linguistic pathway for Pacific citizens in the future. This is part of the mission that the National University of Vanuatu adopts in its teaching and learning model.

Short-term success cannot be measured because it will take time to develop proper methods and tools to become instruments for training elites. It requires a long and laborious process of structuring our thinking with methods to use in a changing geopolitical context. In the Vanuatu context, the challenge goes beyond the first few years of the university’s establishment; but the National University of Vanuatu works to ensure that Vanuatu assumes full ownership of its own plans and objectives to train its own elites who aspire to become Pacific and global citizens.

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The Pacific Way: *O au o matua fanau*, the case for Pacific children and young people in Aotearoa New Zealand

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Wellington, New Zealand.

The Pacific Way: *O au o matua fanau*.

In many Pacific cultures one would find proverbial expressions that embed the fundamental principle of children as being the most important treasure of the parents, village, and society for they represent the present, the past and the future. Hence, one could argue that it is the Pacific Way dictated by our ancient cultural knowledge that children are the most important taonga/treasure within our societies for they hold within their hands the survival of our histories, narratives, stories, genealogies, cultural capital and to an extent our very existence as people of the Pacific. Like the Pacific Ocean, it is so vast and challenging to navigate the complex cultural lens of each of the islands of the Pacific. Therefore, I will only attempt to expand on the meaning of children as being the most important treasure from the lens of a Samoan parent and matai.

O au o matua fanau is a proverbial expression that one hears frequently as a child growing up in a Samoan family. However, in order to understand the intent and deep meaning of the proverb, there is a need to explore the meanings of three particular words “*Āu*”, “*mātua*” and “*fānau*”. *Āu* is the Samoan word that has a dual meaning which translates to “darling”, it is usually an expression only reserved for a couple in a really intimate relationship or to showcase profound love between two people. *Mātua* is the Samoan word for parent or elder in the Samoan language and *fānau* is the word for children. It could be suggested from a parent's perspective that the proverb

places children as being the apex of their love/*alofa*. The proverbial expression draws on the Samoan worldview that without parents there are no children, without children there is no future, and the word *Āu* encapsulates the love/*alofa* that dictates and guides the *vā* (sacred relational space) and relationship between the *mātua* (parent) and *fānau* (child).

Hence, this paper aims to provide a glimpse of the landscape for Pacific children in New Zealand through the experiences of their forebears who navigated the difficulties of migration and note some of the challenges faced by Pacific peoples in relation to low social economic factors. Additionally, the paper will touch on the challenges that the New Zealand government faces in balancing the children's best interest and that of their cultural heritage and propose ethnic specific cultural models of care as a practical way forward to support better outcomes when engaging with Pacific children and their families.

Pacific migration

Pacific Islanders migrating to New Zealand began as early as the 1850s when Anglican missionaries brought with them students from the New Caledonia, Vanuatu and other islands (Te Ara, 2022). Although others would argue that the first Pacific Islanders to reach Aotearoa/New Zealand were Polynesians from your sacred lands where we are currently standing in Tahiti Nui. Hence, as a *manuhiri*/guest in your lands, I am inclined to support the *mau*/view of the *tagata fanua* (people of this great land). However, according to historians, Māori who are the indigenous people of Aotearoa New Zealand arrived around 1250 AD which is roughly 800 years ago (Te Ara, 2022). Arguably, it could be said that not only did people from the Pacific discover Aotearoa/New Zealand but later migrations have been assimilated to become part of the fabric of New Zealand society.

Although later migrations in the 1960s and 1970s would bring Pacific Islanders who settled and formed communities mainly around the Auckland area. This allowed a village community to develop whereby churches became the centre of identity in relation to maintaining the language and customs. These early Pacific migrants came mainly from the islands that were once territories and protectorates of New Zealand such as Samoa, Niue, the Cook Islands and Tokelau.

Pacific Population

According to the 2018 census Pacific peoples in New Zealand make up 8% of the total population¹. It is estimated that by 2043 Pacific peoples in New Zealand will make up almost 11% of the total population (Statistic New Zealand, 2022). Furthermore, the population of Pacific peoples in Aotearoa/New Zealand is a diverse group with Samoans making up almost half of the total population (47.9%), Tongans (21.6%), Cook Island Māori (21.1%), Niuean (8.1%), Fijian (5.2%), Tokelauans (2.3%), Tuvaluan (1.2%), i-Kiribati (0.8%), Tahitian (0.5%) and other Pacific nationalities (Pacific Peoples in Aotearoa Report,), with the majority of Pacific peoples living in the North Island of New Zealand and smaller pockets of Pacific populations growing in certain parts of the South Island.

It is of significant interest to note that 66% of people who identify as Pacific peoples are New Zealand born with almost 76.9% being below age 30 (Pacific Peoples Report in Aotearoa, 2022). Pacific peoples have a median age of 23 years and 34% of that population is under the age of 15. Pacific children and young people have a crucial role to play in the economic, social and political development of Aotearoa/New Zealand in the coming years.

The current landscape for Pacific in Aotearoa New Zealand.

The New Zealand Government has introduced strategic policy to ensure that outcomes for Pacific peoples are elevated across the determinants of wellbeing. This includes the recently launched Lalanga Fou All of Government Pacific Wellbeing Strategy (hereon known as Lalanga Fou Strategy) and the Pacific Language Strategy 2022-2032; aimed at aligning efforts by the government in relation to measuring, monitoring and evaluating outcomes for Pacific peoples.

Pacific peoples in New Zealand have some of the worse outcomes in relation to health, income, education and equities related to social outcomes. In some cases, their outcomes are only slightly better than the Māori population who are the indigenous people of Aotearoa/New Zealand. Many Government departments including my own, seek to improve Pacific outcomes through established Pacific strategies, however the

¹ Pacific Aotearoa Status Report, A snapshot 2020. Retrieved from: <https://www.mpp.govt.nz/assets/Reports/Pacific-Peoples-in-Aotearoa-Report.pdf>

recently launched Lalanga Fou Strategy provides a platform that aligns a government sector approach to measuring wellbeing for Pacific peoples.

Pacific children and wellbeing in New Zealand

To understand the challenges that Pacific children face in Aotearoa New Zealand I will use my own children as an example.

I have three children, Chloe my daughter is the eldest, Ativalu Aleczander my son is the middle child and my youngest Manulua.

Based on the current Pacific statistics for Pacific women, my daughter Chloe will experience the following:

- She will live 5.5 years (79 years) less compared to a non-Pacific.
- She will earn on average 21.2% less pay when compared to non-Pacific
- She is less likely to achieve University Entrance when compared to her peers (32.3% compared to 59.2% Pakeha and 69.9% Asians).

Based on the current Pacific statistics for Pacific men, my two boys will experience the following:

- They will live 5.6 years less compared to a non-Pacific.
- They will have an increased likelihood of being incarcerated (11.5% of Prison population is Pacific).
- They are less likely to achieve University Entrance than their peers.

Based on current Pacific statistics all three children will experience the following:

- 26.1% of Pacific Children live in households that reported going without 6 or more of the 17 basic needs.
- Pacific children are six times more likely to experience severe housing deprivation rates.
- 37% of Pacific people live in damp and mouldy households the highest of any population group.

- 45% of Pacific children live in households where food runs out 'sometimes' or 'often'.
- Pacific and Māori children living in the poorest areas are three times more likely to die (Child and Youth Mortality Review Committee: 15th data report : 2015-2019).

On a positive note, a longitudinal study completed on Pacific young people has found that 86% of Pacific young people between the ages of 7-13 years feel strongly connected to their culture and 93% feel that having strong connections to their culture is important. The findings also state that they feel connected to their culture through family engagement, understanding of cultural knowledge, practices, values, language and through their church and community (Pacific Youth Talk About Culture, 2022). These findings provide insights that perhaps the Pacific way of resolving and elevating our own outcomes as Pacific peoples lies within our culture, language and identity.

New Zealand Lalanga Fou - All of Government Pacific Wellbeing Strategy

As previously noted, the Lalanga Fou Strategy aims to shift and elevate Pacific outcomes by focussing on four high-level specific goal areas:

- *Thriving Pacific Languages, Cultures, and Identities*
- *Prosperous Pacific Communities*
- *Resilient Healthy Pacific Peoples*
- *Confident, Thriving & Resilient Pacific Young People*

In essence the four goals of the strategy aim to measure the wellbeing of Pacific peoples by monitoring the outcomes related to the number of Pacific peoples that can speak their language and feel secure in their identity and culture. Pacific peoples are no different to other minority groups across the world with a migration story: their culture and identity are greatly impacted when they settle in a new country.

The Pacific identity in New Zealand is a very important topic as the term "Pacific peoples" was coined to describe and to include all Pacific peoples, all who have ancestral links to the islands of the Pacific. However, one could argue that this term fosters inequities

in that it lumps all brown people into one box and New Zealand's history in relation to the treatment of this group through the Dawn Raid period is not without blemish and is one example that comes to mind of past grievances. In fact, the New Zealand Government only recently apologized through a *Ifoga* which is a Samoan cultural process whereby the guilty party seeks forgiveness from the oppressed or injured party. One could commend the New Zealand government for using an ancient mediatory process to seek forgiveness, but one must do so with caution as the process was only completed 50 years later and only when there is a Minister of Government at the helm who is of Pacific heritage. Although, this is a very important and interesting *talanoa*, due to the time constraints, I will humbly challenge with my anthropologist friends in the room to continue the dialogue and further research on this matter.

The second goal seeks to improve the economic prosperity of Pacific peoples by focusing on eliminating inequities related to housing needs, income security and pay disparity. As an example, Pacific women have the highest pay gap inequity in New Zealand, they are paid 21.2% less compared to their male counterparts. Although Pacific peoples have one of the lowest rates of home ownership in New Zealand, we have seen an increase to 21% of the population owning their property over the last five years (Statistics New Zealand 2016; Beehive, 2022). On a positive note, quantitative findings from the New Zealand Treasury report states that Pacific peoples provide "27,000 hours per week volunteer labour" and Pacific not-for-profit organisation such as churches hold \$640 million in assets (Treasury, 2018).

The third goal aims to support better housing and provide access to services to support healthy Pacific peoples. Pacific peoples have some of the highest rates of diabetes, smoking rates and obesity. They have been identified as living overcrowded homes and have been self-reported as experiencing higher rates of racism and discrimination.

The final and fourth goal aims to increase the rates of Pacific young people accessing education and attaining higher qualifications. This goal aligns with the aspirations of the Child and Youth Wellbeing Strategy which aims to make New Zealand the best place in the world for children and young people to live. However, some of the indicators that have been measured through the Child Poverty Indicators reports have shown that Pacific children have the greatest need in accessing quality housing and are three times more likely than non-Pacific children to experience food insecurity. In

addition, Pacific children have the highest potentially avoidable hospitalisations rates when compared to non-Pacific children.

Oranga Tamariki and the current state

Oranga Tamariki or otherwise known as the Ministry of Children is the New Zealand government agency whose purpose is to ensure that all tamariki are in loving families and communities where *oranga* can be realised. *Oranga* has been defined by the organisation as “the wellbeing we want to help the children we work with to have” (Oranga Tamariki, 2022). Consequently, they have a dual role to be a highly trusted statutory care protection and youth justice agency and an enabler for Māori and Communities to empower them to put in place the support, the solutions, and the services they know will work for their people to prevent *tamariki* (children) coming into the care of the state (Oranga Tamariki, 2022).

Historically, Oranga Tamariki is an incarnation of previous government departments that have all claimed to share the same aspirations and goals. It currently operates under the legal frameworks of the Oranga Tamariki Act 1989 or what was previously known as the Children, Young Persons and Their Families Act 1989 (Oranga Tamariki, 2022). The later was influenced by the Puao-Te-Ata-Tu Report produced by the Ministerial Advisory Committee on Māori Perspective for the Minister of Social Welfare in 1988. The report made strong recommendations for direct Māori involvement in relation to social welfare policy and social work practices to improve the outcomes for Māori *tamariki* who were significantly overrepresented at the time and continue to do so today (Māori Perspective Advisory Committee, 1988; Kapa-Kingi, 2018).

Sadly, the legislation changes introduced in 1989 did not realise Māori aspirations and ambitions, which was to devolve power, nor did it create a pathway for Māori to care for their own *tamariki* using their Māori cultural framework (Kapa-Kingi, 2018). In 2019, s7AA was added to include a requirement whereby the organisation must partner with the *whanau* (family) and *hapu* (extended families) to align with the obligations of the Crown in relation to the Treaty of Waitangi (Keddell, 2019). Equally important, was the requirement for the New Zealand Government to report and measure the outcomes for the *Māori tamariki* in care. Currently the organisation is moving in a new direction which aims to devolve power to *iwi* and build stronger partnerships with community

and recognises the importance of using culturally appropriate social work practices that empower the *mana* of children and that of their families.

Pacific Children in Care and Vaaifetu Practice Framework.

The Pacific population is recognised as a priority group due to the overrepresentation of children in the care of the state. As a response, the Oranga Tamariki Pacific Strategy 2021-2024 has been endorsed and includes five strategic priority areas related to building effective and sustainable relationships with Pacific communities, elevating the importance of culture and language in relation to social work practice, workforce development and strengthening data and evidence-base decision making to inform policies.

On 30 June 2022, Pacific children made up 17% (797) of children in the care of the state:

- 34 % identified as Samoan
- 28% identified as Cook Island Māori
- 10 % identified as Tongan
- 2% identified as Tokelauan
- 6% identified as Fijian
- 6% identified as Niuean
- 5% identified with other Pacific Islands or Pacific not further defined.
- 10% identified with Multiple Pacific Ethnicities

Statistics for Pacific children are almost identical in the Youth Justice system. Youth Justice is for children and young people who have or are alleged to have committed an offence (Oranga Tamariki, 2022). To support social workers when interacting with Pacific families and *tamariki*, a group of Pacific Staff led by Dr Karanina Sumeo created the Vaaifetu Social Work Practice tool (hereon known as Vaaifetu). Vaaifetu provides a Pacific lens for the application of duties and powers of Oranga Tamariki in accordance with the Oranga Tamariki Act 1989 (Oranga Tamariki, 2022). Vaaifetu is a cultural practice framework that incorporates ethnic specific models to support social workers to practice in a culturally safe and appropriate way.

As an example, the Samoan Cultural Framework model for Social Work Practice within Vaaifetu is called the Tautua. It centres around the concept of the Samoan kava bowl, each leg of the kava bowl represents a specific value such as *Alofa* (love, compassion and empathy), *Fa'aaloalo* (respect), *Faiā* (genealogical connections), *gagana* (language), *Vā Tapuia* (sacred inter-relationships), *Va fealoa'i* (dignified and harmonious relationships in face to face engagement between people) and *Tofā mamao* (A long term vision and insight of wellbeing).

Using Samoan Culture with Samoan Families.

In my current role as Principal Pacific Advisor, I spend most of my time informing policy by providing a Pacific lens which at times can be quite challenging as many of my peers have limited understanding of Pacific cultures and at times are confused about the differences in the ethnic makeup of Pacific in New Zealand. However, in certain situations I am called upon to provide a Samoan cultural lens in relation to a particular case. I will briefly provide an example:

Oranga Tamariki unfortunately breached the privacy of a particular family. Certain information was released in the media, although the family members were not named specifically. However, the location of where they live and certain information could mean the family could be easily identified.

I was called to try and resolve the situation as the local office needed support with the language translation and cultural support as the father of the child involved was a well-known *tulafale* (orator). Using Samoan cultural knowledge and language, I was able to resolve the situation with the family by doing the following.

- The location of the meeting between the family and Oranga Tamariki was at the residence of a Church Minister. This is a vital aspect in the resolution process as every Samoan understands that the house of the *Faifeau*/Church Minister is a sacred place, and one must know the *va tapuai* (sacred relationship) when you enter the house of the Church Minister. Samoans have embedded Christianity in all spheres of Samoan society whereby the Church Minister now occupies the role of *Feagaiga* (Sacred Covenant).

- Understanding the *fa'alupega* (Honorific Salutations) of the family and *matai* titles held by members of the family is essential in building the relationship. Samoans connect through family genealogies and many disputes can be resolved by using these ancient genealogical connections (value of *Faiā*).
- Using the Samoan *Fa'amatai* oratory as the vehicle to seek forgiveness from the family and acknowledging what we have done (using the value of *Va fealoa'i*).
- Lastly using the value of *Fa'ataualofa* (reciprocity) by offering the family a monetary gift in good faith to reciprocate their *alofa* and forgiveness. It is important to note that this is not a payment or compensation. In Samoan culture an apology as in the case of *Ifoga* is always followed by a cultural presentation (*Su'a Fa'atamali'i*).

Role of Church and Fa'asamoa in Child Protection.

In recent years I have come to know a village approach collaboration, led by two prominent community champions who dedicate their lives to the protection of children and supporting families who are experiencing difficulties and challenges. Their names are Afioaga Patele Paulo Filoialii and Afioaga Su'a Tagaloa Su'a (they have given their permission to be named); one is a Catholic Priest and the other is a high ranking *matai* and retired Social Worker/Counsellor. They provide support to children and families who self-identify. Their support is on volunteer basis and confidentiality and privacy is guaranteed, which in Samoan villages is not anything easy to do.

They use the *Fa'asamoa* to advocate against the abuse of children and family violence and use the culture to navigate taboo topics such as sexual violence and abuse in the family which Pacific families are not immune to. They do this by using a *Fa'asamoa/Christianity* approach, whereby Father Paulo uses his experience as a Church Minister to provide spiritual and cultural guidance that is balanced and sometimes challenged by Afioaga Su'a Tagaloa's professional support of being a social worker and counsellor. This is one of many examples where Samoan cultural capital is used in a positive way to support Samoan families to realise their own potential and ensure their children remain within their own care whilst accessing support from the community.

Conclusion.

I would like to conclude this paper by drawing on the Samoan proverb *E fōfō e le alamea le alamea* – the solutions lie within our own communities. This paper strongly advocates that it is the Pacific Way to look within communities for the solution. As in the case of the proverb cited above, it refers to the traditional knowledge of a Samoan fishermen that if one is stung by the spines of the *alamea* (crown of thorns starfish) then only the *alamea* can heal the wound as it carries within its body the antidote.

An important insight for government is to incorporate into their thinking that the use of Pacific culture, language and identity is vital to engagement and elevating outcomes for Pacific families and children. Recognising that answers and solutions lie within the communities rather than with the policy makers can create a shift at the grassroots level. It is only with a collective approach, the Pacific Way, that we can ensure that the future of our *tamaiti*/children is secure and to perpetuate our very own existence as peoples of the Pacific.

“Community of destiny” or “parallel paths” ? The difficult breakthroughs of a Pacific Way unique to New Caledonia.

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Eleven days after the restitution of his sovereignty to the brand new State of Fiji, Ratu Sir Kamesese Mara gave his famous speech on 21 October 1970 to the 25th session of the United Nations General Assembly in New York, from which the following extract is of particular interest.

Many speakers have spoken of our peaceful progress towards independence, and we for our part are deeply grateful for the good fortune that has enabled us to achieve it. But this is not a unique experience in the Pacific. Other accessions to independence have taken place in the same calm and orderly fashion, in Western Samoa, the Cook Islands, Nauru and Tonga. We would like to think that this is the Pacific Way, and that it seems necessary to make the voice of the Pacific heard within this assembly, both geographically and ideologically. To the extent that our friends and neighbours will allow us - and we don't pretend to be leaders - we hope to serve as representatives and spokespersons (Organisation des Nations-Unies, 1970).

The difficulties of waging an armed struggle for independence in the Pacific can be explained by obvious variables such as isolation and geographical realities, or by the lack of human and material resources. According to the original Prime Minister of the State of Fiji, there is another independent variable to this phenomenon, which lies in the cultural attractions of the populations living in the Pacific basin. The countries of this region of the world would have much to gain, and to help others gain, by exporting, or at least proposing, a way of conceiving politics.

However, it is with humility that the political player explains that there is no miracle solution to achieve this state of affairs without violence. Each situation must of course be examined on a case-by-case basis.

But in setting standards, we must not assume that there are universal solutions to problems in every part of the world. Each individual case, each different problem, requires a special diagnosis and treatment. Certainly, in general terms, tolerance, harmony and justice must be universal standards, and there is no doubt that this is the goal we are pursuing in our small land of Fiji, with its multi-racial society. But to achieve these goals, we have had to find our own solution and develop our own political framework. This is what the different communities have done, with concessions and goodwill on both sides, and with the encouragement, understanding and assistance of the United Kingdom (Organisation des Nations-Unies, 1970).

In the light of this precondition formulated by Ratu Sir Kamesese Mara, we shall attempt here to explore what might be the case for New Caledonia, a Pacific collectivity whose sovereignty remains in the hands of the French Republic. The contemporary history of this archipelago shows that political tendencies can flirt with hypothetical armed struggles, sometimes to obtain independence, sometimes to fight it. The most striking events in this temptation, linked to the context of political violence in the archipelago, were supposedly ratified following the assault on the *Watëtö* cave in Ouvéa. Since then, the various political agreements signed by representatives of the pro-independence and non-independence camps appear to be an attempt to establish a *Pacific Way* for New Caledonia, but still within a framework of French sovereignty. However, this tentative is based on a fragile foundation. The assassinations of Jean-Marie Tjibaou, Yéiwéné Yéiwéné and, at the same time, Djubelly Wéa demonstrated the difficulty of guaranteeing the pacification of a so-called “divided” society. There is nothing in New Caledonia to guarantee that the troubles will not return.

Can the clarification of a *Pacific Way* specific to New Caledonia help to reconcile the archipelago with its history and its memories?

To provide some answers to this question, we will use concepts from public law, sociology, anthropology, history and Caledonian politics. We will also draw on our own research in political science, using extracts from interviews and field notes collected during our surveys in New Caledonia.

In letter and in spirit, the Nouméa Accord set out a number of hopes on the part of the signatories, which could give the illusion of a semblance of a shared destiny and allow us to believe in the existence of a *Pacific Way* specific to New Caledonia (1). However, the persistence of antagonisms revolving around the strategies for regaining sovereignty makes it difficult to establish this process specific to the archipelago (2). There are, however, bridges that need to be explored to enable the hypothetical invention of a *Pacific Way sui generis* for New Caledonia (3).

1 - The spirit of the Nouméa Accord of 5 May 1998: “the essential place of the country’s Kanak identity in the community of destiny accepted” (Légifrance, 1998)

The Nouméa Accord provides for a number of measures that will enable the construction of an identity specific to New Caledonia to be outlined, a non-exhaustive portrait of which is given below.

A- Identity signs as a link between Kanak identity and the community of destiny

The political partners met in Nouméa for two hundred hours¹. The aim was to extend the peace protocol initiated by the Matignon-Oudinot agreements of 1988 by shaping the body and soul of a new social contract. From the outset, the FLNKS delegation stated its desire to make the Kanak identity the cement of this new political agreement. Jean-Marie Tjibaou’s teams had focused in particular on the economic aspects of the previous agreements and on rebalancing the archipelago. The delegations in 1998, on the other hand, intended to give more substance to what could form the basis of the archipelago’s own identity. The underlying idea was to establish the progressive pillars of a nation in the making. The referendum consultations ask the citizens registered on the Special Electoral List for the Consultation (LESC) about their desire to see New Caledonia regain sovereign powers. This process entails a transition from the status of a *sui generis* collectivity to that of a new State. It is therefore envisaged that the new State, which will finally be able to take its place in the concert of Pacific nations, will already have its own identity and sense of belonging. This is how the drafters of the Nouméa Accord intend to give substance to this desire.

¹ Information given by Jean-Louis D’Anglebermes in an interview on 25 October 2019 in Nouméa. Jean-Louis D’Anglebermes is a member of the FLNKS delegation authorised to lead the Nouméa Accord negotiations with the State and the non-independence parties.

Full recognition of the Kanak identity means clarifying customary status and its links with the civil status of persons governed by ordinary law, providing for the place of customary structures in institutions, in particular through the establishment of a Customary Senate, and protecting and promoting the Kanak cultural heritage, to put in place new legal and financial mechanisms to respond to the demands expressed with regard to the link to the land, while encouraging its development, and to adopt identity symbols expressing the essential place of the country's Kanak identity in the accepted community of destiny.

(...)

During this period, signs will be given of the gradual recognition of a citizenship of New Caledonia, which should reflect the community of destiny chosen and which could be transformed, after the end of the period, into a nationality, if so decided (Légifrance, 1998).

Under the agreement, New Caledonia will adopt a number of identity signs, which will enable it to develop preliminary national attractions. A total of five identity signs may be developed by New Caledonia. These are a new design for banknotes, a national anthem, a national motto, a flag to identify the country internationally, and a national name. Of these five signs, three were adopted during the terms of the Nouméa Accord. The graphics on the banknotes were changed. The country's motto: "Terre de parole, terre de partage" (Land of words, land of sharing) was adopted. The country's anthem, as well as the motto and banknote designs, were adopted in the form of a competition open to New Caledonia's civil society. Since 2010, the anthem "Soyons unis devenons frères" (Let's be united, let's become brothers), composed in French and Nengone (Baltzer, 2008) has been sung or performed at all sporting ceremonies involving New Caledonia's national teams.

The process for adopting these identity signs is that of an open competition. The contest was open to "any natural person with an address for service in New Caledonia" (Gouvernement de la Nouvelle-Calédonie, 2008). At the instigation of Dewé Gorodey², the member of the New Caledonian government responsible for culture at the time, this competition provided an opportunity, ten years after the signing of the Nouméa Accord, to put in place the identifying markers of a special "citizenship".

² Dewé Gorodey died on Sunday 14 August 2022 while preparing for the Pacific Way's 50th anniversary symposium. We pay tribute to her work for the country and the region.

The claim to identity here has always been present alongside the political claim. So the cultural question is at the heart of the political debate in this country. Since the Nouméa Accord, which is the framework for the emancipation and decolonisation of this country, states in its preamble that it is: “necessary to recognise the Kanak identity in order to build citizenship (*Déwé Gorodé, 5 Questions pour Île en île, 2009*).

In order to be built, this citizenship must be nourished by the recognition of the Kanak identity, which appears to be a constitutive element of the decolonisation process set in motion in New Caledonia by the political agreements.

B- The beginnings of a *Pacific Way* unique to New Caledonia?

The spirit of the pro-independence proponents, before perhaps establishing a *Pacific Way* specific to New Caledonia by negotiating the Nouméa Accords, is mainly to have the colonial fact recognised. In the categorisation of the colonial fact, the non-independentists during the negotiations hope that this unilateral recognition by the State will not extinguish the “lights³” of the colonial era. In an interview given to the magazine *Négociations* in 2008, Alain Christnacht explains the content of this statement.

The FLNKS demanded that the State recognise the colonial fact and its tragedies, in a unilateral declaration, rather like the one Queen Elizabeth II made to the Māoris of New Zealand.

We realised fairly quickly that a declaration involving only the State and the Kanak would be inadmissible to non-Kanak. They would have the impression that the declaration had been drawn up behind their backs, whereas it could call into question the honour of their ancestors and, as a result, the legitimacy of their presence in New Caledonia today. It was therefore essential to arrive at a text that would form part of the future agreement and as such would be signed by the State, the independentists and the non-independentists (Christnacht, 2008).

³ The expression is taken from the famous statement in point 3 of the preamble to the Nouméa Accord: “*The time has come to acknowledge the shadows of the colonial period, even if it was not without light*”.

New Caledonia's "divided" society is governed by other legal mechanisms, such as the proportional distribution of seats in the provincial assemblies and the Congress of New Caledonia. The aim is to ensure that all ethnic components of the archipelago's population are politically representative. This system of suffrage means that lists including so-called minority parties can hope to win seats at election time. As Carine David explains, the case of divided societies implies that influential elites are representative, which does not encourage citizen participation in political or public decision-making.

As a result, there is a tendency in divided societies for decisions to be taken by a small group of influential elites, resulting in a process that is often non-participatory and non-transparent. In fact, it is towards such a solution that New Caledonia's elected representatives once again seem to be moving. Discussions are currently taking place within the framework of the "committee of signatories", made up of the signatories of the Nouméa Accord, to whom certain political figures have been added. Assisted by experts - qualified personalities appointed by the French state - this structure has no popular legitimacy and sidesteps the issue of structuring citizen participation, with each political party contenting itself with organising information forums on their vision of the institutional future (David, 2017).

The proportional representation system gives a large number of elected representatives democratic legitimacy. On the other hand, it is difficult to build solid majorities and lasting political visions because of the interplay of alliances it creates.

Another example of the beginnings of a *Pacific Way* in New Caledonia is the widespread use of the "customary gesture"⁴ in inter-institutional relations. In his general policy speech of 25 November 2021, the President of the Government of New Caledonia, Louis Mapou, affirmed his collegial government's desire to see the "customary gesture" become widespread throughout the institutions (Mapou, 2021). As Benoit Carteron points out, it seems to be being used more and more widely by the institutions.

The customary gesture is thus institutionalised beyond the Kanak world, identifying one of their ways of doing things with the whole country. (...) Today, all major events are marked by a customary gesture. For example, when an official New

4 What is referred to in this public discourse as the "customary gesture" refers to the protocol in force in Kanak culture to be adopted for each delegation visiting a given territory. This protocol, designed to say "hello" and ask the host for permission to "set foot on his land", is gradually being transposed to the institutional level.

Caledonian delegation visited New Zealand for the first time at a tourism trade fair in early March 2007, they introduced themselves by making the customary gesture. By becoming a widely publicised image of Kanak traditions, the customary gesture is becoming folklorised, as it is inevitably assimilated to a picturesque traditional ritual, but of no real importance to those who do not have an intimate knowledge of Caledonia. For the locals, however, the gesture retains its strong symbolism, and the adoption of the gesture by Caledonians demonstrates the link established between communities and a form of recognition of Kanak culture (Carteron, 2015, pp. 150–151).

It is therefore a question of making official what now appears to be a practice of use. Nevertheless, will the use of the “customary gesture”, which is increasingly being appropriated by the communities that have settled in the territory over the long term, and the various elements mentioned here, be enough to see the emergence of this *Pacific Way* in New Caledonia?

2 - “Parallel paths”: a two-speed *Pacific Way*?

While common ground is gradually emerging in the course of implementing the Nouméa Accord, obstacles remain. It is now time to examine the areas in which the development of a *Pacific Way* specific to New Caledonia is an arduous undertaking within the framework of this political agreement.

A- Unfinished business and growing political antagonism as the referendum phase of the Nouméa Accord approaches

At the end of the Nouméa Accord process, only three of the five identity signs have been adopted by the political partners of the different mandates. The common flag has not been adopted and, since 2010, the tricolour and the Kanaky flag have flown side by side on public buildings. The latter was adopted following a competition initiated internally by the FLNKS. It was raised for the first time on 5 December 1984 at La Conception in the commune of Le Mont-Dore. Since 2010, it has been officially used to represent the Kanak people, and has been renamed the “Kanak flag” rather than the “flag of Kanaky” for institutional purposes. The name of the country has not

been adopted either. While the consensus reached to adopt the anthem, banknote designs and the country's currency remains stable, the same cannot be said for the two identity signs mentioned above. The reasons for this are intrinsically linked to the referendum consultations in which voters registered on the LESC are asked whether or not they wish to see the archipelago regain its sovereignty. For non-independence supporters, adopting a new flag would be a further step towards a sovereignty they do not want. For the independentists, on the other hand, the new flag would mean implicitly abandoning the banner that has led the struggle to regain sovereignty from the creation of the national liberation movement in September 1984 to the present day. Although competitions have been initiated by various groups in civil society to impose a consensus on a common flag from below since 1998, a new development has arisen. In 2010, Pierre Frogier, MP for New Caledonia's 2nd constituency, embarked on a project to fly side by side the French and Kanak flags officially. This initiative took place during a visit to Nouméa by François Fillon, Prime Minister at the time, in July. This political decision undermines the various attempts to adopt a common flag in the long term. With the "blue, red and green" flag⁵ now hoisted at the top of public buildings, the choice of lowering it appears to be politically difficult, unless a third flag is added, possibly and more unofficially, to be defined. Generally speaking, since 2010, the question of the country flag has been left in abeyance. As for the name of the country, no political agreement⁶ has been reached to adopt it. One possible reason for this is that a change of name would automatically transform citizenship into nationality in the popular unconscious.

During the referendum period, New Caledonia is once again experiencing socio-political upheaval. Against the backdrop of the sale of the Vale NC nickel processing plant to a multinational, the archipelago is once again experiencing visible tensions. Conflicts linked to the creation of this industrial facility with the traditional authorities and environmental organisations in the south of New Caledonia are resurfacing. The customary authorities of the *Drubéa-Kapoumë* area, whose land is affected by this resale, have organised themselves and created the Instance Coutumière Autochtone de Négociation (ICAN). The aim of this organisation is to bring pressure to bear on the choice of foreign buyer in the process of buying the plant. The movement called

⁵ Name occasionally given to the Kanak flag. Listen for example to (Humaa-Gue, 2008)

⁶ The Nouméa Accord (point 1.5 of its policy document) requires a qualified majority of three-fifths of the elected members of the Assembly of the Congress of New Caledonia. This majority remains very difficult to obtain.

“Usine du Sud = Usine Pays” (USUP) contrasts with the course of the first two referendum consultations held on 4 November 2018 and 4 October 2020. The mobilisation took to the streets of Nouméa, Koné and Poindimié, bringing together activists from pro-independence political parties belonging to the FLNKS and the Parti Travailleiste, trade unions such as the Union Syndicale des Travailleurs Kanak et des Exploités (USTKE) and the Confédération Nationale des Travailleurs du Pacifique (CNTP), and other civil society groups. The phenomenon became a social movement, flooding the streets of Nouméa and the territorial highways with repeated peaceful marches. As the grievances of this social movement went unanswered, blockades and counter-blockades were set up in the colourful style of the 1980s. The spectre of political violence resurfaced. The Kanak flag was flying on the blockades set up by the USUP activists. At the same time, the tricolour flag was flying at the spontaneous counter-barricades set up in the communes of Païta and Mont-Dore to protest against the repeated road blockades by members of the USUP collective. Social networks have revealed the presence of weapons at these roadblocks and counter-roadblocks, making these areas veritable powder kegs. The intervention of all the political partners in the Nouméa Accord - independence fighters, non-independence fighters and the State - after a 10-hour round table discussion, finally brought this sequence to a close by finding a buyer for the Sud factory and satisfying some of the demands of the social movement (Nouvelle-Calédonie la 1ère, 2020).

Finally, the third referendum of 12 December 2021 stands in stark contrast to the previous ones, given the global health context. The organisation of the referendum did much to erode the social fabric of the archipelago. Indeed, with the covid-19 epidemic having crossed the coral reef, more than 400 families were busy burying their deceased at the end of 2021, in accordance with the current health protocol. However, the French government turn a deaf ear to the requests for postponement made by all the pro-independence political groups and certain civil society groups in tribunes and letters co-signed by public figures, politicians and academics. The decision was therefore taken to maintain the date of the referendum at 12 December 2021. This decision involved the pro-independence movement in a publicly declared strategy of an empty chair to mark the delegitimisation of the referendum. Since the re-election of Emmanuel Macron as its leader, this situation has led the French government to step up its attempts to resume dialogue with the pro-independence movement. With

the three successive referendums giving, in its view, a negative result, the aim is to impose the negotiations provided for in the Nouméa Accord, and thus to “discuss the situation thus created” (Légifrance, 1998). This desire never seems to call into question a ballot in which the “No” side won by 96.50% of the votes, i.e. 75,720 voters, against an abstention rate of 56.13%, i.e. a total of 103,483 voters who did not go to the polls. This political situation highlights the political antagonism between those citizens who wish to mark their attachment to the French Republic at all costs, and those who prefer to let the time of “Kanak mourning” declared by the Customary Senate run its course (Whaap and Madec, 2021). The State does not seem to take into account the abstentions of voters who understand the solemnity of this position and show their solidarity by not going to vote.

B- The difficulties inherent in the Nouméa Accord's “community of destiny”: when saying is not necessarily doing

This political fact, which encompasses the third referendum vote under the Nouméa Accord, leaves indelible traces. For Gérard Larcher, President of the French Senate, the citizens of New Caledonia have not succeeded in creating the common destiny so prized by the Nouméa Accord. His speech, read by a member of a Senate mission at the inauguration of the “Place de la Paix” in Nouméa, evokes a form of republican vision of a *Pacific Way* desired by the State.

The work accomplished may not yet have built the common destiny you wish to achieve. But it has enabled you to face up in recent years to what we might call the pressure of history, in other words, the shock of several referendum consultations. I am aware of the antagonistic visions that cross the Caledonian people. But it seems to me that this handshake symbolising the reciprocal recognition of the two legitimacies compels us to devote all our energy to pursuing and deepening the dialogue that alone will enable us to define the path of this country (Replay. Poignée de main entre Jean-Marie Tjibaou et Jacques Lafleur : l'inauguration de la statue sur Nouvelle-Calédonie la 1ère, 2022).

In this extract, it is interesting to note that it is a representative of the State and, in the tripartite Nouméa Accord, the president of an institution based in mainland France

who states that the objective of a “common destiny” has not been achieved in New Caledonia. In an interview conducted in May 2022 with Victor Tutugoro, a signatory of the Nouméa Accord on behalf of the Union Progressiste en Mélanésie (UPM), the political player describes his vision of this antagonism. In his view, these cleavages have persisted throughout New Caledonia’s history, making its population citizens who travel along “parallel paths”⁷.

But it's still a long way from our common destiny. It's hard. Some people tell you: “But if we have a common destiny every day, that's because we used to talk to each other! Yes, we used to talk, but we stayed in parallel. There aren't things we do together. (...) Everyone stays on their own, alas ... parallel! And so yes, from that situation, I say that we should welcome the small gestures that are gradually leading us towards something common (...). We can appreciate the small steps that are being taken.”⁸

Patrice Godin’s remarks at a symposium in Nouméa in 2018 warned of the gap between establishing a political will from the top, a sort of *top-down* factory of living together, and observing its actual application from the bottom.

As an anthropologist, I have never been convinced that the provisions contained in the agreement were sufficient on their own to establish genuine cultural pluralism in New Caledonia. This requires much more than legal provisions, it requires collective support, and this cannot be decreed. On the other hand, I believe that the difficulties encountered in their full deployment are contributing to jeopardising the construction of the community of destiny outlined by the agreement by giving rise to misunderstandings, disappointments and resentments (Godin and Passa, 2018, p. 115).

(...)

Thus, the Nouméa Accord recognises the right of the predominantly pro-independence Kanak community to self-determination and decolonisation. But with the creation of the community of destiny, it is also reminded of its obligation, in the name of democratic ideology, not only to make room for the other

⁷ The title of this chapter is borrowed from this interview extract.

⁸ Interview with Victor Tutugoro on 2 May 2022 in Nouméa.

communities and their rights - which has been the case since 1988 - but also to make the exercise of its right to self-determination subject to the approval of these other populations, which now have a majority electorate, but which have not themselves been colonised. I know that many of the participants in this symposium will tell me that this is a settled question, but as an anthropologist I think that this is in fact far from being the case for many Kanak people (Godin and Passa, 2018, p. 121).

These various stages in New Caledonia's complex process, which have been very briefly described, now invite us to consider the conditions that need to be met if New Caledonia is to be able to achieve its own *Pacific Way*.

3 - The possible advent of the Pacific Way in New Caledonia: identifying bridges to begin a process of reconciliation

How, by drawing on endogenous and possibly exogenous cultural resources, can we identify the remedies and resources for a *Pacific Way* specific to the archipelago?

A- Common goals put to the test by heterogeneous visions

If we are to sum up the positions in New Caledonia in a succinct and caricatural way, there are two opposing poles, not so much in terms of the means employed as in terms of the expected outcome. In fact, all the parties seem to agree that the archipelago should undertake a process of general reconciliation. However, the means of achieving this seem to be diametrically opposed. There is a clash of logics, both within and outside French sovereignty.

Indeed, the desire of the independence movement as a whole is to achieve reconciliation between the peoples of New Caledonia. However, this process involves a stage of unification within Ernest Renan's⁹ concept of the Nation-State, based on the subjective criteria of nationalism. This process inevitably leads to a "Yes" majority to the question of whether or not the archipelago wishes to regain its sovereignty. The citizenship of New Caledonia provided for by the Nouméa Accord in the minds of the

⁹ See the speech at the Collège de France recounted in his book (Renan, 1882).

pro-independence movement is thus a first transitional stage towards nationality¹⁰. For Paul Néaoutyine, a signatory of the Nouméa Accord on behalf of the Kanak Liberation Party (Palika), there is a tendency among non-Kanak citizens of New Caledonia to move towards this desire for reconciliation outside French sovereignty.

On the ground, that's not what I hear. They say: "No, but those people who talk a lot (...), they come from somewhere else, they're going to go somewhere else. But we were born here, we don't want to go elsewhere. So it's better that we move forward together. Now that's something new! We've been talking about "UNI"¹¹ for four terms. But this is really the first time I've heard people come up to us and say: "I've never voted with you, but I understand you". And once you've spoken to them, they say: "Well yes! We're not afraid. Our young people discuss things together, they do...". I say: "But everyone has their political opinions, but are we going to get out of France, and then sort out our problems amongst ourselves? We can do it!"¹²

As for the non-independence proponents, their desire is to see New Caledonia reconcile itself with its past and look to the future. Moreover, the economic argument regularly appears as an inextricable corollary to this need. Gil Brial, 2nd vice-president of the South Province and president of the Mouvement Populaire Calédonien (MPC), a component of the Confédération Loyaliste Ensemble, sums up the situation.

It's true that we've lost time, but there are several reasons for maintaining this objective. For once we are being given a perspective, we have been kept waiting for thirty years. Above all, Caledonia is dying today. The economy is complicated.

(...)

When Caledonians said no to independence, they said no to independence-association and to any form of independence. And I think the Minister was clear on this. He said that France is New Caledonia. But it is the France of New Caledonia with our differences. We are New Caledonians, and we must be proud

10 See the book by Paul Néaoutyine (Néaoutyine, 2006).

11 The Union Nationale pour l'Indépendance (UNI) was founded in 1995. Its aim is to present a list for the provincial elections in the Northern Province of New Caledonia, embodying this common approach, firstly within the Matignon-Oudinot agreements of 1988, then within the citizenship of the Nouméa Accord of 1998. The creation of this political group thus offers this option to Europeans and non-Kanak wishing to participate in the construction of this citizenship without, however, displaying the "Palika" or "FLNKS" label and heritage.

12 Interview with Paul Néaoutyine on 25 February 2020 in Poindimié.

to be Caledonians. We must strive to develop a true identity while being proud to be French. And for me, these are not two things that should be opposed. And the project for society that we must pursue must be along these lines (...). And once again, we are French today not because the independentists boycotted the third referendum. We are French because the majority of Caledonians want to remain within the French Republic. And we, I'm convinced, we Loyalists, are convinced that this is what's best for the entire population of New Caledonia (*Gil Brial fait le point sur la visite de Jean-François Carenco, le Ministre délégué aux outre-mer, 2022*).

According to Gil Brial, the new social contract must and can take place within the French Republic, taking into account the specific characteristics of New Caledonia. However, it is the "Caledonian identity" that is emphasised, rather than the cultural attractions inherent in each of the archipelago's communities. As Pierre Breteignier, a former member of the Rassemblement Pour la Calédonie dans la République (RPCR), said on *Nouvelle-Calédonie la Première* on the very day that the "Place de la Paix"¹³ is due to be inaugurated in 2022.

(...) I believe that to achieve peace, (...) you have to understand each other, so first you have to recognise the other person, empathise with them and put yourself in their place. (...) It's when you have empathy like that that you can find a solution (...). Because it's true that, in a way, we've forced the Kanaks to understand Western culture, French culture in this case, but the reverse hasn't been true enough in the end. In other words, no attempt was made to make the Europeans, the whites in inverted commas, understand what Kanak customs were. On the other hand, it's true that the Kanak live their customs quite secretly. Now we can see that we've entered a modern era where all the customs have been developed, and that's great (*Replay. Poignée de main entre Jean-Marie Tjibaou et Jacques Lafleur : l'inauguration de la statue sur Nouvelle-Calédonie la 1ère, 2022*).

The "step towards the other" is a rhetoric often used in public debate in New Caledonia. The difficulty of delving into the history and traumas of colonisation is a recurrent theme

13 Koo Wè Joka (translated as "the place where they made peace") in the Nââ Numèè language (Cochin and Rédactions de NC la 1ère, 2022).

in the public arena. The utilitarianism of peace is thus a constant mantra that consists of constantly achieving a pacified result by putting the veil on the dark areas of the colonial history of human relations in the archipelago.

The difficulty of setting up a Truth and Justice Committee in New Caledonia is a case in point. It represents a decisive political strategic point in the trajectories of the two political blocs. From the point of view of the non-independence movement, it can represent a real threat to the utilitarianism of the peace discourse by highlighting the abuses committed in New Caledonia. For the State, it could undermine its utilitarian position as a peacemaker, given the colonial crimes¹⁴ that could be revealed and made official. Finally, for the independence movement, it could pose a threat to its political strategy of regaining sovereignty. With the results of the three “No” votes now confirmed by the State, there is a risk that the independence movement will be forced to accept the hypothesis that the process of decolonisation has been completed internally. The political movement is genuinely wary of the risks of a shift towards internal sovereignty for the Kanak people. Such a changeover would constitute a shift away from the demand for independence towards a demand for the rights of indigenous peoples governed by the United Nations. For the Kanak people, such a shift would be tantamount to abdication. The reason for its existence is the return of political sovereignty to the archipelago. For the time being, these two means of struggle coexist in a parallel and complementary manner, as we have already attempted to reveal in a previous development (Tutugoro, 2021).

The amnesty laws deliberated and passed between 1988 and 1990¹⁵ are another obstacle preventing the citizens of New Caledonia from delving into their past. Preventing history from coming to light, they are like a lid on the pot.

A recent film made about the *Waan Yaaf* ambush on 5 December 1984 is very interesting in this respect. This film recounts, 38 years later, the sequence and aftermath of an ambush on pro-independence activists at *Waan Yaaf* in the *Hyeheh* valley. In

14 See the report by Benjamin Stora (Stora, 2021). The production of this type of report, transposed to the colonial violence committed in New Caledonia, could shed light on little-known areas of its history, in addition to the many works produced by local, national and foreign historians.

15 Article 1 of Law no. 90-33 of 10 January 1990 granting amnesty for offences committed in connection with events occurring in New Caledonia provides that: “Offences committed before 20 August 1988 on the occasion of events of a political, social or economic nature relating to the determination of the status of New Caledonia or the land tenure system of the territory, by the persons mentioned in the second paragraph of article 80 of law no. 88-1028 of 9 November 1988 on statutory provisions and preparations for the self-determination of New Caledonia in 1998, are amnestied”.

this film, for the first time since the media statements made during the various trials that followed the affair, testimonies are given by one of the perpetrators and by the brother of another perpetrator of the ambush (*Waan'Yaot – Sur une terre de la république*, 2022). When Jess Lapetite is questioned separately on camera about what he did, he gives a very revealing account of the lid he put on the pot, explaining that he never mentioned the sequence to anyone.

After all that, it's clear that when we went to trial, there were regrets. We know all these people. Because in all of this, nobody came out the winner. But I very rarely talk about it. I don't even talk about it at the end of the day (...). Not even to my family. We don't talk about it (...) You can't always say to people: "I don't feel well because of all this". You go on living. What does that lead to? The facts are there, something happened, it's done, it's done, you can't fix it. The thing to do is to get in touch and find something constructive, to get closer to each other. Reconciliation is also possible. And to share, to say things intelligently (*Waan'Yaot – Sur une terre de la république*, 2022).

In the course of the film, an initial attempt is made by the two surviving protagonists, Joseph Sineiméné, brother of Robert Sineiméné, one of the instigators of the ambush, and Jess Lapetite, who was involved in the ambush, to make contact with one of the descendants of the victims of this assault, Emmanuel Tjibaou, nephew of Louis and Vianney Tjibaou, who were killed in the attack. In this interview, Emmanuel Tjibaou invites the protagonists to share their story.

Your children are going to grow up with this stuff hanging over them. (...) I say to myself that if we're respectful, if we say we're talking about custom, you shouldn't be afraid to tell your story (*Waan'Yaot – Sur une terre de la république*, 2022).

The comments made earlier by Jess Lapetite reveal a recurring tendency in New Caledonia to deliberately silence memory on the pretext of maintaining a peace supposedly achieved through political agreements¹⁶. This desire to protect the family gives rise to a stance that settles nothing in the long term. Silence and time cannot consign an act, for which we have archives and testimonies, to oblivion. Emmanuel Tjibaou, in this first attempt at dialogue initiated by the protagonists, invites them, on the

16 On this subject, see the blog post by Isabelle Merle (Merle, 2022).

contrary, to tell this story by drawing attention to the “customary gesture” made and the sacredness of the spoken word. From the moment that an initiative is undertaken through the prism of custom, it becomes inevitable, in the face of the visible and the invisible, to take the process to its logical conclusion. We need to take a close look at what this potential reconciliation suggested in the film might look like. The use of this example allows us to consider the final question of this reflection, namely how the *Pacific Way* in New Caledonia could be set in motion on the *sine qua non* condition of reconciliation.

B- The Pacific Way in New Caledonia put to the preliminary test of reconciliation: which mediator to use to reconcile which histories and/or memories?

It is clear that reconciliation, even if it is not envisaged in the same way by the various protagonists in New Caledonia, can only be achieved through the intermediary of mediators. These mediators may hypothetically be endogenous or exogenous to the archipelago.

To support our first analysis, we will draw on elements given in a major lecture “Régulation des conflits en pays Kanak” (Tjibaou and Kona, 2018) given by Emmanuel Tjibaou and Yvon Kona at the Jean-Marie Tjibaou cultural centre in 2018. In this presentation, the lecturers explain the mechanisms that give rise to and bring to an end conflicts between different Kanak territories during the colonial period. This enables them, through the collection of oral tradition, to identify this type of process carried out in the pre-colonial period. Analysis of the transcripts of the interviews conducted as part of their study reveals a discreet function that nonetheless played a major role in regulation, one that they call the “peacemaker”. In the aftermath of a conflict, it is the clan or tribe that has been called upon to take part in the conflict and that has not done so because of prior alliances already forged with the protagonists, that is called upon to play an important role. As Yvon Kona explains, this is a difficult role to play, as it involves “renewing ties that have been burnt by fire” (Tjibaou and Kona, 2018). In the aftermath of the conflict, those clans that did not wish to take part in the conflict will be encouraged to play this role, subject to a number of conditions. The researchers set out three conditions. Firstly, they had to wait for a “cold spell” (Tjibaou and Kona, 2018) which would be conducive to restarting a dialogue after a period of war. Secondly,

both parties need to recognise the legitimacy of the mediator. This legitimacy is based on an intrinsic link between the two groups through marriages linking the different clans involved, alliances, common origins, myths or shared histories or ancient alliances. The third condition is trust. His words must be recognised as those of a moderator. His skills as an orator during customary ceremonies must already have been observed in the past. The researchers go on to explain that when these three conditions are met, mediation can begin. We will not go into the technical and anthropological aspects of this mediation, which are already well developed in this conference, but will focus on the conditions that need to be met in order to implement it. This example shows that New Caledonia has its own endogenous methods of conflict resolution, which can be drawn from the foundations of Kanak civilisation.

The second element of analysis that we will use here concerns the potential existence of such a mediator in the archipelago. In New Caledonia, the population as a whole is confronted with a memory that is still very marked, as we saw earlier. It is difficult to identify a player who could play the role of “peacemaker” within the archipelago, as the colonial dispute affects the whole of society. Since the phase of the political peace agreements, the State in New Caledonia has constantly sought to position its role as that of a mediator or arbitrator. However, Louis Le Pensec, Minister for the Overseas Departments and Territories, in a media statement on 20 August 1988, a few hours before signing the Oudinot agreement, made a statement that is fundamental to our study.

In his “Letter to all French people”, the President of the Republic wrote that “the only guarantor of peace in New Caledonia can be the French Republic, that there is no other arbitrator”. France can only be an arbitrator if its word inspires confidence (Le Pensec, 1988).

As we showed earlier, the period of the fifth mandate of the Nouméa Accord broke the bonds of trust between one of the partners, the pro-independence movement, and the State. By maintaining the date of the third referendum, this player has disqualified himself from positioning himself as a potential arbitrator or mediator with a view to initiating this reconciliation. The condition of trust mentioned above is no longer present. Furthermore, according to Michèle Guillaume-Hofnung, mediation is defined as “a process of ethical communication based on the responsibility and autonomy of the

participants, in which a third party - impartial, with no decision-making or consultative power, and with the sole authority recognised by the mediated parties - promotes, through confidential discussions, the establishment or re-establishment of social ties, the prevention or resolution of the situation in question¹⁷". By virtue of this definition, for such an actor to legitimately assume the role of mediator in New Caledonia, he or she must be considered impartial. This means that the mediator cannot come from the inhabitants of the archipelago themselves, nor from the State or any of its players, as these different protagonists are all, in absolute terms, biased in the conflict process.

Other players could then be envisaged to provide New Caledonia with a possible mediation process, such as the Pacific Islands Forum (PIF) or the United Nations "Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples"¹⁸, which has already made its initial observations on the holding of the third referendum provided for in the Nouméa Accord. Further events in the rich sequence marking the end of the Nouméa Accord will provide answers to this hypothesis.

Conclusion

Questioned in 1985 by Alain Plagne about his vision of the *Pacific Way*, Jean-Marie Tjibaou offered some enlightening analysis.

A. P. - The concept that was all the rage at the time of the Festival in New Caledonia was the "New Pacific Way of Life". How would you define it?

J.-M. T. - The Pacific way of life is our way of life. It's linked to the space, the sea, the islands, the rhythm, which is not the rhythm of Paris or industrialised cities, nor the rhythm of countries with large populations where organisation requires very rigid timetables... otherwise you step on each other's toes and miss your train! Here in Oceania, populations are small and industrialisation is not a major phenomenon,

¹⁷ See Michèle Guillaume-Hofnung (Guillaume-Hofnung, 2007, p. 71) quoted by Mrad Fati (Mrad Fati, 2012).

¹⁸ On this subject, see the article by Mathias Chauchat (Chauchat, 2022). The article relates the latest report issued by the Committee, which warns of the conditions under which the third referendum was organised.

except perhaps in Australia and a little in New Zealand, especially in the cities. The “Pacific way of life” is our way of being, our way of seeking consensus rather than having people vote to reach agreement, it’s also this kind of respect that people have for each other. Throughout the Pacific, respect and gestures of respect are fundamental; and from the point of view of the pace of life too, it’s something of capital importance: people have time to live, and it’s this that is appreciated by the new inhabitants of the Pacific. To the extent that they bring industrialisation to the Pacific, it’s possible that by the year 2000 we too will be racing like the West; but for the moment, people appreciate their own way of life, and would like to keep it. We’re trying to imbue social relations and work organisation with our way of life, which takes the sun into account...

I launched the idea of “Pacific new home”; it was a bit of a way of making political objectives integral to the planning of the Territory, to the organisation of the city, of work, our Oceanian way of life, so that industrialisation doesn’t spoil too much the chance we have of being able to spend quietly in the sun this space of time that there is between birth and death (laughs)! (Tjibaou, 1996, pp. 167–168)

For the sake of brevity, we have not been able to deal with all the constituent elements of the *Pacific Way* as conceptualised in New Caledonia in the mind of Jean-Marie Tjibaou. Consensus and the search for a decision accepted by all without resorting to a vote could, in themselves, be the subject of another development. We have confined ourselves to observing how the dimension of “respect that people have for one another” (Tjibaou, 1996, pp. 167–168) evoked by Jean-Marie Tjibaou in 1985 could be framed with a view to enduring in the public arena.

37 years after this interview and 47 years after the Melanesia 2000 Festival organised in New Caledonia in 1975, the Government of New Caledonia is organising the Caledonia Festival from 22 to 25 September 2022 on the same site as the current Jean-Marie Tjibaou Cultural Centre. This Festival is a further expression of the government’s desire, under the presidency of Louis Mapou,

to promote encounters between all these entities. We want to create a first major meeting of Caledonians with themselves in the spirit of the Melanesia 2000 festival, organised by Jean-Marie Tjibaou in 1975 to affirm the existence of Kanak culture. This event, which could be called the “Caledonia Festival”, would be created in

2022 to become the annual meeting place for all the country's cultures, as well as a sounding board for our identity in the Pacific. (Mapou, 2021).

During the opening speeches, this dichotomy in the path towards New Caledonia's own *Pacific Way* was once again evident. The new Member of Parliament for the 2nd constituency, Nicolas Metzdorf, with the Ensemble platform, a non-independence coalition created during the 2022 legislative elections, gave a speech that highlighted the social ties that exist in New Caledonia.

There's something we can't define, there are words we can't put to things that exist. An invisible link that binds us together. And I think it's the job of this Festival (...) to put words to this invisible link. What is it that keeps us here today, despite the political context, loving this moment and sharing it?¹⁹

As for Louis Mapou, President of the Government of New Caledonia, his speech called for the pillars of a nation in the making to be consolidated, so that the trajectories of the other communities that have settled in the archipelago can be linked to them.

These questions respond to the need to identify the link in order to forge the connection that is necessary to establish all discussions on a shared page. This is no more and no less than what the Caledonia Festival is calling on us to do, because we need to tie what is new around the ancestral links that make us belong to this country, to this land. This is the connection we need to make if we are to open up a discussion based on what he has to say. And what binds us together is belonging to this country. This is the price that syncretism will have to pay (Mapou, 2022).

This Caledonia Festival builds on the work done since the beginning of the 17th New Caledonian government's term of office, following the example of the exhibition "Les Kanak et le bagne" (The Kanaks and the penal colony), and invites the population of the archipelago to reflect on the contours of its identity (*Les Kanak et le bagne, une exposition pour découvrir une histoire commune* [en ligne], 2022). However, this reflection does not exempt the population from first taking a step back to read or reread the colonial history of the archipelago. This extract from an interview with Fote

¹⁹ Nicolas Metzdorf, Speech by the Member of Parliament for the second constituency of New Caledonia. Opening ceremony Caledonia Festival (personal recording and notes), Centre Culturel Jean-Marie Tjibaou, Nouméa, 2022.

Trolue²⁰ invites all communities to delve into history in order to dispel the relations of domination that have taken root in the archipelago.

But the problem is that everyone is shouting that New Caledonia is a multicultural country. But when you look at the reality, it's a multicultural country, but always with a relationship of domination and alienation. In other words: "Yes, it's multicultural (...), provided you don't become perfect little Frenchmen". And that will never be accepted by the Kanak people because it's as if they were giving up on all the strategies of reconquest. And (...) the outstretched hand that they have always extended (...) even if sometimes it wasn't grasped. So the problem is, how do we ensure that history is not forgotten, but that we can close the door on history so that it stops poisoning us in our search for a common destiny? And for that, everyone needs to go back into (...) history so that we can understand, some people understand, why the Kanak people are demanding sovereignty. Because the Kanak has understood why the other refuses his claim to sovereignty, but it's also up to the others to come to terms with it. And to do that, they have to go back into history themselves. And I say, there are so many points of antinomy that you have to tear yourself away from your own emotions, your own states... it's terrible! But Kanak did it, so that means other people can do it. Even if it's... we know it's very difficult. But if someone refuses to let go of their own emotions, then we're going to keep the problem going. And that's what history will tell us tomorrow, how history develops. But the problem is that people have to make an effort. People have to get away from the old concepts of colonisation, the concept of a superior race and an inferior race, the concept that the only way to achieve emancipation is in fact to embrace the concepts of a State which, until now, has been considered by the Kanak people as the source of everything, of our traumas and then of our misunderstandings.²¹

The challenge facing New Caledonia in the first quarter of the 21st century is therefore to choose between two options: to reconcile with its history, or to reconcile by abandoning it. However, this decisive phase can also become the precondition for new potential conflicts. Emmanuel Tjibaou already warned the population in 2018 on the eve of the first referendum.

20 Retired magistrate and member of the first Committee of Wise Men created by the State in 2018, Fote Trolue was part of the spontaneous Red Scarf movement created in 1969 and subsequently became the first Kanak to wear a magistrate's robe.

21 Interview with Fote Trolue on 9 June 2021 in Nouméa.

(...) we Caledonians too often look at each other. But we have to realise that the work we do here is also the work of others. I'm not even talking about political agreements, but ceremonies like the one (...) with the family of Djubelly Wéa, with Yéiwéné Yéiwéné, Daniel Fisdiepas and then Jean-Marie Tjibaou (...). In the region, the process of conciliation, even the process of bringing events to an end, is looked on with great suspicion, because people say to themselves: "But how did they manage to reconcile beyond the deaths on both sides? (...) We have to face up to things, not just for ourselves, we have to face up to them for ourselves, but also for those who will come after us. (...) Our conclusion is also to say that it's up to us and we have to bear in mind that even if the years go by, even if this history of violence (...) and tensions is still latent, we have to face up to it. And then (...) if it needs to get out, that's a good thing, it doesn't matter! Of course, at some point we're going to have to redefine new points of balance. And for that, there are all these little indicators, all these little ways of doing things that we wanted to share with you, that will ensure that tomorrow, after 5 November²², we continue to be reasonable (Tjibaou and Kona, 2018).

The *Pacific Way* in New Caledonia therefore appears to be still a work in progress and, in the light of this study, does not appear to be an impossible undertaking. It is up to the various protagonists to delve back into history, to re-examine the memories held by their respective communities in order to sketch out the outlines of a possible new social contract that is accepted, shared and reconciled.

22 The speaker is referring to the first consultation on 4 November 2018 provided for in the Nouméa Accord.

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The kanak path to independence

*A problem created cannot be solved by thinking
in the same way as it was created*

Albert Einstein (1879-1955)

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To introduce this paper devoted to the Kanak independence movement, I propose to start with an extract from the conclusion of “The Elementary Forms of Religious Life” in which Durkheim sets out what I consider to be one of the major lessons of his sociology.

A society can neither create nor recreate itself without, at the same time, creating some form of ideal. This creation is not for it a kind of supererogatory act, by which it would complete itself, once formed; it is the act by which it is periodically made and remade. Thus, when we oppose the ideal society to the real society as two antagonists who would lead us in opposite directions, we are making and opposing abstractions. The ideal society is not outside the real society; it is part of it. Far from being divided between them as between two poles that repel each other, we cannot hold to one without holding to the other. For a society is not simply constituted by the mass of individuals who make it up, by the land they occupy, by the things they use, by the movements they carry out, but, above all, by the idea it has of itself. (Durkheim 1912/1979 : 603)

Since the space of an academic paper is by definition limited, I do not intend to seriously show how, for more than fifty years, Kanak society - and not only the pro-independence movement that has emerged from it - has not ceased to create and recreate itself through its ideal of decolonisation as well as through the efforts made to overcome the obstacles placed in the way of the realisation of this ideal - obstacles which, it should be noted, still seem to be largely lavished on it today.

More modestly, I propose to return to the meaning of the Nouméa Accord for the Kanak pro-independence movement and to the current challenges of the exit process orchestrated by the Macron II government. The approach will not be that of a historian, even less of a political scientist, but that of an ethnologist working on the production of social links in New Caledonia and who, in forty years, willingly or not, has become a witness to the socio-political evolution of the archipelago.

The Nouméa Accord and the construction of a new social bond.

For the sake of clarity, the objectives explicitly pursued by the signatories of the Nouméa Accord can be reduced to five:

- Decolonise New Caledonia
- To build a “community of destiny” (*communauté de destin*)¹ uniting all the cultural and historical components of its population.
- Laying the foundations of a local democracy
- Restore the Kanak culture to its rightful place
- Relaunch the socio-economic development of the country and reduce the multiple inequalities - social, economic, educational, geographical, health, etc.
 - through various rebalancing operations.

It should also be noted that these objectives were indissolubly linked. They formed a whole, at least in the eyes of the signatories, the socialist government and of the independence parties. Generally speaking, there can be no democracy without decolonisation; no real decolonisation without a minimum of economic autonomy and, as Jean-Marie Tjibaou would have said, without the capacity to negotiate interdependencies; no real democracy when social and economic inequalities are strong and the source of deep social fractures; no community of destiny is possible when

¹ It is the notion of « common destiny » (destin commun) : « It is now necessary to lay the foundations for New Caledonian citizenship, enabling the original people to form a human community with the men and women who live there, affirming their common destiny [Il est aujourd'hui nécessaire de poser les bases d'une citoyenneté de la Nouvelle-Calédonie, permettant au peuple d'origine de constituer avec les hommes et les femmes qui y vivent une communauté humaine affirmant son destin commun] » (Accord de Noumea, §4).

social and economic inequalities and “ethnic” cleavages overlap, when the colonial “dispute” has not been settled at least at the institutional, if not the “ideological” level, and when the culture of the colonised indigenous people remains marginalised; no community of destiny is possible without democracy either.

But beyond this simple logic, it must be said that the quasi-organic nature of these objectives was even more relevant in the New Caledonian context. As I tried to show in an article written in collaboration with Jone Passa, New Caledonia can be classified as one of those societies that sociologists and anthropologists have described as “composite”, “fragmented” or even “plural”. Culturally divided (here we would say “ethnically” divided), these societies are also highly stratified; there is a close overlap between community differentiation, socio-economic inequalities and political antagonisms. Moreover, as settlements, they retain, whether independent or not, a strong material and political dependence on their “metropolis” - which is largely maintained by the latter; and the Europeans who live there, although often in small numbers, exert a dominant influence, out of all proportion to their demographic weight. Their language is imposed on all. The public space, education, information and the media in general, cultural institutions, justice, the management of the economy, administration, etc., are all dominated by their language. The whole society, in the socio-anthropological sense, is organised on the European model. Finally, and this is not the least of the paradoxes, this dependence on the “metropolis” is at the same time what ensures a semblance of unity to local society and what prevents its emergence as a “society” by exacerbating its contradictions. In fact, a composite, fragmented or plural society is not really a “society”. The social bond is not the expression of a collective identity, even less of a political will, but the result of an institutional framework imposed “from outside”. If we dare to make a zoological comparison, we could speak of a society with an “external skeleton”. Internally, this society is riddled with contradictions and conflicts, partly inherited from colonisation, partly from the ambivalent relations that the communities have not only with each other, but also with the representatives of the State and the “metropolis”.

In the New Caledonian context, these features have been amplified by a historical fact that is important to underline: after the Second World War, New Caledonia

experienced a promising first attempt at decolonisation, but this was interrupted by a unilateral decision by the State that continues to have an impact to this day. The reasons for this decision are diverse, but all stem from General De Gaulle's desire to give France back its weight in international relations. Allow me to reprint here in English few lines that I had published earlier in French:

On the scale of human history, a plural or composite society is a relatively recent political and economic structure inherited, as I said, from colonisation. In Africa and Asia, this structure emerged massively in the 1940s and was gradually transformed with the accessions to independence. In the New Caledonia of the 1970s, it persisted because of a conflicting political history that has left deep wounds to this day. Although its population voted massively in 1958 to maintain its status as an Overseas Territory under the institutions of the Fifth Republic, and its representatives, who were mostly autonomists, solemnly declared their opposition to independence, between 1962 and 1970 New Caledonia saw the achievements of the framework law governing it gradually dismantled and the French state took over the running of its affairs. Let us mention here the Jacquinet law of 21 November 1963 which "abolished the ministers in New Caledonia, against the advice of the local assembly" and led the High Commissioner of the Republic "to take back the main part of the executive under his sole responsibility". Let us also mention that the State took back under his sole authority secondary education in 1965 or the "Billotte laws" of 1969 which "reduce the competences of the territory in terms of management of the mining domain and generalise the State communes [communes d'Etat]", thus taking them out of "the control of the territorial authorities, while reinforcing the local establishment of the State administration by the creation of administrative subdivisions, on the model of the sub-prefectures" in mainland France. I refer those who are interested in the details of the process to Le Borgne's book, *Nouvelle-Calédonie 1945-1968: la confiance trahie*, published in 2005, which gives a very precise account. With the takeover by the State and the dismantling of the framework law, New Caledonia lost much more than its internal autonomy. It was a whole social and political evolution that was stopped dead in its tracks. The embryonic social contract that had been building up democratically between the different components of its population

since the end of the Second World War was destroyed. At the same time, this social contract was confronted with the massive waves of immigration desired and orchestrated by the State, waves that from the beginning of the 1960s made the Kanak a minority in the population and consequently in the New Caledonian electorate (Godin and Passa 2018: 117).

In reality, the authoritarian takeover of New Caledonia by the French government in the early 1960s not only undid the embryonic social contract that had been forged in the aftermath of the war, but also made it extremely difficult to achieve a democratic solution to the New Caledonian problem, at least if democracy is reduced to voting. It also contributed to intensifying the antagonistic dimension of the New Caledonian social structure. The New Caledonia of the late 1970s, which coincided with the rise of the Kanak demand for independence, became a divided society, fractured between two cultural and political imaginations of adversity. By inscribing the construction of a “community of destiny” bringing together all the cultural components of the local population, the Nouméa Accord aimed to reduce the divide and lay the foundations for a new social contract.

Nainville-les-Roches

In fact, as all those who follow Caledonian news know, it took time to begin to sketch a way out of the trap, to build a fragile, temporary but viable political agreement between the different components of the local chessboard, and this was not done without clashes and errors. It is not useless to dwell on this. At the institutional level, the process can be summarised by breaking it down into three stages:

Stage 1 : the Nainville-les-Roches Round Table. The first two pillars of a provisional social contract were formulated there, even though several adjustments were made later. On the one hand, the “colonial fact” and the right of the Kanak people to self-determination were recognised, and on the other hand, the Kanak people officially recognised the legitimacy of a significant part of the populations that came in the wake of colonisation - the “victims of history” - to remain for good in New Caledonia and to decide on its institutional and political future. However, this first step forward

was not without ambiguity. For the independentists, the two pillars formed a whole. In their eyes, the integration of voters from other communities in the country could not be done against the Kanak right to self-determination. On the contrary, for some of those who are described as "victims of history", there is no doubt that this appeared as a way to prevent the country from becoming independent one day.

This first step must be emphasised. The link between "decolonisation" and "the construction of a multicultural and democratic society" is not a novelty, even less a concession to the French government, but a leitmotif of Kanak political discourse. Two quotations to convince us of this, if we need them. The first one dates back to a time when the demand for independence did not yet exist and I borrow it from the declaration made by Evenor de Greslan, Secretary General of the Union Calédonienne, at the Tiaoué (Koohnê) Congress in 1963.

By taking as its motto "Two colours, but one people" the Union Calédonienne wanted to express in a few words the essential content of its action and its goals: to achieve the unification of New Caledonia in order to ensure by peaceful means the transition from a colonial regime to a modern regime of freedom, equality and fraternity" (De Greslan 2004: 1).

And De Greslan added for the benefit of his party's European Caledonian activists:

"If the natives were to carry out the work of decolonisation without us, on what could our claims be based in the future? Only those who have contributed to the struggle for the transformation of the country will be able to recognise each other as compatriots and children of the same native island." (*ibid.*)

The second quotation is taken from a preparatory document for the Xth Congress of the Union Calédonienne held in Hienghène in September 1979. The text is signed by Jean-Marie Tjibaou and also deals with the place of Caledonians of European origin - indeed, more broadly, of all non-Kanak people - in the struggle for the decolonisation of New Caledonia.

The alternative for non-Kanaks is to know whether they want to continue to ratify the act of taking possession, to perpetuate the dominant-dominated relationship and thus continue to deny the existence of the Kanaks with their legitimate claims, or to assume the fact that they live in the country of the Kanaks and not in Tahiti, Wallis, France, the West Indies or elsewhere [...]

And Jean-Marie Tjibaou shortly afterwards evoked the stakes of such an alternative:

To become fully aware of the fact that fighting for Kanak independence means assuming one's existence in Kanak country [...] This movement of nation-building is what shapes the new Kanak people to stand in solidarity, to be multiracial and fraternal. (personal archives)

These two quotations alone show that the conclusions of the Nainville-les-Roches round table are part of the continuity of the decolonisation movement led by the Kanak. Since the entry of the Kanak into politics shortly after the end of the Second World War, since the constitution - for the 1953 elections to the General Council - of the first official "Union Calédonienne" list led by Maurice Lenormand, since the publication in 1954 of the first issue of *Avenir Calédonien*, the weekly newspaper of the Union Calédonienne party, the stated objective was clearly the decolonisation of New Caledonia, but - and this is the point to be emphasised - this demand could not, in the eyes of the Kanak and Caledonian militants of the time, be dissociated from the creation of a multicultural and democratic society. In 2018, the Union Nationale pour l'Indépendance, led by the Palika, still says so in its "contribution to the determination of the political and institutional future of New Caledonia". Kanaky-New Caledonia is called upon to become a "multicultural", "democratic", "secular" and "united" nation (UNI 2018). At the very most, the UNI document insists more clearly on "the principle of hospitality, an essential value of Kanak civilisation", which means that the independence movement

agrees to extend its right to self-determination to the other communities that history has durably established in New Caledonia, and consequently their legitimacy to be the nationals of the future independent country as children of the country who have contributed to its construction (UNI 2018 : 15)².

To emphasise the continuity of Kanak political discourse should not, however, mask the discontinuity between Evenor de Greslan's declaration and the working document

² Still in the same vein, Evenor de Greslan's letter was reproduced in issue no. 1035 of *L'Avenir Calédonien*, published in March 2004, and the same issue also contained «extracts from the foreword to the Union Calédonienne programme for the May 2004 provincial elections» written by President Pascal Naoua, who spoke of the community of destiny called for by the Nouméa Accord: « This first and constant commitment of the Union Calédonienne is reflected in the willingness of the Kanak to share their right to self-determination with the non-Kanak, whether through the notion of 'victims of history' at Nainville-les-Roches in 1983, or by freezing the electoral body at the Matignon Accord in 1988, which was to become the reference point for the Nouméa Accord in 1998, thus defining the population concerned, which will be called to determine the country's future» (Naoua 2004: 4).

written by Jean-Marie Tjibaou. This is entirely contained in the meaning to be given to the word “decolonisation”. In 1963, the Caledonian Evenor de Greslan and the “Union Calédonienne” were still in favour of a broad “autonomy” within the institutional framework of the French Republic. By 1979, the old “Union Calédonienne” had already been officially “independentist” for two years and many Caledonian militants of European origin had deserted its ranks to join those of the local right wing.

The break came, as mentioned above, from a desire for the State to take back the control of New Caledonia. A departmentalisation project was even being planned. It did not see the light of day but offered the opportunity of the recolonisation of the archipelago. To fully understand the evolution of the Kanak vision, it is important to remember that the Billotte laws of 1969 not only reinforced the recentralisation of the Jacquinet Statute of 1963, but also withdrew from New Caledonia all power in terms of legislation, regulations and mining taxation. Article 20 of Law 69-5 removed the public law legal personality of indigenous tribes and districts and deprived them of the right to sue (the capacity to sue, as in bringing a lawsuit). After 1969, there were no longer any Kanak communities in the eyes of French law. Article 75 of the Constitution, which in principle guaranteed Kanak customary status, was purely and simply violated, without any further process.

Violence and dialogue

The RPCR, Jacques Lafleur’s right-wing party, as we know, refused to sign the agreement reached in Nainville-les-Roches and even left the table to mark its opposition to the prospect of self-determination outlined in the initial text. As for the Lemoine Statute, which claimed to strengthen the autonomy of New Caledonia, it displeased the Front Indépendantiste, which found nothing in it of the decolonisation promises of François Mitterrand, candidate for the Presidency of the Republic. It is not necessary to recount here the birth of the FLNKS (Front de Libération Nationale Kanak et Socialiste), the boycott of the Lemoine referendum that followed and what is called with euphemism the “Events” of the 1984-1988 period. I will limit myself to a brief remark. The insurrectionary actions of 1984 and 1988 have sometimes been seen as the beginnings of a revolutionary movement that was then stifled by the Political Agreements signed

in 1988 and 1998 with the colonial State. I confess that I do not subscribe to such a vision, essentially because I find in the uses that the FLNKS makes of political violence during this period practices observed in a completely different context, that of land and customary conflicts within Kanak society. The rules of “respect” that are imposed within this society require that disputes between individuals as well as between families, between “clans” and between “chieftaincies” are resolved by talking and negotiating until a consensus is reached. Violence usually only breaks out when one of the parties involved refuses to dialogue, insults the other, claims to impose his point of view unilaterally or breaks his promises. It can sometimes explode in a way that seems quite sudden to an outsider, but usually an in-depth study shows that it is in fact the result of a long rotting of social relations. As far as land is concerned, the absence of a customary land registry, Joseph Goromido tells us,

serves the social dynamic because it allows for discussion, gathering and finding a consensual solution. The social dynamic around land tenure is unifying in the community, even if tensions may exist, it creates social ties. It allows people to sit around the table despite the dissensions that can arise [...] the essential thing is to always be together, in community, to support each other in both good and bad situations. (Joseph Goromido 2004).

In fact, as Sonia Grochain quite rightly writes, conflict appears in Kanak society as an institutional means of creating and recreating social ties and community (Grochain 2013: 106-107). And it is this dynamic that we find after the rejection of the Lemoine Statute and, shortly afterwards, in the confrontation with the government of Jacques Chirac. Aware of the weakness of the forces at their disposal, but also faithful to their ideal, the Kanak leaders only had open confrontations with the state when it seemed impossible to negotiate with it on the progress of the decolonisation process and the guarantees that they proposed to offer to non-Kanak after independence.

Matignon-Oudinot and Nouméa

Let us now turn to the other two stages of political development.

- The Matignon-Oudinot Accords: the desire for socio-economic rebalancing, on the one hand, and, on the other hand, a very concrete desire for the recognition of

Kanak culture are added to the first two pillars mentioned above. The scope of this progress must nevertheless be put into perspective. If these Accords reinforced the process of decolonisation and social integration begun in Nainville-les-Roches and continued in the framework of the Fabius-Pisani Statute, it must also be said that they were a clear step backwards compared to the project of Independence-Association initially proposed by Edgar Pisani.

- The Nouméa Accord: the actions in favour of rebalancing are reinforced and even developed on many points that had been neglected until then, but the originality of the Accord lies elsewhere: in the will to make it possible to build a real democratic space in New Caledonia. This involves: the introduction of New Caledonian citizenship; a strengthening of the provincialisation process and of the powers of the local executive and Congress; the retrocession - with the exception of regal competences - of all political competences necessary for the autonomous governance of the country; the promise of a concerted planning and development plan; an accepted restriction of the electorate; the creation of a customary Senate, etc. Furthermore, the State is in relative retreat from the Caledonian debate and officially only retains a position of support and arbitration in the event of resurgence of open and violent conflicts.

The guiding idea is as simple as it is ingenious: To suspend the question of the country's independence for twenty years and to give the Caledonian populations the means to imagine and then decide for themselves on their social organisation, in the hope that at the end of the Accord a political consensus could be found on the country's institutional future, or failing that, that a clear majority would emerge, either in favour of independence or in favour of keeping the country within France, but a majority that would overcome the political and cultural cleavages resulting from colonisation and crystallised by De Gaulle's takeover of the 1960s.

Signed in 1988, this Nouméa Accord constituted, until recently, a social contract which, although transitional and imperfect, nonetheless conferred on New Caledonia a unity that was no longer exogenous and artificial. Decolonisation, community of destiny, multiculturalism, development and reduction of socio-economic inequalities: the unity of the country could be achieved, it was thought, through the dynamics of the retrocession of competences operated by the State and the dynamics of local reforms.

The exit from the Nouméa Accord

There is no need to take stock of the political process initiated by the Matignon-Oudinot Accords and continued by the Nouméa Accord. This was done twice at the request of the pro-independence movement, which no doubt wanted to verify the State's commitment to the decolonisation process, and it speaks for itself, to say the least, and is in favour of the Agreement signed in 1998. The New Caledonian society of 2022 hardly resembles the one of 1980. Nevertheless, it seems useful to me to point out two possible aporias in the conception of the Nouméa Accord that have not only weakened its implementation, but also make an honourable exit from the Nouméa Accord problematic.

The first aporia is ideological. Is it possible to claim to be building a society piecemeal, i.e. without even a minimal agreement on a project for society, without a global vision of the type of society that one intends to build? Perhaps this was a utopia. It is still difficult to assess. In any case, as Jone Passa and I have shown, the development of the Nouméa Accord has constantly placed its signatories in contradictory situations, without them always being able to understand how to extricate themselves from them.

The majority pro-independence Kanak community was recognised by the Nouméa Accord as having an inalienable right to self-determination and decolonisation. But with the successive enlargements of the restricted electoral body, it has also been constantly reminded of its obligation, in the name of democratic principles, not only to make room for the other communities and their rights, but also to subordinate the exercise of its right to self-determination to the approval of these other populations, who are in the majority electorally, but who have not themselves been colonised. In the minds of some, the innate and active right to self-determination became conditional, turned into an obligation to convince others. In other words, the Kanak often felt that what was conceded with one hand was taken away with the other.

The Caledonians (non-Kanak citizens), the majority of whom are non-pro-independence, were promised the preservation of their rights as French citizens, but *de facto* were also told that they are obliged to shoulder the burden of colonisation almost single-handedly - even though they were not its main instigators - and to negotiate a solution to the colonial dispute with the Kanak nationalist representatives, which they found difficult to see how it would not radically disrupt their way of life, not to say their

privileges. Experience has shown that this was undoubtedly the main obstacle to the Agreement's momentum³.

For its part, at least apparently, the French State too was not spared the ideological dilemmas, since in the name of the principles of the Republic and in the eyes of the international community, it was imperative that it respect its commitments, decolonise (which it is often criticised for not knowing how to do), preserve the rights of its nationals, respect its Constitution and try to maintain as much as possible the French position in the Pacific. A position that is today summarised under the label of "Indo-Pacific Axis".

The second aporia is political. Could the State, which is the colonising power in New Caledonia, seriously claim to be neutral and to play the role of arbiter? But given the local situation in 1998, could it claim a better position than that? I'm not sure, but it had to stick to it. However, the State made several mistakes that raised doubts about its neutrality and had undeniable consequences for the post-Nouméa Accord. I will mention only two. The first is its indifference to the abandonment by local politicians of the *Plan d'Aménagement et de Développement NC 2025* (Land Use and Development Plan NC 2025). This plan was an integral part of the Nouméa Constitutional Agreement and the State was its guarantor, since in principle no plan contract requested by the country's various local authorities could be financed if it did not meet the NC 2025 plan's objectives. This position should have been adhered to. The NC 2025 Plan occupied a central place in the country's unification, development and democratisation process. Its elaboration was an opportunity to bring out a real global social project [*un véritable projet de société*], to create a local consensus. It is true that by allowing the country to be built in a truly autonomous manner, there was the risk of weakening certain "French hexagonal" interests, for example by seeing SLN's predatory policy threatened...

A second mistake made by the State is that it kept quiet about its own interests in the country. At no time did the State put them on the table: geostrategic, military, economic, cultural interests. If it had done so, it might have made it possible to envisage a political evolution that would not be a rupture, but a progressive change in the country's relations with France and consequently an equally progressive change in relations between the Kanak people and the other communities. Having failed to do

3 [from the editors] These last two paragraphs were underlined in bold in the original French text.

so throughout the duration of the Accord, the State had an opportunity to do so at the time of the three referendum consultations for the exit. Rather than a “dry and divisive” referendum, it was in fact possible, as the UNI had suggested, to invite the electorate to vote on the country’s future status (pure and simple independence, independence as a partnership, a federated state, etc.) and the State could then have confirmed its desire to leave the colonial balance of power behind in order to enter into a different relationship based on reciprocity and mutual understanding. One alternative way was to not put *en bloc* the question of independence, but to invite the electorate to vote on evolutions in the management of sovereign powers, and here again the State could have expressed France’s wishes and expectations. But none of this happened.

On the contrary, with the involvement of the current Minister for Overseas Territories, we have witnessed a demolition of a rare brutality of the social contract so hard built in 30 years of political agreements. Is this due to a lack of knowledge of New Caledonian realities? Is this due to a lack of experience and information? Flippancy? Contempt for the local population?

I will refrain from answering. What is certain, however, are the socially and politically catastrophic consequences of government action.

The Nouméa Accord had its own organisation, its own meetings and rituals, and the Minister immediately showed his desire to break away from these by organising consultations on a model that suited him. From this point of view, the constitution of a Leprédour group is most revealing. It was done without respecting the rules that had been so difficult to establish and without any awareness of the way political decisions are made in this country, particularly within the Kanak world. The result was the withdrawal of President Paul Néaoutyine from the consultation and the growing hostility of the independentists towards the government, without the Minister even questioning his share of responsibility for the deterioration of the political dialogue in New Caledonia.

The State had to maintain a high degree of political neutrality. Instead, it showed its bias by openly siding with maintaining the country within France. And having displayed his ideological preferences, the Minister for Overseas Territories also publicly displayed his personal sympathies and close ties with local political leaders in favour of remaining in France, even during the period of strict confinement due to the Covid-19 pandemic.

In doing so, the Minister has shattered what little remained of the political cohesion established by the Nouméa Accord. The supporters of keeping the country within France no longer had to pretend to discuss with their pro-independence counterparts. All they had to do was cultivate their proximity to the government and wait for the dividends of this position to be served to them on a platter.

The State also demonstrated its partiality in the affair of the south industrial plant. In this case, it supported a solution that openly went against the pro-independence positions (the famous Nickel doctrine) and, even worse, against some of the local economic interests. This is not surprising when one considers that the “loyalist” majority of the country held the reins of the local government until last year and was able to lead the country to near-bankruptcy without the State finding fault with it. On the contrary, the State continues to fuel the country’s economic crisis through a policy of loans that increase the country’s dependence.

The same bias was found in the preparation of the last of the three exit consultations. Asked to inform this consultation, the government published and distributed a biased document on the consequences of ‘yes’ and ‘no’. This document may have been legally impeccable, but it was completely questionable on the political level and it was deleterious to the serenity of the debate on the exit from the Nouméa Accord, which, having the value of a social contract, called for a gradual and negotiated exit. It was felt by the majority of Kanak and many Caledonians as an act of contempt, signifying that they can do nothing, that they are nothing without France.

Finally, the State was supposed to remain neutral, but in the face of the Covid epidemic, it clearly chose not to listen to the independentists, not to invite the partners of the Nouméa Accord to reflect on another date for the last exit consultation. It did so undoubtedly in order to respond to the demands of internal French politics, even though the Prime Minister had officially committed himself to ensuring that there would be no interference between local and “metropolitan” politics. It also did so in ignorance of what mourning represents in Kanak society, of its social, material and time cost. For a family, a clan and its allies, a Kanak bereavement means a year of preparation and work. This ignorance, if it is indeed ignorance, was once again perceived as contempt. This is all the more so as the arguments put forward by the Minister had no chance of convincing: as if going back on the word of a Prime Minister to avoid any overlap

between the local and hexagonal political calendars is in no way anti-democratic; but asking for the postponement of a ballot for reasons of pandemic and mourning is, on the contrary, totally anti-democratic - except in "Metropolitan France", where, for similar reasons, the postponement of regional and departmental elections could still be envisaged in 2021.

Double standards. We understand only too well how the Kanak received the government's proposals for dialogue.

The reactions of the President of the Republic and the Minister for Overseas Territories on the evening and the day after the last referendum were certainly not helping to convince them of the good intentions by France. By affirming that New Caledonia remained in France, the former chose, in the eyes of the independentists, to announce the end of the decolonisation process, to unravel the five indissociable principles of the Nouméa Accord (see above) in favour of the majority principle alone. This is spite of the fact that this principle is at the origin of the pro-independence movement and the first Kanak uprising of 1984. It is undeniable that the "no" vote won over the "yes" vote for independence in the three consultations on the Nouméa Accord, but it is also obvious that the Kanak people, the country's colonised people, showed by a very large majority and by even abstaining from voting, their desire to break away from French tutelage. To think that universal suffrage can be played against the Kanak people's right to self-determination, to imagine, as the French government seems to do, that the Kanak people and other pro-independence activists will submit to the results of the three consultations and discuss the content of a referendum on a project that would mean the end of the decolonisation process is not serious. The independentists, as an old Kanak independence leader confided to me a few weeks ago, are ready to share their birthright, not to sell it and give it up.

Conclusion

How can we conclude, given that the process of exiting the Nouméa Accord has not yet really begun? The prevailing feeling is that the French government is about to replay the same score that was played by the government of General de Gaulle in the early 1960s. The embryonic social contract so dearly elaborated during the last thirty

years of political agreements has been undermined, not to say dramatically broken. In a carefree mood, slowly but surely, a process of re-fracturing of New Caledonian society is taking place. In the post-referendum silence and in the greatest insouciance of the “Loyalists” who think they are “victorious” in their fight against independence, we see social and political antagonisms re-crystallising, signs of future confrontations. The mistrust of young people and a good part of the Kanak population towards the historical pro-independence leaders and parties - which was predicted a little too quickly to lead to a triumphant victory of the “no” - is now well and truly taking hold. Moreover, the pro-independence leaders and parties will undoubtedly be the first to bear the brunt of the tensions that are now running through the Kanak world, before the crisis erupts on the scale of global society, aggravated by an economic situation that is frightening to say the least. To be convinced of this, one only has to see how the customary chiefs of the Loyalties are now taking advantage of the fragility of Kanak politics.

The crisis is here, I fear, even if we cannot yet really measure the extent of the field of ruin and battle.

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⁴ [from the editors] the author has added some references that he considers useful, beyond those used in the text.

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Other ways: revisiting major native figures

Of contact times (*ahutoru, tupai'a, mai...*)

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Alain Babadzan (Babadzan, 2013, 154-6) has incisively highlighted the extent to which the “Pacific Way” referred to by Ratu Sir Kamisese Mara (1920-2004) (Mara (1970), 1997, 117) and Ronald Gordon Crocombe (1929-2009) (Crocombe, 1976) is rooted in the ideology and geopolitics of the 1970s, even though this way of being (i.e., socio-economic) and that way of acting (i.e., diplomatic) is supposed to be the result of customs dating back to the dawn of time. It is indeed this paradoxical chronological attribute that can, “50 years later”, challenge the historian who is interested in the Contact period.

The relatively narrow framework of Contact (between the late 18th century and the early 19th century) prevents any serious investigation of the invention of a “collective” tradition – following Eric Hobsbawn and Terence Ranger’s exegesis (Hobsbawn-Ranger, 1983, 88). Rather, it encourages us to place ourselves at the level of the individual singularity of experience. In Tahiti, where the first contact – in this specific part of the Pacific – took place, three personalities from the Polynesian side played a key role and are particularly prominent as the main sources of historical information: Ahutoru at the time of the Tahitian stopover of Bougainville’s voyage around the world, Tupai’a, on the occasion of Cook’s first voyage in the Pacific and Mai (Te Tupia Mai, named Omai by the Europeans), finally, during Cook’s 2nd and 3rd voyages.

These three men were not only protagonists of the Contact in Tahiti, but each took, in these circumstances, the first step initiative. Even more specially, they have each actively contributed, in other areas of the Pacific, to Contact between Europeans and other Oceanians. Personifications of the great “Elsewhere” of Europe, which the

Polynesian world represented in the second half of the 18th century, their conduct – and the very different values that guided them – have struck observers (Fullagar, 2020, empl. 3397, 3401).

To what extent do we keep an exact trace and therefore a faithful memory of a typically Oceanian behavior? This reflection can be made on two levels. On the one hand, in a synchronic way, by asking ourselves precisely how we can construct its history. The memory of these characters and their “different” actions is the subject of investigations and currently present an epistemological challenge for specialists. Yet, on the other hand, the question arises diachronically: just what to do with this history? On a “societal” scale, the problem of these characters’ commemoration arises, as evidenced by the controversy in 2019 around the celebration of the 250th anniversary of Cook’s first voyage.

In any case, this contribution does not fit in with the purpose of this conference in more than one respect.

On the one hand, the terms of reference are limited to Eastern Polynesia, that is to say they are restricted to the Society archipelago and cannot claim to extent to the Pacific world as a whole. On the other hand, and above all, there is that blatant contradiction with the terms the “*Pacific Way*”, resulting from the most recent analyses of Contact. Well beyond the deadly shoot-out that took place in Matavai Bay just a few days after the arrival of the *Dolphin*, under the command of Samuel Wallis, the first European ship to anchor in Tahiti in 1767, Contact was in no way “peaceful” It was characterized by violence on several levels (Jolly-Tcherkézoff-Tyron, 2009, 21- Iglér, 2015, 16). The asymmetry in the use of firearms – as well as of iron and writing – echoes, in an even more devastating way, the immune asymmetry that resulted in the “Microbial Shock” and its long-term consequences, whose exact extent and scope have perhaps not yet been taken into account (Conte-Molle, 2022, 89-138).

Undeniably, the transmission of knowledge from before Contact, and of experience “during” it, has been hampered or blurred on the Oceanian side. In any case, the information is predominantly of European origin. Conditions of access to specific Oceanian experience of these historical events – not to say the disruption – that Contact brought about - are tenuous but not non-existent. The achievements of *microstoria* (Ginzburg, 1989, 139-80) and the heuristic power of historical anthropology (Dening,

1991, 13) have conferred on biography a completely different use and perspective. From now on, it is not so much a matter of finding new sources as of reading differently – and better, we hope – the available ones.

Fundamentally and globally, the way Ahutoru, Tupai'a and Mai approach Europeans and behave towards them is a matter of “ceremonial friendship” or “honorary companionship”, according to the approximate translations that can be made of the “*taio*” ties studied by Vanessa Smith. It is the first Tahitian language word that newcomers hear and remember. The effective force of the bond thus created is manifested by the two parties involved exchanging names, which explains why Ahutoru called himself “Poutavéry” (a French transcription of Bougainville's surname, pronounced Tahitian style) once he had become Bougainville's “*taio*”.

A serious misunderstanding characterizes this practice of “*taio*”. Viewed as a mere alliance from a European perspective, for the Polynesians it was a case of integrating the newcomer into a system of exchanges, involving much stronger and more binding solidarity obligations. Doubts were expressed by European travellers as to the sincerity of this friendship, whose emotional and intimate dimension challenged them as much as it baffled them, while they assumed it was based on calculation. Significantly, this word disappeared from the vocabulary and the practice was no longer documented from the early 19th century onwards (Smith, 2010, 88). Should this be seen as a defeat of what could be an early formalization, identified by the Europeans, of the “Pacific Way”?

Similarly the encounter with Europeans had a tragic outcome for the three major Contact actors mentioned above, supporting the idea of a “*fatal impact*” (Moorehead, 1990). After following the long voyage back to France of Bougainville's expedition and spending a year in Paris, Ahutoru died of smallpox off the coast of Madagascar, on his way back to Tahiti (November 1771). Tupai'a never reached Great Britain, towards which he had embarked on the *Endeavour*, the ship of Cook's first voyage in the Pacific, because he died of fevers in Batavia (December 1770). Finally, Mai was repatriated on Cook's 3rd voyage after spending two years in Great Britain following Cook's 2nd voyage to the Pacific but did not survive more than 24 months after settling in Huahine, which definitely was not a success. This can certainly nurture an unhappy conscience on the European side, but today it no longer stops the work of historians.

While misfortune struck the three most prominent Contact figures, their experience was not unique, and they were not the only ones to reach out to the Europeans and follow them. The valuable inventory provided by Rhys Richards and Robert Langdon establishes that, between 1806 and 1825, approximately 185 Polynesians embarked on European ships. Some might have been counted twice, which implies, at least, that they probably survived a first voyage (Richards-Langdon, 2008, XXI-XXIV). Further investigation of sources shows, in even more detail and more convincingly, that others had experienced what Ahutoru, Tupai'a, and Mai may have experienced. Witness in particular Hitihiti's or Puhoro's itineraries, which David A. Chappell traced in 1997 (Chappell, 1997, 149-151). Not only was the experience of these two men more diversified, but it also proved to be more fruitful: for them, it was a return to country but also an opportunity of sharing what they had seen and acquired in terms of "knowledge" with the Europeans.

Hitihiti (or Hedeedee, also called Mahine), born into the Society Islands' aristocracy, joined (as did Mai) Cook's second voyage to the Pacific, which reached Antarctica in January 1774. With a better and faster command of the English language, he served as an interpreter to establish contact in Rapa Nui/Easter Island and in the Fenua Enata/Marquise Islands, particularly in Tahuata. He refused to continue the journey to Great Britain, but he resolutely stood by the British during the *Bounty* mutineers' stay in Tahiti and their involvement in the factional conflict that was taking place there, particularly because of the dexterity in handling firearms that he had acquired. What is most remarkable is that the knowledge of a number of islands the *taata tahiti* had not yet sailed to, but which Hitihiti had been able to "discover" with Cook's expedition, was – as has actually been established – aggregated with the traditional geographical knowledge transmitted orally in the Society Islands (Salmond, 2009, 281-308).

Puhoro, a high-ranking navigator from Makatea, boarded the *Aguila*, which had just set up a Spanish mission in Tautira in 1774. The missionaries and their bodyguard-interpreter Maximo Rodriguez were repatriated to Lima after one year. On that occasion that Puhoro was brought back to Tahiti. Puhoro was strengthened by this "European experience". Clearly, he did not consider himself in any way at the service of the "foreigners" who had just left the island and would never return. In any case, he was there, in a good place, when Cook returned to Tahiti and stopped there in 1777 during

his third voyage. Mai, who was soon after installed by the British in Huahine, made his grand return to his people on this occasion. Puhoro apparently was among the first to indicate that he had to lower his claims. In 1789, the British navigator George Mortimer, who sailed to Matavai Bay in the *Mercury*, mentioned his presence, praising his command of the Spanish language. He was “*very imbued with the Spaniards*” – in his opinion much superior to the British, he also points out – “*and he would recount over and over again the great reception he had received in Lima*” (Mortimer, [1791] 1975, 46).

This angle of analysis can probably be linked with the revision of perspective that Kate Fullagar proposed about Bennelong (Woollarawarre Bennelong of the Eora Nation), the first Aborigine to write in English who went to Great Britain and played a key intermediary role between governor Phillip and the British in the Port-Jackson region, in New South Wales (c.1764-1813). He contrasts with the figure of Pemulwuy, who belonged to the Bidjidal clan, the leader of an anti-British aboriginal guerrilla war in the region (Fullagar, 2009, 31-51- Fullagar, n.d).

At present, a key concept seems to impose itself: “agency”, which allegedly characterized Oceanians at the time of Contact (Fullagar-McDonnell, 2009, empl. 184, 360). This concept sums up the latter’s ability to neither be surpassed nor “down” (even if this ultimately cost them their lives) in these circumstances. It is worth stressing their active situation and their dynamism in the face of what surrounded them in such a disconcerting way and also in the face of what happened to them at the time, and from which they were able to benefit. This notion is tested in particular by Nicholas Thomas’ biographical study of Kualelo, the young Hawaiian of about fifteen years of age, who stayed in Georgian England between 1790 and 1791, travelling on board various British ships in different parts of the world (Thomas, 2020, 65). The elaboration of Tupai’a’s map, whose process has recently been highlighted by Lars Eckstein and Anja Schwarz, could be considered as embodying “agency” (Eckstein-Schwarz, 2018, 5), as much as Tupai’a’s drawings could be considered as another example (Brunt, 2018, 300).

The way in which Ahutoru, Tupai’a and Mai interacted with the Europeans shows that none of these three men considered themselves as inferiors to Europeans. They did not cease to behave as Polynesians and according to Polynesian logic, far from adopting in a blissful admiration all that the Europeans brought. In this perspective, we can say that it is in line with a “*Pacific Way*” – that is to say in accordance with purely Ocea-

nian principles – that they were able to live and define their “activity” among the Europeans. Anne Salmond explained how on Bougainville’s ship, where he had imposed his presence, and during his stay in Paris, Ahutoru had remained an *arioi* (Salmond, 2009, 110-123), in all his deeds and accomplishments. It is also by taking the initiative of his embarkation, against James Cook’s wishes, that Tupai’a joined the *Experimental Gentlemen* of Joseph Banks’ entourage on board the *Endeavour*. He intended to have the king of England as interlocutor, no less. His goal was to find, thanks to the king – given the material means he had at his disposal and which would necessarily benefit the Tupai’a camp in a decisive way – the ways and means to reverse the unfavourable balance of power that had been established in Tahiti to his detriment (Driessen, 2005, 75-76). It is according to his relatively modest status as a *raatira* in Tahitian society and with a view to rising out of it that Mai sought, from the British, that increase in prestige and power his compatriots eventually refused to recognize him (McCormick, 1977, 72).

The tenuous nature of the available information – as Antoine Lilti recently pointed out in connection with Ahutoru (Lilti, 2020, 179-193) – should warrant a degree of caution. Regarding Tupai’a, up to what point can we trace, throughout his journey on board the *Endeavour*, what could be an individuation process, according to what Jungian psychoanalysis has formalized? (Agniel, 1997, 11-22). In other words, to what extent can one discern a personal evolution in the face of what Aotearoa/New Zealand gave him to grasp? Conditioned by his “Tahitian” culture, the discovery of the Māori reality which, despite its relative proximity, was not his own, definitely came as a shock to him. So, to what extent did he react as a Tahitian or, in a distinctive way, as an “individual”?

Joseph Banks reports that Tupai’a clashed with Māoris who wanted to prevent the *Endeavour* from continuing its journey. He then launched into a diatribe in which he defended freedom of movement on the seas. Who is speaking? And “from where”? Is this a form of the long-denounced “ventriloquism” (Cook, 2001, 37-41), whereby Europeans speak “instead of” Polynesians, uttering “on their behalf” words that are, in fact, their own? Is Banks projecting onto Tupai’a a concern, if not a claim, of his European contemporaries in the second half of the 18th century? Or is Tupai’a expressing something obvious to the *Tahitian taata* (from Raiatea) that he is? Or is he expressing his own opinion?

Joan Druett (Druett, 2010), well versed in these historical sources, has done this by taking the detour of fiction – a path legitimately inaccessible to the historian – to re-discover Tupai'a's "Polynesian" sensitivity. Thinking of Svetlana Alexievitch's work, the 2015 Nobel Prize winner for literature, the evocative power of this detour is indisputably powerful. Emilie Dotte-Sarout's analysis of Joan Druett's book clearly gauges its interest and limitations (Dotte-Sarout, 2016, 312-3).

Now, if there was indeed a "Polynesian" moment of effective agency, it was short-lived. Insofar as such agency was compromised by the "imperial" imposition by Europe on the Pacific and its inhabitants – colonization being one of its avatars – it changed the deal.

The return of Mai's stool to the collections of the Tahiti Museum in 1986 was a significant event that heralded a reversal of the situation and a restitution process, both material and moral, so to speak (*Les Collections...*, 2001, 95- *Tabouret...* n.d). The historiographic revision of Contact and its actors, which is on the agenda in the academic world, goes hand in hand with a change in the relationship to history and the past for the general public and in public opinion. The two are inevitably linked.

RNZ, the New Zealand channel broadcast a report showing the protest demonstration taking place in Gisborne on the east coast of the South Island on October 5, 2019, at the arrival of a replica of the *Endeavour*, exactly 250 years after the ship and expedition commanded by James Cook anchored there. The conventional forms of expressing discontent are indeed there: gathering of a crowd, display of banners asserting grievances, and demands articulated in the form of slogans shouted by participants. This is not to say that this conventional demonstration was not accompanied by the performance of a *Karakia*, a Māori ceremony that is performed to purify the homes of the recently deceased after their burial. The commentary mentions this was meant to commemorate the death of two Māoris killed by the British shortly after they landed. However, the protest had a wider spectrum, according to one of the protesters interviewed who spoke of denouncing the perverse consequences of the arrival of Europeans, whose absolute negativity could neither justify nor give rise to any festivities (*Nouvelle-Zélande...*, n.d).

Although this demonstration was conducted according to the principles of non-violence it was nonetheless downright hostile. The 250th anniversary is clearly a reactio-

nary phenomenon. A comparison can certainly be made with what was triggered in 1992 by the fifth centenary of the first crossing of the Atlantic by Christopher Columbus (Covo-Maurice, 1992, 6-9 – Gade, 1992). While on the other side of the Atlantic the rejection of the celebration was the most obvious reaction, in the Pacific it is the transmutation of the object of the commemoration that is most striking. More precisely, it is a symmetrical reversal that took place to the benefit of the Oceanian side, promoted and heightened for the occasion.

The visibility acquired by Tupai'a's figure is a vivid demonstration of this. More than James Cook, he is presented as the "hero" of the event. This is probably consistent with historical truth. In 1769, the Māoris saw the *Endeavour* as Tupai'a's ship, who understood them and knew how to make himself understood by them, just as they acknowledged his illustrious origin and high dignity (Salmond, 2009, 203-35). Nevertheless, placing Tupai'a in the front row responds equally to the sensitivity of 21st century contemporaries (Tapsell, 2009, 92-111). The cover of the comic book "*The Adventures of Tupai'a*", which shows Tupai'a in the foreground pointing the way to Cook in the background, reflects this inversion of the balance of power and the substitution of Tupai'a for Cook (Meredith, 2019).

The use of the Māori word "*tuia*" – which means "to weave" or "to link" – rather than the "European" word "contact" in the title of the TUIA 250 event program marking the year 2019 in Aotearoa/New Zealand is as significant as the three axes given to the different events it comprises: "Encounters", "Learn", "Legacy". It is another way of minimizing the part of the British and European in what happened 250 years earlier (*Tuia Encounters...2019*). It is also a clear display of inclusiveness with an obvious "unifying" perspective. A parallel could be made – if it has not already been made – with the commemoration of the French Bicentenary of the Revolution, in 1989, a divisive event, if ever there is one, in the long term and in depth in the country, from the socio-cultural and political points of view (Garcia, 2000, 61-75). Undoubtedly, the size of the financial investment and the quality of the conception and organization deployed in France to satisfy what was so dear to President Mitterrand's heart must be compared to what was mobilized in Aotearoa, in 2019, with the cohesion and even the existence of a New Zealand "Nation" then being at stake, all origins combined. In both cases, in France in 1989 and in Aotearoa/New Zealand in 2019, what must be saluted is first and foremost a major success in terms of communication.

Still, the Tuia 250 cannot be limited to that. It gave rise to the arrival and participation in the “high profile” events of an important Tahitian delegation, led by Edouard Fritch, the President of the Country, and also included Gaston Tong Sang, President of the Territorial Assembly of French Polynesia (*Des Tahitiens...* 2019). The commemoration of Tupai'a's journey – rather than Cook's – was an opportunity to concretely demonstrate and spectacularly reaffirm a Polynesian solidarity and unity beyond today's borders. This was done in particular through the celebration of Polynesian nautical culture, whose effectiveness was at the origin of the settlement of the eastern part of the Pacific, before Contact. The participation of the crew members and the ship *Fa'afaite*, which experimented with typical Oceanic navigation techniques (Thompson, 2019, 274-295- *Tuia 250...*, 2019), was a high-point of the event.

One cannot help but notice the contrast between the Tahitian delegation's numerical magnitude at the *Tuia* and the media echo it generated, with the discretion or rather the confidentiality in 2018 of the commemoration in Tahiti of Bougainville's voyage (*Une expo...*, 2018). How can one not have in mind the inauguration ceremony of Bougainville's bust on the waterfront in Papeete in 1909 an image of which can be found in a photograph by Max Bopp du Pont (Bopp du Pont, 1909). This ceremony took place just 10 years after the end of the Leeward Islands War waged against the tightening of French grip, in front of a crowd largely dominated by French military uniforms. Bougainville is thereby closely associated, symbolically and concretely, with the establishment or, more precisely, the consolidation of French colonization at the beginning of the 20th century. Bougainville's voyage gave some kind of historical legitimacy to this colonizing process.

Therefore, while such enthusiastic Tahitian participation in the Tuia obviously carries a large-scale significance by showing, in a positive way, adherence and belonging to a trans-Pacific Polynesian community, should it not also be assigned an “internal use” significance in a negative sense? In French Polynesia, in the space that was that of the French Establishment in Oceania, not to commemorate Bougainville's arrival is, undoubtedly, an implicit way of not celebrating a colonial past. The problem is that it also means discounting Ahutoru who, before Tupai'a, was the first in Europe to reveal Polynesian knowledge and know-how, particularly in the field of navigation by the stars. He was not fortunate enough to benefit from the editorial power of the

English language, which gave an inescapable historiographical importance to the sources constituted by the journal of Cook's first voyage and that of Banks, served by John Cawte Beaglehole's admirable critical editing work. He did not have the chance to meet, as did Mai, with Joshua Reynolds, a portraitist able to show the fascinating "strangeness / foreignness" that he could have for a European and that he still keeps today. He had the misfortune finally to be swallowed up in the shadow that shrouds a part of French Polynesia's history.

Conclusion

I am not sure I have answered the question. What recent historiography demonstrates is that "European" sources, however partial and insufficient they may be, can be valid not only to approach but to grasp the Oceanic reality of Contact.

What also surfaces clearly, beyond Ahutoru's case, is that not only the history, but more broadly, the past of the Pacific remains, in spite of everything, still to be reconquered. This can only be done in a multilateral and integral way. I am firmly convinced that this as feasible as it is acutely necessary.

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In French Polynesia: ending of oblivion and patrimonial authority on the marae of Taputapuātea

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I propose here to move away from commentaries on the Pacific Way in political, legal and institutional terms, and to consider some of the cultural aspects specific to the Pacific renaissances which, from the 1970s onwards, closely accompanied the affirmation of a Pacific Way. This will be done in the specific context of the Leeward Islands of French Polynesia, where traditional knowledge and practices had long been “forgotten”, but have recently been “rediscovered” through various stages. This affirmation of the end of oblivion is expressed, among other things, in the process of making the Taputapuātea marae (on the island of Raiatea) a UNESCO World Heritage Site. We will come back to this in the final section, looking at the possibilities for different local players to take action and build new paths, new biographies and new destinies, in areas that remain problematic and conflictual.

Before doing so, I would like to mention the possible convergences between the Pacific Way and two elements: a) institutional cultural policies and b) the actions and visions of more or less well-known local figures who have contributed to the revaluation of the local memory and, at the same time, of the pan-Polynesian memory of these places. There is a third aspect that should also be mentioned, but there is not enough space to develop it here. These are the great voyages of rediscovery that, since the mid-1970s, have made a significant contribution to the revival of identity in Oceania (and more particularly in Polynesia and in Taputapuātea, Aria 2007: chap. 2-3). Let us recall that the large gathering of pirogues from Hawaii, the Cook Islands, Rapanui and New

Zealand in 1995 on the *marae* of Taputapuātea¹ was the basis of a complex process that led twenty years later to the recognition of Taputapuātea as world heritage and to the rediscovery of memories hitherto considered “lost”.

The categories of analysis that I am going to employ are the result of an interweaving between certain suggestions from Pacific anthropological literature and contributions linked to the Italian context and to certain authors rarely cited in Pacific Studies. I would also like to point out that my reflections are based on a specific period of research that took place between 1995 and 2010. I believe that these years represented an important moment in the transition from oblivion to the end of oblivion, and that it is therefore useful to revisit this period. It should be noted that “forgetting” can be seen not as a loss but as a socially creative tactic of resistance. In this respect, I take up, among others, the reinterpretations suggested in the 1980s by the work of Jean-François Baré (1987), linking them to the perspectives of Michel de Certeau (1980). At the same time, in order to understand the dynamics of reappropriation of the lost past, it seems to me useful to use the concepts of “shared heritage-making process” (Aria and Favole 2011; Aria and Crisofano and Maltese 2014; Paini and Aria 2014) and of “*passeurs culturels*” (cultural couriers) putting them into dialogue with the notion of cultural intimacy proposed by Michael Herzfeld (1997) and, more generally, with that of social practices “from below” interwoven with processes of institutional valorisation.

Bénat-Tachot and Gruzinski (2001) first used the expression *passeurs culturels* to describe processes of *métissage*, mixing and pluriculturalism, and to designate the agents (active or passive) of these phenomena. These authors wanted to observe how passages from one complex set to another occur, especially in the Hispanic colonial world. As more recent studies have also pointed out (Pavanello and Aria, 2012; Aria and Favole, 2011; Ciarcia, 2011), *passeurs culturels* are described as those who build bridges, sometimes explicit, sometimes furtive, between semiotic universes, putting cultures, histories, knowledge and their representations in communication, through their translations, conversions and transmissions, also characterised by silences, distortions, omissions and opportunely constructed misunderstandings.

¹ On these events and processes of rediscovery see in particular Finney (2003).

2. The traditions of invention

As we know, violent upheavals, dramatic “fatal impacts” and profound forgetfulness have long marked the history of Oceania, influencing the imagination and representations of those who have studied it and who have often recounted it as a “paradise found” and immediately “lost” (Spate 1993). However, just as strikingly, over the last half-century its inhabitants have been the protagonists of innovative cultural phenomena and important processes of self-determination.

For their part, looking at these original rebirths and interpreting the late decolonisation of the Pacific, many anthropologists have highlighted particular politics of identity (Favole 2021; Maurer 2019; Gagné 2013; Salaün 2013; Wittersheim 1999), unprecedented and “surprising” (Clifford 2004) compared to the paths developed in previous decades in African, Caribbean and Asian contexts. According to these perspectives, most of the demands for Pacific independences in the 1970s and 1980s put forward concepts of sovereignty and nation that were more flexible than those traditionally promoted by Western states from the nineteenth century onwards, and capable of opening up new connections between local, regional or national, and global communities. The historical context in which the indigenous awakenings of the Pacific islands took place made the “afflictions of the nation-state” less central and enabled “the construction of a better future” (Clifford 2004: 82). The pressures of the late capitalist system have certainly led to the commodification of the politics of localism and culture (as Babadzan 1999 has emphatically pointed out); however, they have also left ample space for the creation of composite forms of national identity (Firth 2000) and political regimes centred on the reconstruction of regional networks, inter-island relations and a persistent, often conflictual and dialectical, relationship with continental metropolises (Favole 2021).

In this sense, the ideology of the Pacific Way, aimed at promoting interdependence between the different archipelagos of the Pacific region, has been read as one of the main examples of the capacity of islanders to elaborate their own values and traditions, reimagining their relationships with their ancestors, with the past and with colonial domination itself. In 1976, Crocombe's contribution gave greater theoretical depth to this concept by linking it to a set of values stemming from a predominantly rural world and opposed to those of Western urban societies. It was a vision that underpinned a vast political and cultural movement, supported by artists, intellectuals

and writers, which contributed to the birth of new identities – the Kanak, Ma’ohi and Ni-Vanuatu, to name but a few – which gave new meaning to elements from outside, such as colonialism, the market economy, Christianity, socialism or democracy, through the rediscovery of specific internal structural aspects. Practices and visions, such as Epeli Hau’ofa’s “sea of islands” or the “shared sovereignty” proposed by Jean Marie Tjibaou, are concerned with designating mobile affiliations, combining past histories and modern situations, attachments to the land and the old and new traditions of “indigenous cosmopolitanism” (Clifford 2004).

In this respect, as Marshall Sahlins (1997: 180-181) and Epeli Hau’ofa (1993) have pointed out, and as theorists of the Pacific Way have argued, since the Second World War the peoples of the Pacific, contrary to Western stereotypes that emphasised the “small” size of their territories, have embarked on an unprecedented global expansion that has enabled them to spread, connect and circulate throughout the world without losing their intimate relationship to their land and their roots. In the 1960s and 1970s, it was precisely the relationships, exchanges and educational journeys undertaken in their respective colonial “homelands” that enabled certain young Pacific thinkers (such as Tjibaou himself, Henri Hiro, Duro Raapoto and many others) to become aware of their condition as colonised people and, at the same time, to incorporate and re-elaborate Western knowledge in order to give life to the political and identity projects sketched out so far. These figures, whom my colleague Adriano Favole and I have referred to as *passeurs culturels* or their ability to master multiple worlds and languages (Aria and Favole 2011), have in fact played a central role in the period of cultural awakening by undertaking original paths of rediscovery and re-semantisation of their traditions, according to a pattern that, although constantly evolving, continues even today to make the younger indigenous generations the driving force behind unprecedented changes and new rituals (Lee 2019; Gagné and Jérôme 2009).

A particular feature of the Pacific renaissance has been the strong push to make the rediscovered past spectacular through elaborate cultural performances. Since the 1970s, the flourishing of numerous cultural centres, arts festivals, original musical expressions and a wide range of actions aimed at staging identities long oppressed by colonisation, such as the great voyages of rediscovery undertaken by Hokule’a -

Polynesian Voyaging Society² founded in 1973, have given rise to an intense debate among anthropologists, ethnomusicologists and historians on the “invention of traditions”. There have been many contributions over the years examining the way in which cultural rediscoveries and reappropriations were often deliberately created, or heavily shaped and transformed, to satisfy specific political and economic interests. From this perspective, the revival of the ancient arts of navigation, the return of practices such as tattooing, dancing, fire-walking and, more generally, the revaluation of custom (or *kastom*), have been interpreted as fundamentally artificial folkloric spectacles for the benefit of the formation of a nationalist state ideology; inventions, in fact, constructed by urban elites and by Pacific political administrative cadres on the essentialisation of cultural authenticity and to legitimise the hegemonic role of the nascent ruling class (Howard 1983; Babadzan 1999).

At the same time, during these same years, many ethnomusicologists, anthropologists and archaeologists became involved in the field and directly supported indigenous struggles and their valorisation of their past, of autochthony, traditional knowledge and local forms of dance, music and song, and contributed to creating spaces for discussion and comparison with local performers. In this drive to become “organic intellectuals of the lower classes”, to use Gramsci’s famous expression, their interest often turned to the residual elements of local cultures that had survived the devastating effects of colonialism, leaving aside all those hybrid elements and “popular forms” that emerged in those years (such as reggae, commercial music, folk, hip-hop etc.) and which themselves represented expressions and symbols of vitality and emancipation (Aria and Gallo 2021).

In support of such “impure” and “inauthentic” spaces, researchers have attempted to overcome the dichotomies between resistance and subjugation, tradition and invention, devoting themselves to demonstrating the agency of local actors in the construction of history and the mechanisms of regeneration, and their capacity to be both rooted and constantly evolving. Their research has highlighted the processes of assimilation, transformation and reappropriation of the local and global elements on which indigenous claims are based, helping to shift attention from the familiar debate

2 Cf. <https://hokulea.com/about/>

about the invention of tradition to the many “traditions of invention”. By implementing a similar theoretical turn, authors such as Jolly (1992), Linnekin and Thomas (1992), Turner (1997), Clifford (1988; 2001; 2013), Wittersheim (1999) and Sahlins himself (1994), have highlighted the limits of these critiques of the previously mentioned positions, critiques aimed at revealing the economic/political reasons underlying cultural effervescence. In their view, reading cultural renaissance solely in terms of inventions and tools at the service of power risks failing to grasp the spontaneous and emotionally engaging dimensions that characterise them, and losing sight of the complexity of the phenomena, which should be understood more broadly as indigenous tactics for controlling and managing relations with dominant corporations (Turner 1997).

This tendency to give importance to connections, intersections and contaminations has a number of similarities with the analyses proposed in the same years by the Cultural Studies team on English and North American (sub)urban cultures. It is no coincidence that, inspired by similar perspectives, James Clifford adopted Stuart Hall’s concept of “articulation” to understand the cultural-political scenarios underway in the Pacific, and to highlight how the fields of the hegemonic and the subordinate, institutional politics and movements from below, the colonisers and the colonised, need to be thought of not as completely separate and opposed universes, but rather as constantly interconnected, as are the identities they produce. The links with the work of Cultural Studies mentioned here are also particularly relevant for interpreting and grasping the centrality and particularities that new musical productions and, more generally, “neo-traditional” and “popular” performances have taken on in the cultural awakenings within the Pacific (Aria and Gallo 2021). As heritage capable of sustaining local identities, or as veritable weapons through which messages of protest and revolt can be transmitted, these phenomena have not only served as soundtracks to indigenous struggles, but have also proved to be an effective means of making political claims, reconstructing history, re-reading the past and thus reformulating relations between the various Pacific archipelagos and with the colonial powers themselves. An arena then, in which the processes of institutionalisation, patrimonialisation, commercialisation, commodification and folklorisation coexist with more or less unforeseen, improvised and invasive actions, coming from below and aimed at disseminating and cementing the local knowledge at the root of indigenous awareness-raising and revaluation.

3. Ma'ohi renaissance

After this reminder, we can return to the specific context described at the beginning. Oblivion is a key term in French Polynesia or, to be more precise, in the Society Islands, where I carried out most of my investigations. These islands have long been described and celebrated by Victor Segalen as the “immemorial” islands, the place of fatal impact par excellence. This type of narrative was consolidated first with the conversion to Christianity in the early nineteenth century, and then with colonial domination, which decreed the irreversible loss of the practices and knowledge (from tattooing to love practices, from ritual giving to marae ceremonies) that had fascinated the “philosophers-explorers” of the late eighteenth century, as well as artists and writers and various scholars between the nineteenth and twentieth centuries. However, as we have known since the late 1970s, total oblivion has given way to a particularly vigorous cultural revival movement, strongly linked to the struggle for independence and the re-establishment of a direct and “authentic” relationship with the pre-colonial past, its practices and its spiritual entities.

This spectacular rediscovery of Ma'ohi culture developed precisely in the urban contexts of Tahiti, where the loss of land and memory had been more radical. At the same time, the return to the sacred was accompanied by the definition of a new space for political action. Deprived of their own religion, their own chiefs, their own knowledge and their own lands, and subjected to the yoke of French colonialism, Segalen's famous “*Immémoriaux*” unexpectedly “patrimonialized” (made part of the local heritage) the lost past as part of a vast movement to assert their identity and win independence from France (Saura, 2008). The reappropriation of Ma'ohi history and traditions developed in parallel with the major transformations that took place following the installation of the French nuclear testing centre in 1963 and the development of international tourism. During the years in which these major changes were taking place, a number of archaeologists from the Bernice Bishop Museum in Honolulu and the CNRS began restoring the ruins of several *marae*, enabling these ancient places of worship, symbols of a past that had once been rejected, to become monuments to be proudly displayed, as was the case, for example, at the great gathering of pirogues (1995) in the recently restored *marae* of Taputapuātea. The arrival of the bomb, tourists and archaeologists has encouraged a major revival of Polynesian traditions.

This “Ma’ohi renaissance” was rapidly institutionalised and spread through the most modern transmission channels and within specific cultural policies often promoted by the French state.

The protagonists of the Ma’ohi renaissance were certain individuals who, having left their islands for a certain period of time and come face to face with other realities, equipped themselves with these visions and indispensable instruments of remembrance, so that they could return and revive the memory of those who had remained. These *passeurs culturels*, experts in the interpretation of languages, cultural codes and multiple value systems, have come to the attention of public opinion, sometimes as part of a political revival of traditions (Babadzan, 2009), sometimes in more expressly folkloric and tourist contexts. In all cases, they have been the bearers of innovative ways of recovering a memory that was thought to have been lost, embodying the aspirations of whole sections of the local population. Their journeys often include epiphanies during which the ancestors manifest themselves. Such moments of transformation have become indelible signs of the authenticity of their rediscoveries and the authority accorded to their knowledge, especially on islands such as Tahiti, where the severing of links with the past and with the land is perceived as more profound, and where the strength of oral tradition has weakened further.

The many possibilities offered by this form of research have enabled each of them to reappropriate traditions: through new ways of working symbolically on the body (by reviving the ancient practices of tattooing, dancing and fire-walking, with Tavana Salmon or Raymond Graffe), on the sacred places of yore (by restoring a direct relationship with the *marae*, the *tapu* and the ancestors) (Alevêque 2023), on language and on myths. Conversely, the limitations imposed by the loss of memory forced them to assert their own charisma and legitimise their political authority. To do this, they had to claim direct descent from the royal lineages of the Ari’i, disavowing the practices of their “rival” opponents in the same camp, defending themselves from attacks by the elders and confronting the political, religious and cultural authorities. In other cases, the personal trajectories of these transmitters of fragments of cultures and memories have been marked by the need to reappropriate lost lands, precisely by re-establishing the relationship with the ancestors. This reappropriation is closely linked to *tapu*, a cardinal element in policies and practices linked to history and genealogical

narratives. Genealogical narratives, in turn, are essential for those claiming land rights long denied by French colonisation.

It is useful now to shift the focus from the 1970s and 80s to the following decades in Tahiti and the Leeward Islands. At least until 2007-2008, there was a conviction that oral traditions and traditional knowledge had been lost, and that those who were bringing them back into action were doing so through specific strategies of “inventing traditions” (what I called “searching in the void” - Aria 2007). At the time – the early 2000s – anthropologists in French Polynesia were not generally conducting ethnographic surveys of living oral traditions, and there was no awareness of the continuity of the transmission of knowledge. Then, it seems to me, between 2008 and 2019-2020 there was a radical change, where this vision of a “void” disappeared from memory and traditions suddenly came back to life, or rather, where it was now asserted that they had never been lost.

Among the many phenomena that can highlight such transformations, one obviously thinks of the 2017 transformation of the *marae* of Taputapuātea into a World Heritage Site – we’ll come back to this – which was accompanied by the production of many different documents characterised by repeated statements about the continuity of oral traditions “passed down from generation to generation from time immemorial”. The texts produced in recent years in support of the site’s application have established a sudden and unprecedented vitality and persistence of ancestral knowledge. In this process of revaluation, the same oblivion that, until a few years ago and for a long time, had constituted the established narrative about these sacred places, has in turn been relegated to oblivion.

Similarly, in recent years, research on the ancient practice of *rāhui* (Tamatoa Bambridge et al., 2019; Tamatoa Bambridge, Alexander Mawyer, et al., 2021), is illustrating how traditional knowledge is once again active; Frederic Torrente’s (2012) studies on the Tuamotu Islands and many others I cannot mention here are also moving in similar directions. This seems to me to be an important turning point because, until the beginning of the new century, it was unthinkable to do an ethnography on the knowledge and traditions of contemporary Mā’ohi, so much so that the research of anthropologists was almost always oriented towards ethnohistory (but we must put aside the works of Bruno Saura³).

3 See in particular Saura (2008).

Insisting on these fluctuations allows us to think of oblivion not as a sign of subjugation, of violent colonial expansion or – as Robert Nicole (2001) has written – of the “colonisation of the mind”, but as an action on the past. The well-known loss of memory can be read – as Eric Conte (1996) or Bertrand Gérard (1996) and Jean-Francois Baré (1987) have suggested – as a conscious choice and not just as violence suffered. Amnesia appeared to be a state duty to facilitate, for example, the assertion of the Pomare monarchy at the beginning of the 19th century. Thus, it could be said that the Mā’ohi resorted to precise tactics of silence and concealment in order to make the most of the modernisation processes underway. They did so by following a mechanism well established in their history aimed at protecting their ancestors not only from missionaries but also from the so-called fury of the victors in search of the *mana* and lands of the vanquished ancestors.

In attempting to account for oblivion as a tactic of resistance, a creative social practice and a shared process, another aspect needs to be taken into account. Historically, the ruins and images of the past were buried or adequately hidden to prevent them falling into the hands of opponents or outsiders. This was also necessary to ensure that they would not threaten the living. The partial amputation of memory through the *tapu* on speech, on genealogies and on the places of ancestors was implemented as a defence against the possible and dangerous “awakening of the dead”. As Vigneron puts it: “The living protect their dead, the dead protect the living.” (1985 : 210). Thus, according to a well-structured pattern in Mā’ohi culture, the defeated – and therefore ineffective – deities seem to have undergone a process of censure rather than denial (Aria 2014).

4. Taputapuātea: from oblivion to the end of oblivion

Finally, let us take a closer look at the specific case of the Taputapuātea *marae* on the island of Raiatea. The patrimonialization, in the sense of a French property, of this *marae* known as the “Source from which all the *marae* came” (de Bovis 1855 : 16), the “cradle of knowledge, religion and worship” (Henry 1968 [1928] : 126)⁴, represents an illustrative case of how vestiges of the past can take on contradictory meanings. Although

4 Bruno Saura (2021) has recently pursued an analysis of transpacific myths to deconstruct the cosmogonic narrative of Ra’iātea as Havaiki (the mythical place said to be the origin of all Polynesians) and Taputapuātea as the supposed cradle of Mā’ohi civilisation.

invoked to promote universal ideals, the ceremonial complex of Taputapuātea is also the basis for the affirmation of a diverse constellation of identity politics and feelings of belonging among local, national and pan-Polynesian populations.

On 22 February 2016, French President François Hollande, on an official visit to French Polynesia, travelled to Raiatea to declare the full support of the Head of State and Government for the application of the Taputapuātea *marae* for UNESCO World Heritage status. The event, celebrated with traditional Ma'ohi scenography and rituals, symbolised the culmination of a long period of work undertaken since 2006 by the Nā Papa e Va'u⁵ association in Opoa (the district where the *marae* is located) with the institutions of French Polynesia, and sealed Paris's commitment to promoting overseas France as a world heritage site for the first time. To quote a few words from the President's speech: "This *marae* brings together the remains of a founding site of what you are... the first populated island of Polynesia... this is where it all began... it will be, I hope, at least that's the meaning of my visit today, the first cultural site in overseas France to be designated a World Heritage Site"⁶. This operation is part of a well-established strategy, I would say assimilationist, aimed at reaffirming the indissolubility of the Republic in the face of autonomist or independentist aspirations, recognising however, in the words of François Hollande during the same speech, "that the Republic can only be itself if it accepts diversity, if it recognises the histories of the peoples that make it up".

A section of the Opoa community – already active in the 1990s in defending their land against expropriation by large *papa's* (i.e. non-Maohi) or "demi" landowners and against the exploitation of local natural resources by certain mining and bitumen production companies (Aria 2007) – is joining forces to seek recognition by UNESCO and to claim exclusive rights over what they consider to be their own *marae*. In 2006, Matorai Pani made this position clear to me during our frequent meetings at the ancient ruins, just as the idea of promoting the sacred site with UNESCO was taking shape. A descendant of the royal Tamatoa lineage of Taputapuātea, a tireless fisherman and vice-president of Nā Papa e Va'u, Matorai felt that the archaeological site should not "end up in foreign hands and we are fighting to ensure that outsiders do not take possession of our *marae*, our history and our ancestors [. ...] it must be the people of

5 Founded in May 2006, this heritage association made up almost exclusively of people from Opoa has played a leading role in promoting the project (<https://patrimoine.pf/fr/taputapuatea/lassociation-na-papa-e-vau>)

6 Access to the whole speech: <https://whc.unesco.org/fr/list/1529/documents/> and <https://www.youtube.com/watch?v=jP8jdXXcCnw> (copy of the recording by Tahiti Nui TV).

Opoa [...] it belongs to us, not to those who come from Avera or Uturoa, let alone Tahiti”.

His words thus capture the way in which reference to UNESCO proves capable of activating a well-defined “us” constructed not so much in opposition to colonial power or multinationals, but in protecting and distinguishing itself from the other Mā’ohi of Raiatea and the Society Islands (also by virtue of belonging to the Opoa ruling dynasty). Adopting at the time a possessive and entrepreneurial attitude towards culture, similar to certain demands for the repatriation of cultural treasures by indigenous peoples (Handler 1985; Coombe 2011), Matorai was also convinced that universal heritage listing would prove particularly useful for the proper conservation and enhancement of the *marae*. He saw it as an opportunity “to charge a ticket to those who come to the *marae*” and “to have guardians to watch over it, day and night”, but it would also have allowed the famous *maro ura* belt (a symbol of the chiefs’ divine power) and many other archaeological artefacts preserved in London and Hawaii to return to Taputapuātea (“here at home”) and find a home in a museum of Ma’ohi civilisation to be built specifically to house them.

Another cultural association is Tuihana⁷, also founded in 2006 with the aim of carrying out excavation campaigns and in-depth ethno-archaeological studies to discover the significance of the many stone structures that had escaped the investigation of Western archaeologists, and to share the knowledge gained with the local population as a whole. Unlike Matorai’s view, the members of this Tuihana association wanted to promote instead an idea of a wider heritage community, arguing that Taputapuātea belongs not so much to the descendants of the Opoa royal family or a lineage from Raiatea (nor to the Tahitian government), but rather to all Polynesians. This vision of a generalised “we” is based not only on knowledge of the historical depth of the inter-island social networks, but also on realizing that since the end of the 19th century the land on which the *marae* stands has become the property of the State or of certain families of European origin, and that genealogical memory has since been irreversibly lost, so that no one can consider themselves to be the privileged holder of traditions or specific land rights. They therefore think it would be a good idea to get together with “the Māoris, the Hawaiians [...] and together ask not for the Taputapuātea *marae* in

7 Cf. <https://www.teoranaho-fape.org/associations/tuihana>

Opoa to be inscribed on the World Heritage List, but for the 'Taputapuātea Concept', which is also present in Hawaii, New Zealand and the Cook Islands" and which, in pre-colonial times, linked Ma'ohi, Māori, Rarotongians and Hawaiians. They believe that this shared heritage should become a candidate as a transnational value and not as a French asset.

By focusing on links with other Polynesian peoples, this group, led by archaeologist Paul Niva, a native of Raiatea, is doing more than refuting the other association's exclusive property claims to the *marae* and its history, and more than denouncing a "neo-colonial" attitude on the part of France – because, in their view, the French state's takeover of the UNESCO bid is illegitimately appropriating something that does not belong to it. This group is also committed to rediscovering practices and knowledge that run counter to Western hegemony. The proposal to identify another conceptualisation of the space inscribed in the stones breaks with the discursive authority of archaeological science, which has long "denied the Ma'ohi the right to speak, to repossess the *marae* and to reconstruct them according to visions and needs that are far removed from both Cartesian rationality and the spectacle and interests of tourism" (Aria 2007 : 218). Like many other small associations in the Society Islands, the Tuihana association is working to enhance the value of its valleys by restoring "family *marae*" where ceremonies can be held, with the aim of rediscovering ancestral values and sometimes reviving ancestral polytheistic beliefs, while distancing itself from the more institutional heritage practices that base their recognition on UNESCO classification.

In fact, according to the members of this association, turning to UNESCO is tantamount to admitting defeat, as "it is tantamount to demonstrating to the whole world that we are incapable of looking after our *marae* and that we are obliged to ask others to do so". According to them, the UNESCO project means bringing the *marae* "into a system of standardisation where rules from outside must be respected" and into the game of institutional equity policies, moving radically away from the bottom-up path started from Tuihana "by all those who are looking for their roots"⁸. It is a new submission to Western cultural domination, made possible by the obvious gaps in oral memory.

An even more radical criticism comes from those who, like the late Malona Teura from the neighbouring island of Tahaa (Aria 2007), have instead maintained strong links with

⁸ I quote from a personal discussion held in September 2009 with Teamio Tuarau, one of the founders of Tuihana.

oral memory, with history and with their family *marae*. In such contexts, where it is not even necessary to organise cultural associations or seek the support of archaeologists and political authorities, the decision to seek UNESCO recognition is seen as the most obvious sign of the final desacralisation and loss of *mana* of the site that was once that of the god Oro. Only where the relationship with the land, genealogies, ancestors and prohibitions has disappeared, is it possible to bend the stone remains to Western cultural domination, its heritage institutions and its tourist interests. On the contrary, as long as the *marae* are “alive”, because they are filled with *tapu*, they cannot be talked about, nor can they be considered simply as an object of contemplation, in other words only a heritage. This can only happen when they are “dead”, when, deprived of their *tapu*, they have become *noa* (neutral, not dangerous) or more precisely *marae pohe* (dead *marae*) (Aria, 2014).

In the face of these visions, however, we cannot fail to emphasise the “alchemical” capacity, if I may say, of this UNESCO classification affair, which has helped to put an end to the long period of oblivion that has characterised Taputapuātea’s representations. For a long time, the enigmatic lithic structures of the Opoa valley represented one of the emblematic places of Segalen’s *Immémoriaux*, who, as a result of the dramatic upheavals caused first by conversion to Christianity and then by French colonisation, had become “a race that is forever silent before it has been able to fix its own words” (Segalen 2001: 109). From the early years of the twentieth century, the *marae* was imagined by artist-travellers and scholars as a monumental void in which to shed tears, a past that could not return, a place to atone for the sins of having brought about such a catastrophe. This narrative has long been the dominant paradigm, so much so that until the early 2000s, no one on Raiatea seemed able to remember the names and genealogies of the *marae*, their stories and those of their ancestors, or to show that a close relationship had been maintained with them.

With the activation of UNESCO’s practices, in the discourse of the official institutions involved in presenting the bid, the idea of searching in the void to rediscover one’s past seems to be giving way to emphasising the vitality of oral traditions and of these communities in the Polynesian triangle that have preserved or rediscovered their historical and cultural links. The committee of experts responsible for drawing up the nomination emphasised the international character of the ceremonial complex precisely because “it continues to be experienced as a meeting place” and imagined

as the “homeland of the peoples of the Polynesian triangle”. In the documentation drawn up in 2010 and revised in 2014, it is described as “an outstanding example of Polynesia’s sacred cultural landscape, where each natural element had its own symbolic meaning”. In order to give historical depth and legitimacy to these statements, use is made of UNESCO and the traditional art of oratory “handed down from generation to generation since time immemorial”, through which the intrinsic unity between the *marae* and the surrounding nature is declaimed.

In conclusion we can see, from a longer-term perspective, that the *marae* of Taputapuātea has on several occasions been at the centre of an interweaving of Ma’ohi and European representations and practices capable of determining first their abandonment, then their rediscovery and finally their transformation. British missionaries and the nascent Pomare monarchy contributed to the banning of these practices between 1819 and 1821. In the darkest years of colonisation, American and French archaeologists in turn set about recovering them from the depths of memory, mapping and classifying them, then restoring them and bringing them back to life in the 1960s and 1970s. In so doing, they enabled these ruins of a lost time to become an essential part of the revival of traditions, also promoted by rediscovery voyages (and large gatherings of pirogues) in consonance with the cultural claims of the Pacific way. After a long silence, the Ma’ohi have recently reappropriated the vestiges of their past by re-proposing, re-signifying and, in some cases, challenging the language and visions of Western scholars.

Reading the case presented here in these terms (as a shared heritage-making process) does not mean ignoring rigid oppositions, closed identities and ongoing aspirations.

I think that this notion enables us to reflect on those heritage-making processes, (like the end of oblivion) that, besides provoking conflicts and oppositional identities, also make possible a creative reinterpretation of colonial relations in the frame of a mutually shaped view of the past that encourages reciprocal recognition. The word ‘shared’ should not evoke false charity or a naïve sense of doing good. It should rather stress the idea of a heritage both literally and figuratively ‘built’ together by a variety of diverse actors (Unesco, French political institutions, archeologists, local actors and associations). All of this allows us to highlight dynamics not devoid of tensions and resistance in which the so-called subalterns show the capacity to act on the present “from below” (Aria and Cristofano and Maltese 2014).

To return finally to one of the intentions announced at the beginning of this essay, I believe that the notion of shared heritage-making process, crediting not only a dynamic but also a creative vision of heritage, can help to put the suggestions coming from Oceania (about the Pacific Way and all that has been evoked in the previous parts of this chapter) in close dialogue with the recent reflections that have developed within Italian studies on folklore (Clemente and Mugnaini 2001), on popular culture (Dei 2002), on museography (Clemente and Rossi; Pavilion 2008) and, of course, with critical and deconstructivist approaches to heritage itself (Palumbo 2003, 2011; Ciarcia 2014).

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The Pacific Way and Oceanian civil identities on French soil Being oneself within another

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The *Pacific Way*, as conceived by Kamisese Mara, is above all a project or, more precisely, a vision of how the multicultural island societies of the Pacific could function. Founded on the practice of consensus, discussion and palaver, and on the habit of resolving collective difficulties through words rather than confrontation (Panoff, 1992-1993), it is based on the idea that these societies, which have experienced the phenomenon of colonisation and where culturally very different groups coexist in small territories, have sufficient human resources to forge communities of destiny. Such an ambition implicitly presupposed, firstly, restoring the dignity of the subjugated peoples and, secondly, overcoming profound inequalities. The independence of these territories was undoubtedly the ideal context. But the *Pacific Way* could also be a way forward for the territories of Oceania that remained in the bosom of Western metropolises. In a way, the Nouméa Accord expressed the same idea when, almost thirty years after the Kamisese Mara speech, it proclaimed in New Caledonia that “while the Kanak people’s accession to responsibilities remains insufficient . . . the other communities living in the territory have acquired, through their participation in the building of New Caledonia, a legitimacy to live there and to continue to contribute to its development”. After a period of violence and contempt, “a new stage must be opened, marked by full recognition of the Kanak identity, which is a prerequisite for rebuilding a social contract between all the communities living in New Caledonia. . . . The past was a time of colonisation. The present is a time for sharing, through rebalancing. The future must be a time of identity, in a common destiny¹”. To speak of rebalancing and a common destiny was, in essence, none other than the societies

¹ Nouméa Accord, Preamble Point 4.

dreamt of by Kamisese Mara, where “populations that differ in race, opinion and culture can live and work together for the benefit of all”. Although closely linked to the process of decolonisation, the *Pacific Way* could therefore inspire other ways of thinking about the future of the Non-Self-Governing Territories of the Pacific.

As far as the French lands of Oceania are concerned, the vision of the *Pacific Way* has mainly been thought of in political terms, and therefore, from a legal point of view, in institutional terms. In this respect, it must be acknowledged that the idea of giving a specific place to the overseas populations, in order to take account of their singularities, has constantly been affirmed and, since the Second World War, there has been a succession of distinctive statutes applicable to these territories. But recognising the singularity of the overseas populations is an approach that, for the State, has always been fraught with ambiguity. Sometimes intended to curb indigenous aspirations while taking for granted an inequality that precludes imposing the same civil rules on these populations as on the population of metropolitan France², and later devoted to satisfying a need for autonomy while proclaiming the civil equality of all citizens, the institutional provisions specific to the Overseas Territories are marked by ambiguity.

In this context, the question of the expression of overseas identities in private law has been blurred or even obscured. Yet it was an interesting perspective for the alternative social contract proposed by the *Pacific Way*. For a society to build peacefully, it is crucial that the civil rules it adopts reflect its perception of inter-individual relations (Lafargue, 2011). It was therefore important to look not only at institutions and political representation, but also at the nature of the civil rules applicable in territories where social relations are governed by deeply rooted customary rules. However, it is not certain that this issue has been sufficiently considered. The granting of a degree of institutional autonomy³, the proclamation of the principle of legislative speciality⁴

2 This was the original meaning of Article 75 of the Constitution of the Fifth Republic and, even more so before it, of Article 82 of the Constitution of the Fourth Republic, even though the second paragraph of this text set out the principle that personal status “may under no circumstances constitute grounds for denying or limiting the rights and freedoms attached to the status of French citizen”.

3 See Title XII and Title XIII of the French Constitution.

4 The principle of legislative speciality, which governs the overseas territories, acquired constitutional status under article 72 paragraph 2 of the 1946 Constitution: “*In the overseas territories, legislative power is vested in Parliament with regard to criminal legislation, the system of public liberties and political and administrative organisation. In all other matters, French law is applicable in the overseas territories only by express provision*”. The Constitution of 4 October 1958 does not repeat this principle expressis verbis, but it is still enshrined in the Constitution through Article 74. The Cour de cassation itself ensures compliance with this principle. See, for example, Cass. 3^{ème} civ, 8 April 2012 (Bull., 2010, III, n°75).

and the maintenance of special personal statutes⁵ seemed sufficient to satisfy the aspirations of the local populations. Or, perhaps more accurately, they were seen as the maximum that the State would agree to in order to make room for indigenous specificities.

Fifty years on, what is the state of civil law respect for Oceanian identities on French soil? Has the *Pacific Way* found legal expression in private law social relations?

Certain inter-individual relationships (family or economic) may be governed by rules other than those of Metropolitan France. Does this mean that the culture, social structures and ways of life of the indigenous populations of the Pacific can legally flourish? Has a balance been found in the French legal system that allows everyone to be themselves while sharing a common destiny? The answer is not easy, and it is certainly not unequivocal. While there is certainly room for the expression of Oceanian civil identities in the French legal system (I), this space is perhaps not as fertile as it might seem (II).

I. **A real space of expression for Oceanian civil identities**

If we focus our analysis on Oceanian societies attached to the French Republic, we can see that the possibility of subjecting social relations to local customary norms is limited to two territories: New Caledonia and Wallis and Futuna⁶. In fact, only these two territories derive their special personal status from the Constitution. This is undoubtedly the most powerful legal means of guaranteeing that certain legal issues closely linked to culture (parentage, marriage, inheritance, etc.) are governed by indigenous norms. But recognition of a special civil status is not the only possible way of expressing indigenous identities. The link to the land is also an important element of identity, and one that is common to most Oceanian societies. However, the French legal system

⁵ Article 75 of the Constitution.

⁶ Article 7 of Organic Law n°99-209 of 19 March 1999 relating to New Caledonia: "Persons whose personal status, within the meaning of Article 75 of the Constitution, is the Kanak customary civil status described by the present law are governed in matters of civil law by their customs" and Article 2 of Law n°61-814 of 29 July 1961 granting the Wallis and Futuna Islands the status of Overseas Territory: "The natives of the territory of the Wallis and Futuna Islands have French nationality. They shall enjoy the rights, prerogatives and freedoms attached to the status of French citizen and shall be subject to the same obligations. Those who do not have common law status retain their personal status until they expressly renounce it".

also allows for normative expressions of this particular link to the land, independently of the existence of a particular civil status, as can be seen in French Polynesia. Let us see how the civil identities (A) and land identities of Oceania (B) are expressed in French private law.

A/ Respect for civil identities

Respect for civil identities is guaranteed under French law by the recognition of special civil status for two population groups: the Wallisians-Futunians and the Kanaks of New Caledonia⁷. This is provided for in article 2 of the law of 29 July 1961 granting the Wallis and Futuna Islands the status of Overseas Territory and article 7 of the organic law of 19 March 1999 relating to New Caledonia. These texts allow the natives of these territories to submit family matters and matters relating to land⁸, or more broadly all matters of civil law⁹, to customary norms.

This means that the most deeply cultural aspects of social relations (marriage, separation, filiation, inheritance, land use) are governed by indigenous norms, at least as long as the people concerned have not renounced their special status. As far as these two Oceanian territories are concerned, the application of custom results in the implementation of unwritten rules whose legitimacy is based on habit and repetition, which draw their sources from a conception of the world other than that known in Europe, and whose new solutions, necessary for the social evolution of these populations, are worked out in the intimacy of the clan councils. Custom is not sclerotic, nor is it impervious to change, but it evolves differently from Western-style written law. The secrecy of the palaver is the place where these transformations take place¹⁰.

⁷ The same possibility exists for the Mahorais in Mayotte, but this special status is being phased out as a result of the island's departmentalisation process, which began in the early 2000s and has led to the prohibition of the practices most incompatible with civil law in mainland France: polygamy, repudiation and unequal inheritance. The special status of Mauritius therefore continues to exist officially, but it is being stripped of its content and only applies to people who had reached marriageable age by 1st January 2005 (Overseas Planning Act no. 2003-660 of 21 July 2003). Since 2010, polygamy and repudiation have been prohibited for the future without age conditions (article 9 of order no. 2010-590 of 3 June 2010). As part of a study on the *Pacific Way*, we will not dwell further on the special status of Mauritius.

⁸ Article 5 of the law of 29 July 1961 conferring on the islands of Wallis and Futuna the status of Overseas Territory.

⁹ Article 7 of the Organic Law of 19 March 1999 on New Caledonia.

¹⁰ See, however, the New Caledonian law on customary successions, which abandons oral tradition to embrace the path of a written legislative procedure: loi du pays n° 2018-4 du 28 mai 2018 relative aux successions des biens appartenant aux personnes de statut civil coutumier kanak.

By recognising these special personal statuses and allowing custom to govern such important areas of social relations, the French legal system has established the legal status of custom (Cornut, 2010). It has made custom a norm in its own right in our legal corpus and has given it, in the matters it governs, a hierarchical position equivalent to that of state law. In other words, the application of custom is in no way subordinate to its conformity with civil law, and any supposed gaps cannot be filled by applying the rules of the Civil Code (Sana-Chaillé de Néré, Parisot, 2017). If a new question arises, or one for which custom does not seem to have specific solutions, it is within custom itself that the answers must be sought¹¹. Custom is in fact - or should be - the opposite of an old frozen text: it is a living body, creating its own norms. Despite the difficulties this may entail for the French courts, this is the intellectual approach that state judges must take when dealing with cases subject to custom: custom and nothing but custom. And this is precisely what the Court of Cassation rightly requires of them (Sana-Chaillé de Néré, 2011 ; Parisot, 2011). Indeed, customary cases are brought before the State courts¹², and are not relegated to customary courts. In this way, the State confirms the full integration of customary law into the French legal system.

Of course, it is not self-evident for a magistrate trained in metropolitan civil law to apply custom of which, most of the time, he or she knows nothing. This is why, in Wallis and Futuna and New Caledonia, there are courts with customary jurisdiction, specifically composed of a professional judge and customary assessors with deliberative powers. The role of these assessors is to express custom, or more precisely, to work out a solution to the dispute in accordance with custom. These courts are a unique instrument in the French judicial system, and one that deserves to be defended despite the practical difficulties it encounters. These customary State courts are in fact a meeting point between apparently contradictory requirements: the aspiration of these citizens to live their customary status and the affirmation that the State is not uninterested in their disputes. The assertion that it is indeed up to the State to dispense justice, for them as for all other French citizens, but that it does so in application of the customary norms to which they are subject. Customary courts are the bearers of this fundamental, yet often contested, idea.

11 For an illustration of the use of genetic tests to establish parentage, see S. Sana-Chaillé de Néré, "Miroir d'outre-mer : la famille, le droit civil et la coutume kanak", in Méli. J. Hauser, Dalloz, 2012, p. 655.

12 Article 19 of Organic Law no. 99-209 of 19 March 1999 relating to New Caledonia: "The ordinary civil court has sole jurisdiction to hear disputes and applications relating to customary civil status or customary lands. It is then supplemented by customary assessors under the conditions laid down by law".

By defending the existence of special civil statutes, giving a relatively large place to custom and affirming the State's jurisdiction to hear customary disputes, the French legal system shows itself to be rather open to respect for Oceanian civil identities. The question of land identity seems to confirm this impression.

B/ Respect for land identities

It has been widely demonstrated that so-called indigenous societies, and in particular indigenous Oceanian societies, are characterised by a special bond with the land. This is particularly true of Kanak, Wallisian-Futunian and Polynesian societies, which share an attachment to the land of their ancestors¹³.

In New Caledonia, as in Wallis and Futuna, this specific relationship with land can be legally expressed by the submission of land issues to custom. More precisely, customary land and the property located on it belonging to persons with customary status are governed by custom. Here again, it is not the rules of the French Civil Code that apply, but the indigenous norms that reflect the specific way in which the relationship between people and land is experienced. For example, there is no question of private appropriation of the customary land on which the clans live. The clans see themselves as custodians of the land for which they are responsible, rather than owners. Nowhere in custom is there any question of a right equivalent to that of article 544 of the Civil Code, which confers on the owner of the land the right to enjoy and dispose of it in the most absolute manner. On the contrary, customary land is inalienable, non-transferable, unseizable and unchangeable. This rule, a pillar of Melanesian custom, is now enshrined in Article 18 of the Organic Law on New Caledonia¹⁴. This shows its importance. It should also be noted that this is the only substantial customary rule to appear in the Organic Law. In no other area is the content of custom spelt out in the Organic Law¹⁵. This undoubtedly shows the extent to which this rule is aimed above

¹³ In New Caledonia, this link is of such importance to the Kanak people that it is almost artificial to dissociate civil identities and land identities as we do here. For the Kanak people, their identity is intrinsically linked to their place in a lineage and to a mound that tells them where they come from.

¹⁴ Law no. 99-209 of 19 March 1999.

¹⁵ Moreover, custom is not spelt out in any other written normative instrument. It is by nature oral, which in no way detracts from its imperative nature. It should be noted, however, that the Kanak people have recently felt the need to write the Charter of the Kanak People, which substantially spells out the foundations and essential principles of custom (Charter of the Kanak People - Common foundation of values and fundamental principles of Kanak civilisation adopted on 12 April 2014). To our knowledge, this is the first written document to set out substantial customary rules. This text, however, is not a legal standard. It can only be used as

all at the other communities of New Caledonia and in particular at the population of European origin, which must therefore take note of it. The Kanak, in fact, have no need to express this rule in writing, as they are all familiar with it.

In any event, whether on the basis of Article 18 or custom itself, the link to the land is expressed legally: citizens with customary status can claim the application of their norms to govern their use of the land or inheritance transfers. This legal expression of the link to the land is also guaranteed by the state courts, since customary courts have exclusive jurisdiction over land matters¹⁶.

The French legal system therefore allows for the expression of Melanesian land identities. Legal instruments have also been invented to ensure that land is managed in accordance with customary principles. The Groupements de droit particulier local (local special law groups) are corporate structures made up of people with customary status, who are responsible for the economic and cultural development of the land and its preservation¹⁷. They operate on the basis of customary practices, particularly palavers. They also reflect the State's respect for the special relationship that Kanak society has with its customary lands.

The situation in French Polynesia is more ambiguous on this issue. There is no specific personal status in French Polynesia and land is governed primarily by the provisions of the Civil Code. Land is therefore legally perceived as property and, as such, subject to the right of ownership and other real rights. But the application of these rules comes up against deeply rooted traditional practices, foremost among which is the practice of keeping land in joint ownership¹⁸. This clash between French rules and Polynesian

a reference document or as a source of interpretation for customary courts. Under no circumstances is it binding on them. But the very existence of this written document is certainly a sign of change. This development was confirmed by the adoption in 2018 of a local law on customary inheritance (local law no. 2018-4 of 28 May 2018 on inheritance of property belonging to persons with Kanak customary civil status). Here again, the Kanak community felt the need to write down, even if only partially, the substantive solutions to custom, which until then had taken no form other than that of customary usage and palaver. And, this time, it is indeed a law that imposes itself as such. Is this a sign of a need for legal certainty, a need to reaffirm customary solutions, or a sign of concern about the perpetuation of customary solutions? Is it, on the contrary, the path that has been chosen to impose changes, particularly in terms of equality between men and women, that part of the community still refuses to accept? It's difficult to say. But what is certain is that by writing down their customs, the Kanak are making a profound change in their normative approach. This change was not purely formal, but affected the very substance of custom.

16 Article 19 of Organic Law no. 99-209 of 19 March 1999.

17 The GDPL were institutionalised by referendum law no. 88-1028 of 9 November 1988 and then set up by decree no. 89-570 of 16 August 1989.

18 While keeping land in joint ownership is of course a difficulty when rules such as those of the French Civil Code apply, where, on the contrary, joint ownership is perceived as a situation that is temporary in nature, other factors explain the insecurity of land tenure. This is true of confidence in *Tomites* (legal title deeds established in the nineteenth century solely on the basis of often unverified declarations), despite their unreliability and the continuing uncertainties surrounding subsequent transfers of ownership.

customs has led to inextricable land ownership problems (Sana-Chaillé de Néré, 2022). Faced with this difficulty, there are two reactions.

The first is an effort to adapt State rules to the Polynesian situation. Thus, following a long legislative process carried out jointly by the State and Polynesia, a law has established an exception to the general law of succession by accepting the division of estates by family line¹⁹. This law of 26 July 2019²⁰ adapts the devolution of inheritances to Polynesian family structures, which are based on very old and very numerous lines. This law also adopts sharing techniques to overcome the lack of knowledge or absence of undivided heirs, a recurring source of blockage in land transfers. Finally, the State has decided to set up a land court, a unique jurisdiction in the French legal system, dedicated exclusively to Polynesian land disputes²¹. The role of this court is to resolve land disputes not only by the cold application of legal rules of metropolitan origin, but also by taking into account the specific land situation in Polynesia. Land issues in Polynesia are deeply linked to the territory's history, culture and the importance of genealogies²². It is for this reason that land assessors sit on the bench alongside professional magistrates. Their role is to provide knowledge of the historical and sociological context of land disputes. They take part in the deliberations and help to draft the judicial decision. In this way, they form a sort of bridge between the State justice system and Polynesian citizens, for whom land issues are of considerable importance but who do not always understand the decisions handed down against them.

In addition to efforts to adapt the law to the local context²³, a second reaction to Polynesia's land problems is emerging. This is the promotion of more traditional land management, without abandoning joint ownership, which should not necessarily be seen as a curse. Admittedly, joint ownership of land does not correspond to the spirit of the Civil Code. But it reflects a Polynesian tradition of keeping land within the lineage,

The difficulties are also due to the fact that the rules of the Civil Code are unsuited to Polynesian family structures, including the presence of *fa'a'amu* children who have no legal status under French law.

19 This solution had been courageously initiated by the local courts, but was systematically rejected by the Court of Cassation, which did not accept that the specific nature of the Polynesian situation justified an exception to the prohibition on division by descent.

20 Article 5 of Act no. 2019-786 of 26 July 2019 relating to French Polynesia.

21 Decree no. 2017-1474 of 16 October 2017 on the organisation and operation of the Land Court of French Polynesia and Article L552-9-1 of the Code of Judicial Organisation.

22 This raises issues as complex as those relating to name changes, the place of *fa'a'amu* children, donations without title, and respect for the word of the *tupuna*, i.e. the elders.

23 We can also mention the law of the country n°2020-06 of 29 January 2020 aimed at organising the titling of certain lands located in Rurutu and Rimatara on the basis of an *ex gratia* procedure.

without dividing it up. In this sense, it can be both a social and economic force if the family group uses the land collectively, in good understanding. It should also be remembered that undivided ownership has been, and undoubtedly continues to be, a means of protection against the appropriation of land by outside populations, which is still a major fear of the Polynesian population today²⁴. Many family associations are now advocating the principle of managing undivided land rather than leaving undivided ownership (Tumahai, Raoulx, 2022). Corporate-type organisations are being set up to facilitate the management of land assets. The division of land can then be avoided, as can the resulting impoverishment of those who see themselves allocated plots of land of little value or even inaccessible for any domestic or agricultural use.

These movements of the re-appropriation of a cultural relationship with the land are undoubtedly a process of avoiding the solutions proposed by the State, which are judged to fail to satisfy local aspirations, and perhaps above all judged to be too far removed from the Polynesian cultural conception of the relationship with the land. There is no doubt that the State and the Polynesian public authorities would benefit by taking these considerations into account and giving them greater support. In so doing, they would only be making progress along the path already begun of respect for Oceanian land identities.

In terms of both civil and land identities, the State is open to the legal expression of Oceanian cultural norms.

Has the possibility of drawing *legal* consequences from cultural practices made it possible to restore wounded identities? More broadly, does the legal space granted to Oceanian customs make it possible to form a society with other communities, or is it a space of withdrawal, of confinement, a kind of 'legal reserve'? In other words, is it a place of communal isolation rather than a meeting place? It is to be feared, in this respect, that the legal place given to indigenous standards is a kind of *trompe l'oeil*.

²⁴ See the emblematic case of the island of Maïa'o and the local law passed unanimously by the Assembly of Polynesia on 26 April 2022 introducing a 1000% surcharge on deed of sale duties for buyers who have been resident in French Polynesia for less than 10 years. This local law was invalidated by the Conseil d'État, but it reveals the persistent fear of land dispossession.

II. **A deceptive space of expression for Oceanian civil identities**

It has been shown above that the French legal system creates a real place for Oceanian identities in the field of civil law, i.e. in the field of inter-individual relations. Custom governs all civil law relations in New Caledonia, family and land issues in Wallis and Futuna, and French Polynesia has legal provisions that take account of land traditions. For a country like France, where unity is a major element of the national story, this concession to legal pluralism is significant. There is therefore no denying the importance of recognising customary statutes and, above all, the extent of the jurisdiction of custom, as enshrined in the organic law relating to New Caledonia, or the existence of special courts to ensure compliance with customary norms. All these elements are unquestionably manifestations of legal respect for indigenous identities. At the same time, however, it should be noted that the legal space accorded to Oceanian identities remains a constrained space and that it is undoubtedly, and more seriously, a divisive space. In this sense, it is a deceptive space for expression in terms of the aspirations of the *Pacific Way*.

A/ Constrained space

In New Caledonia, custom is accorded the widest legal scope, covering all areas of civil law: civil status, legal capacity, filiation, marriage, divorce, matrimonial property regimes, inheritance, as well as contracts, liability and property law. In Wallis and Futuna, only family relations and land issues are governed by custom, and in French Polynesia no personal status is recognised. But even in the case of New Caledonia, the confinement of custom to civil matters poses a number of difficulties. This is particularly true of the legal relationship with criminal law. Custom is excluded from criminal law. Everything to do with repressive law comes under the law of the State. Criminal law is, so to speak, an inviolable bastion of state law. However, there are issues of criminal law that can only be resolved by reference to civil law solutions, and this poses a problem when these issues are themselves subject to custom. For example, theft between spouses involves knowing whether the property allegedly stolen belongs to the husband or the wife. However, when the property is customary, only custom should be able to say which personal assets it belongs to, if, of course, the term “assets” has any meaning in Kanak custom. Similarly, the offence of abandonment of the family

as conceived in French criminal law is based on the French concept of the family and the relationship between parents and children. Can the abandonment of a family be punished in the customary world without taking into account customary family concepts? The answer seems obvious, but it should be remembered that custom cannot be invoked before the criminal courts and no customary assessor sits on the bench (Parisot, 2011-2012 ; Malabat, 2011).

More generally, custom has no place, to date, in the determination of criminal offences or in the nature of the penalties that may be imposed. Thus, the intentional and malicious violation of a sacred space is not punishable in any way and cannot, on this basis alone, trigger public prosecution. Similarly, the customary nature of a punishment in no way detracts from its criminal nature if it contravenes rules of State law. Corporal punishment such as *astiquage*, for example, is therefore punishable under criminal law even though it is traditionally imposed as a customary sanction. Similarly, the burning of huts is severely punished by state courts even though it was ordered by the highest customary authorities and carried out by an individual who felt he was obeying a legitimate order (Malabat, 2017).

This exclusion of custom from the field of criminal law may seem normal, and is in any case consistent with a very widespread perception of the role and foundations of criminal law in France. But we may well wonder about the relevance of such a rigid confinement. Why should the most important customary rules not be protected and sanctioned by State criminal law in exactly the same way as certain rules of State civil law are? Why should customary excuses not be taken into account in the same way as other justifying facts in criminal law? There is no question of advocating a relativism of values that would lead to the toleration on the soil of the Republic of acts that are unacceptable in terms of the fundamental rights that France has undertaken to respect. But, as has been shown (Cornut, 2011), taking custom into account for a more coherent application of State law in New Caledonia, including criminal law, could undoubtedly be considered.

The confinement of the legal space for the expression of civil identities is even more apparent in French Polynesia, where no personal status is recognised. No indigenous rules can therefore be claimed to govern interpersonal relations. What is more, matters of personal and family law, which, let us repeat, are the most significant of the culture

of a given society, are subject to the principle of legislative identity²⁵: in these areas, metropolitan laws automatically apply²⁶. In other words, while French Polynesia has normative autonomy in certain areas, it has none in personal and family matters. Thus, if French Polynesia wishes to adopt specific provisions on consumer protection, for example, or on insurance law, it can do so freely by means of the *lois de pays*²⁷. But if it wished to introduce legislation on the civil status of *fa'a'amu* children, modify the conditions of full adoption or give civil effect to religious marriage, it could not do so. This is very clearly illustrated by the law on the division of land by stumps²⁸, at the time of inheritance, which is a State law intended solely for Polynesian inheritances, but which French Polynesia did not have the power to enact itself.

Here, the space for expression of Oceanian identities is very narrowly confined. The State retains the upper hand in the highly symbolic areas of personal and family law: in this respect, Polynesia is deprived of its specificity. This does not mean, however, that its relationship with the State has been disrupted. It would be interesting to know whether the population feels uneasy or frustrated. As far as we are aware, there is no explicit demand for the re-establishment of a special personal status or even for the Assembly of Polynesia to have jurisdiction in matters of personal and family law²⁹. The long period of application of the French Civil Code has undoubtedly had an assimilating effect. Nevertheless, the activity of the courts shows, in matters of *fa'a'amu* adoption for example (Sana-Chaillé de Néré, 2023), that the relationship between civil law and traditional practices is not always fluid.

If it exists, the space for expressing Oceanian identities on French soil remains a constrained one. But analysis shows that it is above all a divisive space, as we would like to explain here.

25 Article 7 4° of the Organic Law of 27 February 2004 on the autonomous status of French Polynesia.

26 The law of 17 May 2013 on marriage for all, for example, which it is not certain Polynesia would have adopted if it had had the choice.

27 Article 14 of the Organic Law of 27 February 2004.

28 Act no. 2019-786 of 26 July 2019, *supra*.

29 It seems that the question of land was a more important issue for the Polynesians in their quest for normative autonomy. The agreements signed with France at the time of annexation expressed the wish that land issues should be dealt with by the *Tohitu*, i.e. the councils of elders. And islands such as Maia'o and Rapa have a land tenure system that is totally indifferent to the Civil Code. Moreover, land issues are among those for which the 2004 Statute of Autonomy gives French Polynesia the power to adopt local laws.

B/ A divisive space

The *Pacific Way* was a project for an inclusive society, to use a fashionable word. It was about overcoming the structural inequalities created by colonisation, restoring the identities of the societies of origin and - this was undoubtedly the most ambitious stage - shaping "living together" between the different components of these territories. The success of this final stage can certainly be measured primarily by sociological analysis. But it can also be measured, it seems to us, from the angle of private law, by looking at whether the rules that enable the legal expression of Oceanian identities are a vehicle for 'living together'. It seems to us that the answer is negative. To take only the example of New Caledonia, where custom has the widest scope of application, we note that customary rules are intended only for relations between persons of the same community. Under article 9 of the Organic Law³⁰, when civil law issues concern a person with Kanak customary status and a person with ordinary law status, ordinary law necessarily applies³¹. There is no place for custom in this type of situation. The presence of a person with common law status automatically brings the legal relationship under the rule of the civil law of the State. This means that, despite the asserted equal dignity of the two types of norms applicable in New Caledonia, the rule for distributing their respective jurisdiction remains profoundly unequal. This inequality may well be unfair. It is hard to understand why the mere fact that one of the parties concerned is attached to civil status should cause the legal relationship to be tipped over to the State norm, even though the relationship, whether family or contractual, may be fully immersed in a customary environment³². It is difficult to understand why harm caused by a person with civil status to a person with customary status would necessarily be apprehended under the rules of the Civil Code, even though the harm may be of a purely customary nature.

30 Organic law no. 99-209 of 19 March 1999 relating to New Caledonia.

31 Even when the relationship involves two people with different special statuses (forexample, special Kanak status and Wallisian-Futunian customary status), ordinary law still applies unless the parties opt for one of the customary statuses involved (article 9 paragraph 2 of the Organic Law of 19 March 1999).

32 This is the classic example of a marriage between a person of customary status and a person of ordinary law living in a tribe. Although their lives are fully integrated into the customary environment, the mere fact that one of the members of the couple is attached to the civil status means that the entire marriage is governed by common law, creating a very uncomfortable gap between the legal life and the social reality of these individuals. The same is true for questions of parentage, which, because one of the parents has civil status, are governed by ordinary law, whereas customary rules constitute the immediate normative environment for these families.

These distribution rules, which confine custom to endogenous relations, are ultimately divisive because they give the impression that the Kanak are locked into their traditional rules, which must never be respected by non-Kanak who nevertheless maintain relations with them. Using the supposedly natural superiority of the dominant law as the sole criterion for application shows that there can never be any question of sharing different rules. It is only a question of one community respecting the rules of the other, the reverse never being true. Such a situation obviously implies no effort on the part of non-Kanak society to understand customary rules, since they are never required to respect them. So there is no sharing of norms; quite the contrary, only a divide that contributes nothing, to the common destiny.

However, we have shown elsewhere that other ways of doing things were possible (Sana-Chaillé de Néré, 2016-2018). Balanced distribution criteria could be adopted by law, allowing custom to be applied in relations between Kanak and members of other communities. The area of legal expression of custom would then no longer be a divisive area, or an area of isolation, but one of sharing. It does not seem to us to be utopian or blissfully angelic to advocate a new distribution of the areas of competence of custom and civil law. We are simply saying that it is possible to apply the constructive ambitions of the *Pacific Way* to private law.

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Regional Economic Integration and The Pacific Way

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International trade is an important driver of economic development for very small island economies. Their tiny domestic markets prevent them from benefitting from economies of scale, leading to very high costs of production. The geographical remoteness of Pacific small islands further increases their costs of trading with far-away large economies, thereby exacerbating the competitive disadvantage of their exports and raising the price of their imports. Regional trade integration could in theory alleviate these handicaps to a certain extent. A number of regional trade agreements (SPARTECA, PICTA, MGS-TA, PACER, PACER+) have been signed and implemented to achieve better economic integration in the Pacific.

The first of these regional agreements, which was signed in 1980 and entered into force in 1981, was the South Pacific Regional Trade and Economic Co-operation Agreement (SPARTECA). It was an interregional non-reciprocal and non-discriminatory agreement, where products exported from Forum Islands Countries (FICs) get duty-free unrestricted access to Australia and New Zealand. Signed in 2001 and entered into force in 2002, the Pacific Agreement on Closer Economic Relations (PACER) provided a larger framework for the future development of trade and economic cooperation, between the FICs and again Australia and New Zealand. An extended version, PACES Plus, was signed in 2017 (by Australia, Cook Islands, Kiribati, New Zealand, Niue, Samoa, Solomon Islands, Tonga, and Tuvalu) and entered into force in 2020. The European Union also

entered into Economic Partnership Agreements (EPAs) with Pacific Island Countries (Papua New Guinea, and later Fiji, Samoa and the Solomon Islands) to facilitate trade in goods between the two regions. The United Kingdom, following Brexit, replicated this agreement with its own UK-Pacific Interim Economic Partnership Agreement.

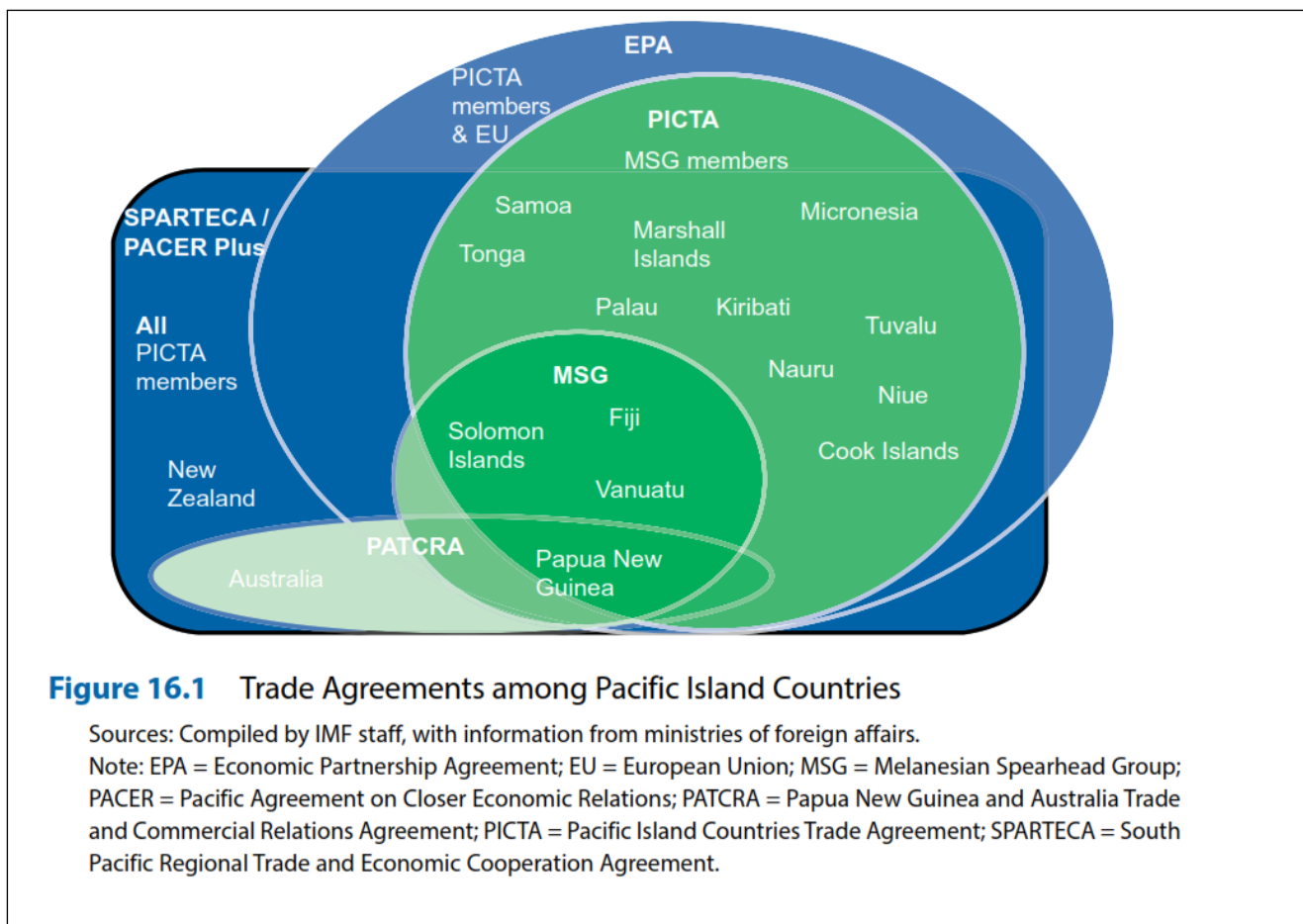


Figure 1 : Trade Agreements among Pacific Island Economies (PIEs)

Source "Resilience and Growth in the Small States of the Pacific" (International Monetary Fund, 2016)

Intraregional free trade agreements have also reduced barriers between PIEs: the Melanesian Spearhead Group Trade Agreement (MSG-TA) was signed by Papua New Guinea, Solomon Islands, and Vanuatu in 1993, and later by Fiji in 1998. But the most important intraregional agreement is the Pacific Island Countries Trade Agreement (PICTA), signed in 2001 by 14 countries and implemented in 2007 by the Cook Islands,

Fiji, Niue, Samoa, Solomon Islands, Tuvalu and Vanuatu. It gives preferential access to trade between these countries, with the exception of alcohol and tobacco products, as well as other dangerous goods.

Pacific Islands Forum leaders reaffirm in 2022 their commitment to deepen Pacific regionalism in the “2050 Strategy for the Blue Pacific Continent”. Yet, the word “trade” only appears three times in the 34-page strategic document. Despite the aforementioned intraregional Pacific trade agreements, exports and imports among PIs account for less than 10% of their total trade: “7 per cent of SIDS’ goods exports had another SIDS as destination and almost 4 per cent of SIDS’ imports came from another SIDS” (“Small Island Developing States”, UNCTAD Development and Globalization: Facts and Figures 2021).

This chapter will present evidence and explanations for the low level of trade flows between the Pacific islands, and makes the case for an economic strategy based on open trade in goods and services, especially tourism, with the rest of the world, in order to benefit from economies of scale and improve competitiveness and economic development, despite significant structural challenges (e.g. the “3 -Ds”: density, distance, division). It also compares different economic models of development and makes recommendations, while taking into account the shared values and visions of the Pacific Islands for a Pacific Way.

1. Commercial flows between the Pacific Islands Economies (PIEs)

The role of international trade in the economic activities of Pacific small island economies is paradoxical, since the share of international trade in their GDP is very high, while their intraregional bilateral trade is very limited. Indeed, as Figure 2 shows, the weight of international trade (exports + imports) in goods and services is on average 56% of GDP at the global level, whereas it amounts to 102% of GDP for the PIs. However, there is a great deal of heterogeneity among these economies. For example, international trade represents more than 100% of GDP for American Samoa, Fiji, Kiribati, Micronesia, Nauru, the Northern Mariana Islands, while it represents less than 80% for French Polynesia, New Caledonia, and Guam, which are more dependent on financial transfers (from France and the United States), and have much richer economies in terms of GDP per capita. It is also interesting to note that the level of economic development of these countries (measured by their standard of living) is not correlated with the weight of international trade in their GDP.

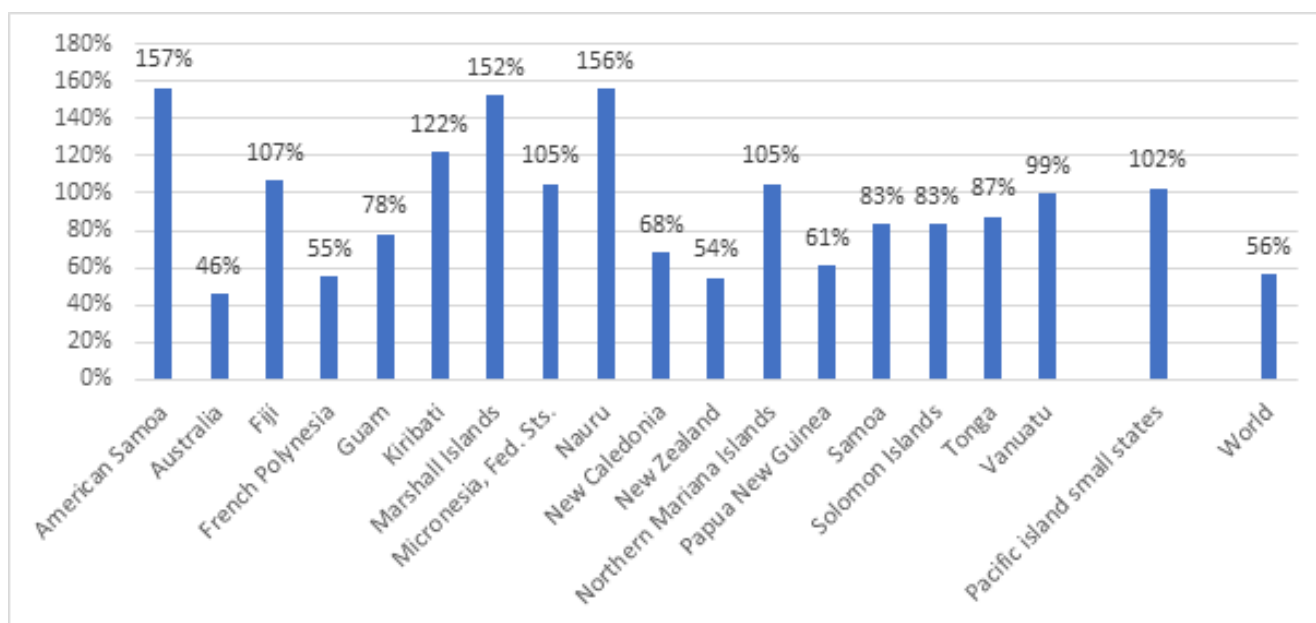


Figure 2 : Trade (goods and services) as % of GDP

Source : World Bank database, Trade (% GDP), series # NA.TRD.GNFS.ZS

However, while these islands, on average, have a very strong economic need to participate in international trade, they tend to trade relatively little with each other. Table 1 shows that Oceania is the region in the world with the lowest share of intraregional trade. While Europe is characterised by strong intraregional trade (favoured by the existence of a common market) which accounts for more than two thirds of the region's trade, this intraregional trade accounts for only 6% of their total world trade¹. Table 2 allows us to complete this picture, as we can see that the PIEs trade more with large industrialised countries (e.g. USA, Japan, China) which are sometimes very distant (e.g. France) than with each other.

¹ Note that this figure is even lower if New Zealand and Australia are removed from the data (about 3%).

Table 1 : Breakdown of world trade between intra-regional and extra-regional exports

Region	Intra-regional exports	Extra-regional exports
Africa	18%	82%
Northern America	30%	70%
Latin America and the Caribbean	14%	86%
Asia	58%	42%
Europe	68%	32%
Oceania	6%	94%

Source : UNCTAD HBS (2021)

Table 2 : Main trade partners of the countries of Oceania.

Country	Top 3 exports partners	Top 3 imports partners
Australia	China, Japan, USA	China, USA, Japan
Fiji	USA, Australia, New Zealand	Singapore, Australia, China
French Polynesia	France, China, USA	France, USA, China
Kiribati	Japan, Malaysia, Japan	Fiji, Australia, Singapore
Micronesia	Guam, N. Mariana Islands, USA	USA, China, Guam
New Caledonia	China, South Korea, Japan	France, China, Singapore
New Zealand	China, Australia, USA	China, Australia, USA
Samoa	American Samoa, New Zealand, USA	New Zealand, Singapore, China
Tonga	New Zealand, China, USA	New Zealand, Singapore, USA

Source : UNCTAD (2022)

Trade flows between Pacific Island economies (PIEs) are still very small compared to their economic and financial ties with more powerful partners (Australia, France, New Zealand, USA, China, etc.). This chapter argues that economic and geostrategic forces explain these patterns, given their common characteristics and challenges, and despite their shared values and visions for a Pacific Way.

In fact, this low level of bilateral trade between the PIEs can be explained by the nature of their production. As Table 3 shows, the PIEs tend to produce relatively the

same goods or services (tourism, fish, copra). In this case, as classical economic theory (Ricardo, 1817) suggests, these countries do not find the trade opportunities that their neighbours have, nor the products that they need. If countries produce the same goods and services, then bilateral trade is possible in the form of intra-industry trade, provided that the goods and services are differentiable (for example, intra-industry trade explains a very large part of the trade between European countries). However, with the exception of tourism (which is a service that attracts high-income consumers, which is not the case for the PIEs as a whole), the goods produced are all in the primary sector. However, the diversification of varieties is not possible as it mainly concerns the industrial sector.

Table 3 : Main goods or services exported by the PIEs

Country	First good or service	Second good or service
Fiji	Tourism	Sugar
French Polynesia	Tourism	Pearls
Kiribati	Fish	Copra
Marshall Islands	Fish	Copra
Micronesia	Fish	Copra
New Caledonia	Nickel	Tourism
Palau	Tourism	Fish
Samoa	Tourism	Copra
Solomon Islands	Log	Gold
Tonga	Agriculture (squash)	Tourism
Tuvalu	Fish	Copra

Source : “Resilience and Growth in the Small States of the Pacific” (International Monetary Fund, 2016)

Consequently, the “small island paradox” of the PIEs can be explained quite easily by the nature of the goods and services produced by these countries. It is therefore impossible for an intraregional trade market to develop between the PIEs. However, as mentioned above, these countries are dependent on international trade. Beyond the nature of the goods and services produced, it is therefore appropriate to examine the reasons, specific to these countries that may explain the obstacles to the development of trade between them.

2. The obstacles to the development of trade between the PIEs

International trade flows are largely explained by a set of economic and non-economic forces that can be summarised by the gravity model. This empirical model was developed by Anderson (1979) and Bergstrand (1985, 1989) and it allows us to synthesize the main results of the new literature on international trade (see Krugman, 1979; Krugman and Helpman, 1985; Krugman, 1991). This literature has been developed within a framework of imperfect competition, and more precisely of monopolistic competition, which allows this theoretical framework to capture the consequences of globalisation. This gravity model is inspired by Newton's theories, in that trade flows depend positively on the (economic) mass of the countries concerned and negatively on the distance between them.

The first economic variable that determines the scale of international trade flows is therefore the economic mass of the countries concerned (exporter and importer), which can generally be measured by GDP. From the point of view of the exporting country, a higher GDP means a greater production capacity, which allows for the development of economies of scale, i.e., production with decreasing marginal costs. Consequently, countries with a higher GDP tend to be mechanically more competitive and to export more than others. Moreover, a higher GDP also means a greater ability to diversify production. From the perspective of the importing country, higher GDP means higher national income and higher consumption. This first and probably most important stylised fact of international trade makes it easy to understand why, from a global perspective, the PIEs are and will remain small players in international trade: they are simply too small countries to be important players in international trade. Moreover, these countries, which cannot be major exporters, will tend to import goods and services from countries with significant economic mass; this explains why the PIEs tend to trade with the United States, Japan, China, Australia, etc.

The second determinant variable of the gravity model is geographical distance and, more specifically, transport costs. Contrary to what one might think, this element is not in favour of trade between the PIEs. Indeed, they are all, to some extent, geographically isolated from the rest of the world, which mechanically leads to relatively higher transport costs than other countries. Moreover, the PIEs are the island countries that are relatively furthest from the rest of the world, and as shown in Figure 3 from "Resilience

and Growth in the Small States of the Pacific” (International Monetary Funds, 2016), the transportation costs of the PIEs are the highest of all island countries. Therefore, even though they are geographically located in the same area, their geographic isolation (i.e. high relative distance to the rest of the world) hampers their trade, even among themselves, as it reduces their trade competitiveness. A country such as the United States, which is further away from the PIEs, will tend to be able to export more because it is less isolated (and has a higher GDP), resulting in relatively lower transport costs.

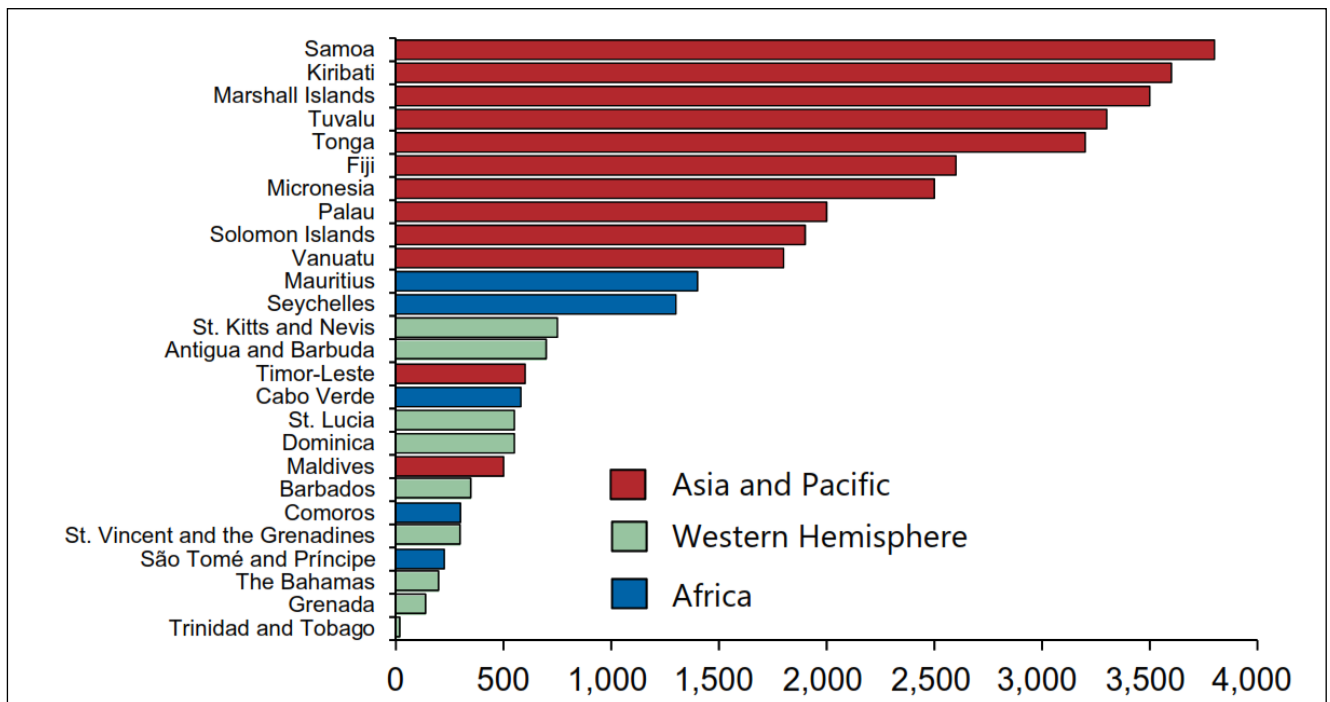


Figure 3 : Distance to the Closest Continent (in kilometres) – Small Island States

Source : “Resilience and Growth in the Small States of the Pacific” (International Monetary Fund, 2016)

In addition, the PIEs tend to have protectionist policies (see Table 4), which worsen the competitiveness of these countries and their transport costs.

Table 4 : Tariff rate, weighted mean, all products (%) - Pacific island small states

	Tariff rate
Fiji	24.0% (2019)
French Polynesia	4.6% (2019)
Nauru	15.6% (2019)
Palau	118.2% (2019)
Papua New Guinea	7.8% (2017)
Samoa	10.2% (2018)
Solomon Islands	17.5% (2019)
Tonga	5.5 % (2017)
Tuvalu	2.4 % (2017)
Vanuatu	8.3 % (2017)
World (mean)	2.6% (2017)

Source: World Bank

The academic literature has shown that, in addition to GDP and distance, other variables are important in explaining the magnitude of international trade flows. These variables include the real exchange rate, and cultural or linguistic proximity between trading partners. Again, these variables are detrimental to the development of trade between the PIEs. Indeed, in addition to their relatively lower standard of living, these countries tend to trade with Western countries because of their linguistic proximity (English or French) and past colonial ties.

All of these obstacles and barriers can be summarised by the “3-D challenge” highlighted by the World Bank (2009). These 3-Ds correspond to density, distance and division. The PIEs suffer from low economic density, which does not facilitate the development of economies of scale and increases production costs. Moreover, their relatively low standard of living exacerbates this low economic density. Distance and geographical isolation from the rest of the world is also a variable that helps to understand their low potential for commercial competitiveness. Finally, division, i.e., factors that aggravate the previous two Ds (notably cultural or institutional isolation and protectionist behaviour), is also a very present feature of the PIEs.

3. The different economic models of development

Because of the specific challenges faced by small islands, such as the PIEs, various economic models of development have been created to reflect their stages of evolution, as in Figure 4.

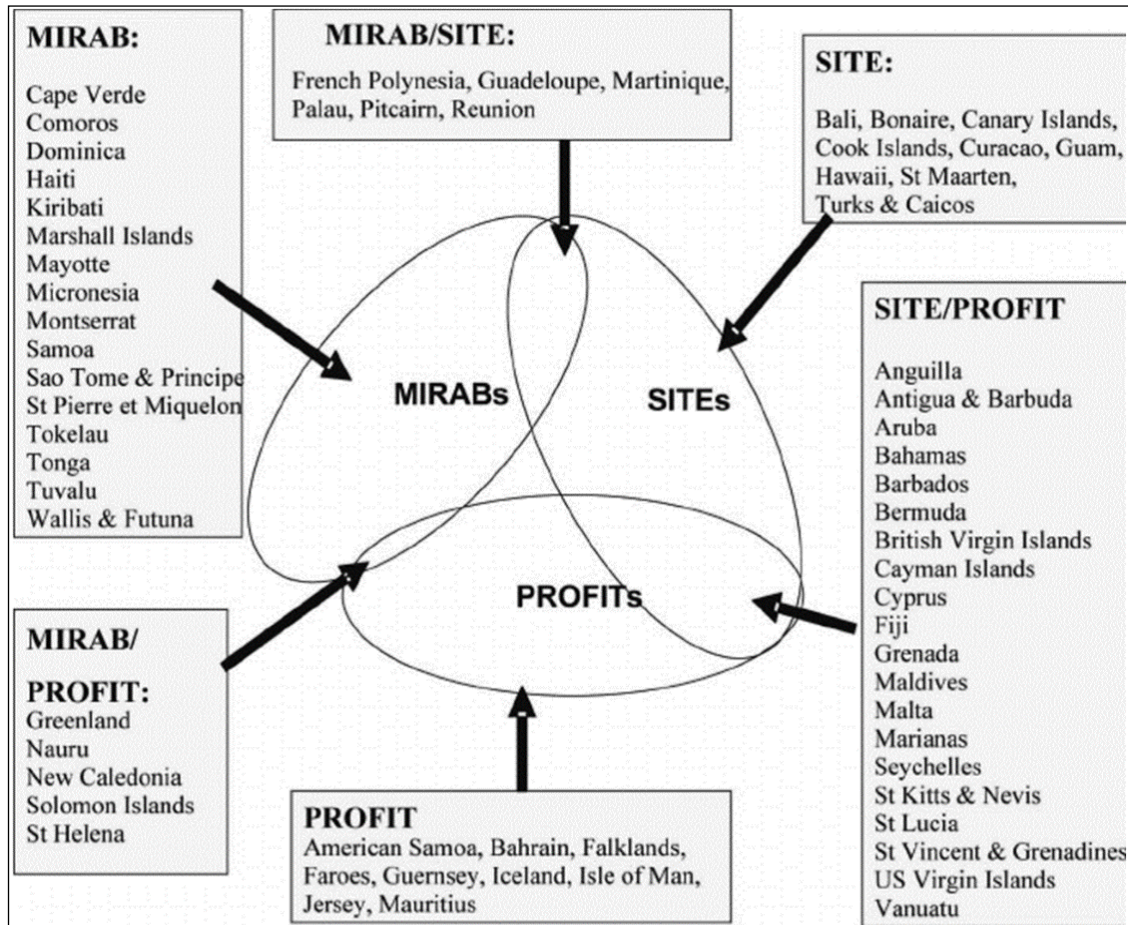


Figure 4 : Models of economic development for small islands

Source : G. Baldacchino and G. Bertram, « The Beak of the Finch: Insights into the Economic Development of Small Economies », *The Round Table*, 98 (401), 2009.

The MiRAB (Migration, Remittances, Aid and Bureaucracy) model was first developed by Bertram and Watters (1985)² and later improved by Bertram (1999, 2006)³ to fit some

² Bertram, G. and Watters, R. F. « The MiRAB economy in South Pacific microstate », *Pacific Viewpoint*, n° 26(3), 1985, p. 497-519
 Bertram, G. « The MiRAB Model Twelve Years On », *The Contemporary Pacific*, vol. 11(1), 1999, p. 105-138

³ Bertram, G. « Introduction : The MiRAB model in the twenty-first century », *Asia Pacific Viewpoint*, n° 47 (1), 2006, p. 1-13

PIEs, such as Kiribati, the Marshall Islands, Micronesia, Samoa, Tokelau, Tonga, Tuvalu, Wallis & Futuna, where a large part of the population emigrated to Australia and New Zealand in order to take advantage of better job opportunities, and send remittances to the family members who stayed on their native islands and also receive significant financial aid from nearby donors (Australia and New Zealand, as well as France), while being protected by a safety net made of generous public employment wages.

The SITE (Small Island Tourist Economies) model was later introduced by McElroy (2006)⁴, to reflect island economies specialised in tourism, such as Cook Islands, Hawaii, Guam, Palau.

The PROFIT (People, Resources, Overseas Management, Finance, Transport) model, presented by Baldacchino (2006)⁵, emphasises the political dimension rather than the economic dimension, such as in American Samoa. In this model, tourism remains an important asset in terms of reputation, in order to attract investors to a tax or diplomatic haven, which has not been acceptable as a mode of development for some years now, but is still present.

As suggested in Figure 4, some PIEs tend to be characterised by a combination of two models, such as Fiji, Vanuatu (SITE/PROFIT), Nauru, New Caledonia (MiRAB/PROFIT), French Polynesia (MiRAB/SITE). In particular, this last economy suffers from the perverse effects of the “Dutch disease”, according to Poirine (2011)⁶, who describes the French Polynesian economy as characterized by “high prices, high costs and wages, with low productivity, kept viable because artificially isolated from external prices by distance and protectionism, which limit competition from world prices”. These high prices maintain the competitiveness of high-cost, low-productivity production thanks to subsidies from mainland France (“*défisicalisation*”), protectionism and overpaid civil servants, who make overall demand artificially solvent despite the high prices for consumers. The consequences, according to the Dutch disease theory, are deterioration in the competitiveness of the sector exposed to international competition (exports, tourism), due to a much higher cost of living in French Polynesia, a slowdown in growth, a reduction in tax revenues, an increase in unemployment and inequalities.

4 McElroy, J. «Small Island Tourist Economies across the Life Cycle», *Asia-Pacific Viewpoint*, n° 47 (1), 2006, p. 61-77

5 Baldacchino, G. «Managing the hinterland beyond: two, ideal-type strategies of economic development for small island territories», *Asia-Pacific Viewpoint*, 47 (1), 2006, pp. 45–60.

6 Poirine, B. «*Tahiti : une économie sous serre*», L'Harmattan, 2011, Paris.

However, Baldacchino and Bertram (2009) criticize the paradigm of the vulnerability of small island economies, which focuses on their weaknesses, and advocate a strategic flexibility that highlights their strengths in order to prosper, as does Dehoorne (2014), who believes that development trajectories depend on crises to evolve from one model to another (see figure 5 below).

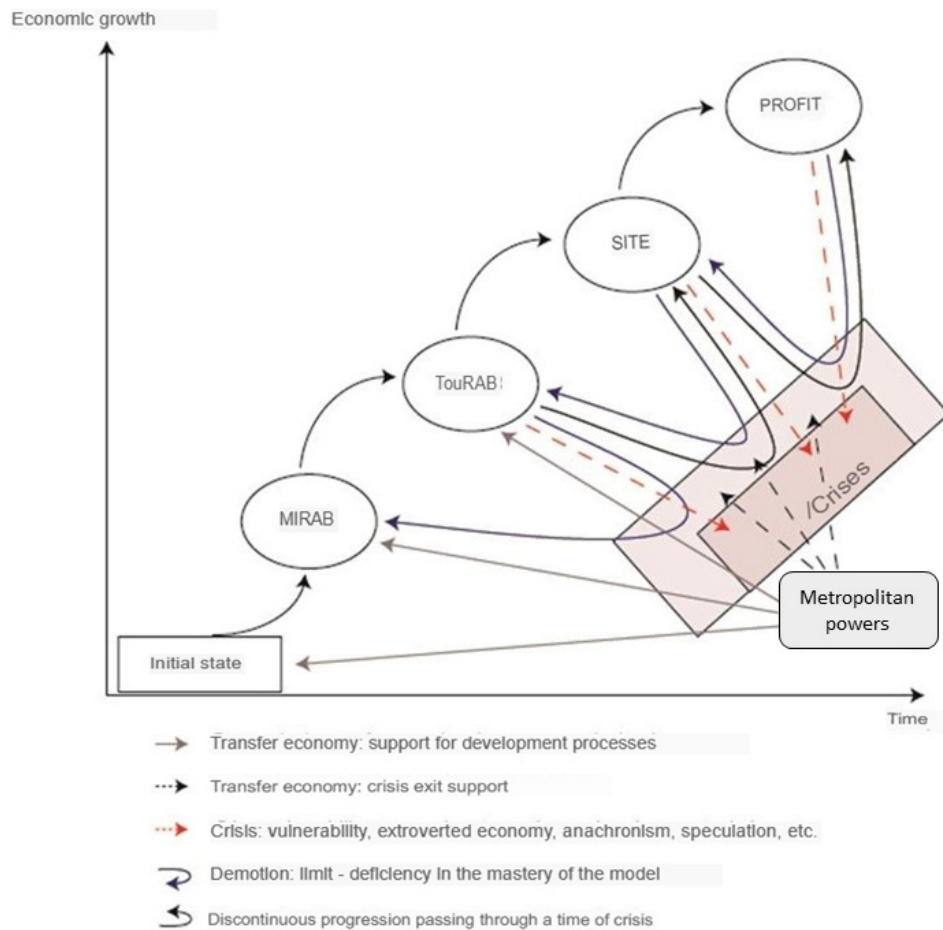


Figure 5 : Island development trajectories

Source : Dehoorne, O. «Les petits territoires insulaires : positionnement et stratégies de développement», *Etudes Caribéennes*, (Mondes insulaires : espaces, temporalités, ressources), n° 27-28, Avril-Août 2014.

Bertram and Poirine (2018)⁷ classify 74 small islands, defined by three characteristics (isolation, small size and economic openness), and also advocate strategic flexibility regarding their specialization and speciation among these models. They conclude that “these islands face a dilemma when choosing a development strategy: with their small domestic market, import substitution is not an option, and competitiveness can only be gained by opening up to trade, that is, by exporting goods or services to the global market in order to gain economies of scale. However, because they are small and isolated, the gains from trade are eaten up by transport costs and the lack of economies of agglomeration - which are benefits that accrue when firms and people bunch together, as in cities and industrial clusters - reducing value added per worker compared to less remote countries”. They favour flexible specialisation and adaptability.

4. Conclusion

The first of the ten leaders' commitment to the “2050 Strategy for the Blue Pacific Continent” is to “nurture collective political will and deepen regionalism and solidarity”. However, the word “trade” is almost entirely absent from the strategy document, despite a number of regional trade agreements (PACER, SPARTECA, PICTA, MGS-TA, PACER+) having been signed and entered into force over the last four decades. Trade integration among the Pacific Islands Economies (PIEs), through intraregional agreements, and with other economies outside Oceania, via interregional agreements, has long been recognised as important for economic development, as the small size of their domestic markets (density), their geographical remoteness (distance), and their protectionist tendencies (division), significantly increase their production and transport costs, leading to higher living costs, reduced competitiveness, weakened exports and growth, and lower living standards. Despite this, interregional trade between PIEs accounts for less 10% of total trade for Pacific islands. This “small island paradox” is actually well explained by the theory of comparative advantage: since the nature of the goods and services produced by these PIEs is similar, with little possibilities for diversification, it is not profitable to trade these homogeneous products between very

⁷ Bertram, G. and Poirine, B. « Economics and development », in *The Routledge International Handbook of Island Studies*, edited by Baldacchino, G., Routledge, 2018.

small island economies. However, the PIEs tend to be highly dependent on international trade.

Indeed, their trade flows are well explained by a “gravity model”, positively by the (economic) mass of the two trading economies under consideration and negatively by the distance between them. The first determinant tends to strengthen trade links with economic powerhouses (the United States, Asia, Europe), while the second tends to reduce the competitiveness of PIEs’ exports of goods and services to distant customers. Other factors of division, the third “D” (e.g. cultural or institutional divisions, and protectionist policies), also constitute a barrier to trade and economic development.

Different economic development models can reflect the specificities and policy choices of PIEs: the MiRAB (Migration, Remittances, Aid and Bureaucracy) model, for Kiribati, the Marshall Islands, Micronesia, Samoa, Tokelau, Tonga, Tuvalu, Wallis & Futuna; the SITE (Small Island Tourist Economies) model, for Cook Islands, Hawaii, Guam, Palau; the PROFIT (People, Resources, Overseas Management, Finance, Transport) model, for American Samoa; or a combination of the above models, for Fiji, Vanuatu (SITE/PROFIT), Nauru, New Caledonia (MiRAB/PROFIT), French Polynesia (MiRAB/SITE).

A degree of strategic flexibility regarding the specialisation and speciation of PIEs among these models is recommended. In any case, openness and export-oriented policies are necessary to obtain economies of scale, improve competitiveness and create the conditions for a sustained and sustainable economic development. The temptation to adopt import substitution policies to protect a small domestic market subject to high production and transport costs is a recipe for failure, as many economies have experienced in past decades. At the same time, PIEs should follow the 2050 Strategy for the Blue Pacific Continent, guided by their shared values and visions of regional cooperation, and focus on sustainability and overcoming challenges in their own *Pacific Way*. Intraregional exchanges should focus on non-commercial products, such as education (human capital) and shared heritage (culture).

The compatibility of antitrust law with the “Pacific Way”

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1 - The concept of the “Pacific way” originates from the historical grace period in the 1960s associated with a “successful” decolonization in the Oceanian region, accomplished without significant upheavals. “The formula notably reflects attachment to a consensual approach in internal affairs and the willingness to address regional issues by remaining among themselves in the face of possible interventions by non-Oceanian powers” (Panoff, 1991). The two pillars of the Pacific Way are solidarity among Pacific peoples and negotiation rather than confrontation. Another definition refers to “allegiance to multi-century-old Oceanian customs and fidelity to the Christian heritage imported during the 19th century”.² Several decades later, within a context of troubled international relations - disputes over the role of China in the Pacific region, not to mention the resurgence of war in Europe - can the Pacific Way be anything other than a vanished dream, a complacent illusion?³ On the contrary, can it appear as a viable political project to accompany the modernization of economic structures and the improvement of entrepreneurs behaviours for the benefit of the entire community?

2 - In terms of economic regulation, the Pacific Way can refer both to substantive rules (organizing economic exchanges through the market, the notion of competition) and procedural provisions (incentive or punitive implementation rules, for example).

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² The term « Pacific Way » was used before the Assembly of United Nations when Fiji was admitted in 1970.

³ Ibid.

The importation of rules aimed at enabling free competition in the Pacific is relatively recent, and it draws inspiration - due to obvious pre-existing influences - from different models: the Anglo-Saxon model features a procedural and jurisprudential mode of development (system of precedent), continental models, despite significant divergences between Germanic and Mediterranean laws, grant essential importance to doctrine as source of law, with the role of customary law significantly reduced (Conseil d'Etat, 2001). In these conditions, antitrust law, born in the United States to limit the market power of large firms, underwent significant transformations upon its introduction in Europe, where the focus was more on building a single large market than on opposing "champions" still relatively weak at the international level. Despite convergences in recent times, these laws still bear the traces of their disparate origins. Therefore, the transposition of antitrust regulations in small island states and territories of the Pacific (PICs) still requires additional adaptations to prevent rejection.

3 - For rules to be respected, they must first be understood and accepted. However, competition laws that bring about economic challenges initially appear to be somewhat incompatible with the belief that social harmony should prioritize the status quo. Furthermore, these laws are uniformly applicable (unlike personal status, which may accommodate customary law⁴), which can hardly garner the support of populations uninformed about these issues and of economic actors whose strategies may be hindered.

4 – A preliminary assessment reveals a conflict between the Pacific Way and competition law conceived to include what are commonly referred to as the "three pillars": prohibition of anticompetitive agreements, abuse of dominant positions, and preventive control of mergers over a certain threshold (I), prompting an exploration of means to adopt effective rules allowing competition to play a positive role in the Pacific (II).

I – THE PACIFIC WAY IN CONFLICT WITH COMPETITION LAW

5 – Despite the relatively recent introduction of competition laws in Pacific islands countries, an initial assessment can be made. The very concept of competition seems

4 As it is the case for example in New Caledonia.

out of sync with pre-existing social norms (1). The prohibition of anti-competitive practices interferes effectively with the behaviours to which economic actors are accustomed due to the Pacific Way (2). This helps to understand a resistance to implementing antitrust laws in the region (3).

1. Social norms less conducive to competition

a. Competition deemed less appealing than coordination or mediation

6 - Competition is generally seen as “a stimulus that encourages companies to excel, promotes innovation, diversity of offerings, and translates into attractive prices for consumers”.⁵ It is a dynamic process of constant challenge that disrupts established practices in “creative destruction” movement, according to Schumpeter’s famous words. Job displacement, among other things, is intrinsic to disruptive innovations.

7 - The traditional cultures of the “Polynesian Triangle” (bounded by Hawaii to the north, Easter Island to the southeast and New Zealand to the southwest), built in a context of vulnerability (due to various handicaps of these small islands, such as small size, remoteness, and even isolation) are more conducive to solidarity than competition. These small insular economies are largely based on strong family and interpersonal ties reinforced by a culture of silence.⁶ In return, these specificities have shaped the societal characteristics commonly attributed to them, such as cultural homogeneity, sociability, propensity for collective action, etc (Angeon and Saffache, 2008). In a globalized economy, these islands now possess advantages but fear having to abandon what is supposed to define their DNA.

b. Cultural mistrust toward private initiative threatening social cohesion

8 - The social organization of the Pacific small islands was built on clan structures, segmenting society around families claiming a common ancestor, real or imaginary (Taimai, 2013). Relationships are based on kinship that justifies the rights and duties of members. There is no other legitimate authority, even if a rule of law (often inherited from colonization) is present and appears as a centralized regulation. Primarily,

⁵ Definition proposed by the French Competition Authority (Adlc) on its website section “Competition and you”.

⁶ As Dr. Mahendra Reddy, former head of the Fiji Competition Authority and Dr. Billy Manoka, former commissioner and CEO of the Independent Consumer and Competition Commission (ICCC) of Papua New-Guinea have repeatedly said in several conferences on antitrust issues.

individuals adhere to the values of their clan, where solidarity with group members takes precedence. Most clans or tribes (clan associations) adhere to chieftaincy regimes, which, under a leader's authority with the group's consent, perform essential functions for the preservation of society. This social organization can compete with the political authority of the state (Gourdin, 2023). The complexity of the social organization encourages interference of these clans in political life.

9 – In the small island territories of the Pacific, the indigenous populations, having gained independence, often prioritized reaffirming their social and cultural identity (Agnel, 2008). Questions arise regarding the compatibility between an Oceanian practice of political power centralization within the elected leader's clan (as in the example of *wantok* in Vanuatu) and the general interest aimed by competition rules to allow the entire community to benefit from competition. In the former case, this centralization is intended to rotate among the clans; in the latter, competition rules apply to everyone outside of any political social contract.

10 - This social organization system invites not to question, during his tenure, the governance of the leader, who, in exchange for the votes of those who brought him to power, must serve his clan⁷. In such a context, individual initiative is necessarily seen as selfish and almost inevitably contrary to the collective interest of the group. Collectivist and culturally constructed for the benefit of a group, the traditional universe from this perspective leaves little room for personal dynamism that leads to distancing oneself from the community.⁸ De Deckker (2002) noted twenty years ago: "the community spirit is seen as a security guarantee and prevents the development of a capitalist economy that inherently requires individualistic behaviors". Mentalities may have evolved since then, but perhaps unevenly across society.

c. Tendency not to challenge acquired situations

11 - The above leads to a strong tendency not to challenge acquired situations, especially since local resources are limited. While Papua New Guinea and New Caledonia have the largest territories and the most significant natural resources in the region, other entities have much fewer (if any) exploitable resources (except

7 On this topic, see for example, in French Polynesia, the case of public policy management in the municipality of Moorea: Audras et al., 2016.

8 We know that the forms of social organization called "ramage" (Firth, 1964) also leave room for individual initiative by the promotion of experts (tohunga, tahu'a, kahuna).

for tourism, which is experiencing increasing development). Despite historical and economic contrasts that may exist, the consensus-driven approach characteristic of the Pacific Way naturally leads to favouring tested modes of organization and distribution that are accepted by the entire population. The weight of history reinforces this approach: the former colonizers remain predominant in trade flows, and bilateral relations dominate between the metropolises and their former colonies, as do external aids.⁹ Even after becoming independent or “autonomous”, these territories remain dependent on financial transfers that primarily benefit a redistributive administration that itself does not tend to question the status quo. For those countries that have faced a reduction in external aid and heavily rely on borrowing, economic governance remains traditionally and predominantly semi-authoritarian and interventionist (Ellero, 2017). Individual challenges to acquired positions are seen as contrary to the general interest.

2. Behaviours intended to follow the Pacific Way clash with antitrust norms

12 – Local actors are not always convinced that the entire community, particularly consumers, can benefit from the violence of the competitive process, even though the benefits of an appropriate competition policy are certainly significant in small markets (Gal, 2003).

13 - Collective strategies of agreements, precisely favoured by Pacific businesses because they correspond to a deeply ingrained mindset, are considered by antitrust authorities as anticompetitive practices (ACP) to be prohibited and repressed. Agreements between competitors are thus preferred over competition because they are seen as a means of retaining customers by organizing their distribution among suppliers or maintaining prices at a high level allowing all actors to survive, whereas competition would make those who are not, or are no longer, adapted to the new economic conditions resulting from increased international trade disappear. The temptation of businesses operating in the same market to avoid intense competition is found in all countries worldwide. However, the fear of the destabilizing effects of competition is naturally stronger in the fragile context of the small islands of the Pacific. Individual dynamism is poorly perceived given the strong conviction that maintaining

⁹ In 2002, one could observe that the Pacific Islands linked to France and to the United States of America had the highest rate of external aid per capita in the World.

achievements in the island environment of small, distant territories is preferable to economic struggle. In such a context, agreements are not necessarily well hidden, but that does not mean they can be easily convicted. In any case, systems for revealing what are considered unjustifiable cartels face reluctance to denounce members of the closely linked group, which complicates leniency mechanisms.

14 - Regarding the prohibition of abuse of dominance by antitrust laws, the situation is more ambiguous: indeed, the cultural heritage of clanism leads to the belief that having a leader providing protection and redistribution is natural. However, the attraction to the status quo arouses suspicion against anything that could disrupt established and accepted hierarchies. This results in two types of consequences. The first concerns the concept of dominance – usually not per se prohibited – and the other concerns the qualification of abusive behaviours. Firstly, there is a tendency to consider a leader as dominant, even in the presence of serious competitors, which does not correspond to the criteria of dominance in competition law inasmuch as the leader does not have the ability to adopt independent behaviours in the market. The pre-eminence of such a leader is tolerated if it does not seek further development. As for the strategies of the most powerful company, they are seen as legitimate only if they allow everyone the possibility to remain in the race, even on a small scale, which is considered “fair”. In such a context, the desire of a powerful, even if not strictly dominant, company to expand or its commercial strategies of conquest, will be perceived more negatively if they give the impression, true or false, of threatening social harmony. Competition based on the merits, the cornerstone of antitrust laws that generates incessant questioning is perceived as dangerous and explains the tendency to see “abuses” of dominance where antitrust law admits that it is lawful for a company, even dominant, to seek further development or diversification inasmuch as it offers counterbalances in terms of innovation, prices, diversity of offerings, etc.

3. The Pacific Way as an explanation for the resistance to the establishment of antitrust laws in the region?

15 - Since the beginning of the 1990s, there has been a vast movement towards adopting rules aimed at promoting competition and establishing independent administrative authorities to ensure their enforcement across the world, largely under the influence of international organizations like the OECD and the WTO. The number

of countries that have adopted competition laws increased from around 30 in 1990 to nearly 100 in 2000 and over 120 today.

16 - However, the small Pacific islands territories have largely remained outside this proliferation of antitrust laws. The reasons for this regional resistance are likely multiple, and the situation might not necessarily be worse than having competition laws in texts ("de jure") accompanied by deficient enforcement ("de facto"). Yet the Pacific Islands' limited enthusiasm for antitrust law could probably be attributed to the influence of local social norms: the Pacific Way could thus hinder its adoption.

a. The very slow implementation of antitrust laws in Pacific Island Countries (PICs)

17 – It has been observed that Fiji and Papua New Guinea were pioneers among the PICs in establishing competition laws and consumer protection laws as early as 1998 for the former and 2002 for the latter. These laws were subsequently revised several times (2010, 2018 for Fiji for example). From the outset, they included the three pillars of competition law: prohibition of anticompetitive agreements, prohibition of abuse of a dominant position, and merger control, accompanied by the creation of an independent authority from the government to ensure compliance.

18 - The example set by Fiji and Papua New Guinea certainly inspired the member countries of the Pacific Forum. During the meeting of the economic ministers of these countries held in 2008 in Port Vila, Vanuatu, it was decided to authorize the Forum Secretariat to develop a suitable framework for competition policy and regulation in the region. The design and implementation of this program were entrusted to the law firm and consultants Minter Ellison, based in Melbourne. This resulted in a Report titled "A Model Regulatory and Policy Framework for Forum Island Countries", published on June 28, 2010, outlining the vision of the competition policy to be implemented and the roadmap for implementation in various countries (Montet and Venayre, 2012).

19 – Subsequently, however, there has not been a real follow-up to the recommendations of the Minter Ellison report. A preliminary assessment (Montet and Venayre, 2014) revealed that there had been little actual change in most of the countries concerned. Only Fiji and Papua New Guinea had a law and an independent authority. Moreover,

even in these two countries, a first assessment four years after the publication of the Minter Ellison report indicated that the activities of the authorities were mainly focused on price control and consumer protection, which is not normally the core business of a competition authority (even though protecting the consumer is important). One could argue, however, that the implementation of such legislation takes a long time, and in 2014 it was still too early to conclude it was a failure.

20 – However, to date, the situation does not seem to have significantly evolved.¹⁰ The Minter Ellison firm apparently was not mandated to monitor its recommendations during the 2010s. In recent years, external assistance for the establishment of antitrust laws and competition authorities in the PICs has reverted to the Pacific Private Sector Development Initiative (PSDI), a private organization co-financed by the Asian Development Bank (ADB) and the Australian (via Australian Aid) and New Zealand (via New Zealand Foreign Affairs and Trade Aid Programme) governments. The PSDI website reveals in its latest report for 2019-2020 that the organization has started preparing the new competition laws for Fiji, PNG, Solomon Islands and Vanuatu. Regarding Fiji, the report mentions an obsolete competition law and quotes the current Minister of Industry, Trade and Tourism calling for “a robust competition framework and legislation that incorporates international best practices”. The PSDI report also mentions its collaboration in designing new laws for competition and telecommunications regulation laws in the Cook Islands, as well as in establishing a multisectoral regulator for competition and network industries (the law creating a competition and regulation authority was passed by the Cook Islands parliament in December 2019, but apparently, its implementation is pending).

The current situation of antitrust law in the PICs can be summarized in the following table:

¹⁰ On November 2023, the competition agencies of Australia, Cook Islands, Fiji, French Polynesia, Kiribati, New Caledonia, New Zealand, Papua New Guinea, Samoa, Solomon Islands, Tonga, and Vanuatu created a network called the Pacific Island Network of Competition Consumer and Economic Regulators (PINCCER) to promote competition in the Pacific region. At the time this chapter was written, it was too early to assess any impact of PINCCER on the evolution of antitrust laws and of their enforcement in the different Pacific Island countries.

Country	Competition law	Ongoing actions
Fiji Papua New Guinea	Comprehensive antitrust law Independent agency	Modernization of the law in progress Recommendation to improve the organizational training of the staff
Cook Islands Samoa Vanuatu	Incomplete antitrust law passed Implementation in progress	<u>Cook Islands</u> : mainly regulation of the telecommunication sector <u>Samoa</u> : law passed in 2016, slow progress under PSDI supervision <u>Vanuatu</u> : action underway to put in place a competition law
Kiribati Salomon Islands Tonga	Plans to introduce competition laws	<u>Kiribati</u> : diagnosis underway to determine the best model to put in place <u>Salomon</u> : audit undertaken in 2015, policy choice validated in 2018, PSDI working on a law <u>Tonga</u> : audit undertaken in 2015 ; planned multisectoral regulation project; waiting for a new commitment from the government
Federated States of Micronesia Marshall Islands Nauru Palau Tuvalu	No competition law	

b. Limited implementation in territories that initially adopted antitrust laws

21 - The best legislation is futile if it does not significantly influence the behaviours of actors across different markets. To ensure companies abide by the law, the enforcement of rules needs to be effective, correcting deviations either through persuasion or sanctions.

22 – However, in the two countries that first established comprehensive legislation and independent authorities to oversee it - Fiji and Papua New Guinea - the annual activity reports primarily reveal actions not strictly related to competition law. For instance, Fiji Competition and Consumer Commission (FCCC) 2016-2017 Annual Report (p. 22) shows, out of 395 files cases, 175 instances of prices exceeding the ceilings set by the regulator, 161 cases of price display faults, 26 cases of expiration date display faults, 8 cases of illicit advertising and 5 cases of billing errors. Thus, the agency's activity revolves around matters of price regulation and consumer protection (the latter being certainly more useful than the former).

23 – Over a span of about twenty years, authorities in Fiji and PNG have only dealt with an extremely low number of cases related to the three pillars of antitrust law: merger control, penalizing agreements, and penalizing abuse of dominant position. Few merger control cases are reviewed each year, notably in PNG (an average of 2 to 3 cases per year). Concerning anticompetitive practices, actions mainly target dominant positions in network industries, such as the Independent Consumer and Competition Commission's (ICCC) action in PNG against abusive dominance in port management or FCCC's action in online bus tickets sales (in 2013). However, there are no real cases of penalizing an illicit agreement.

24 – Even regarding the grievance of abuse of a dominant position, there is a notably different application compared to what we are accustomed to in American and European law. For instance, during the OECD's 2021 Global Forum on Competition, a team from Fiji presented a case on "Economic Analysis and Evidence in Abuse Cases". The session addressed topics clearly related to abuse of dominant position, yet the intervention from Fiji's competition authority focused on potentially excessive price increases of certain health products (masks, hand sanitizers, etc.) during the early months of the Covid-19 pandemic without linking it to a dominance situation causing such behaviour.

25 – The Fijian speakers lament the lack of elements in Fiji's law to clearly penalize exploitation abuses, unlike European law. Enforcing the relevant article (Article 102

TFEU) in Europe demands (i) unambiguous qualification of dominant position, and (ii) characterizing abuse by deeply analysing the economic effects of the practice in question. Hence, FCCC has resorted to the notion of “unconscionable” behaviour contained in the Fijian competition law to target the policy of excessively raising prices (“price-gouging”) by thirty producers or importers of masks and hand sanitizers. Clearly this case diverges from the issues of empirical economic analysis of abuse of dominant positions, the focus of the Forum’s session.

26 – Apart from enforcement issues, the danger of competition policy distortion often lies in the law’s wording itself. For example, in Samoa’s competition bill, it is stated that a company in a dominant position should not engage in behaviour causing one or more of its competitors to exit the market. Without further specifications, such phrasing risks prohibiting merit-based competition by a company holding significant market power.¹¹

c. The case of the French Pacific territories

27 – Firstly, in New Caledonia and then in French Polynesia, local legislators have also adopted competition rules to accelerate the modernization of these island markets. Independent administrative authorities enforce antitrust laws, and all three pillars of this law are in place. However, alongside these, there are additional provisions not specific to antitrust, potentially clouding the situation. A preliminary indicator lies in evaluating the performance of the New Caledonian and Polynesian competition authorities tasked with implementing the new rules. Yet, the results remain modest concerning anticompetitive practices (ACP).¹² While the former can boast of greater productivity, at least superficially, primarily due to New Caledonian (like French law concerning overseas territories) outright banning import exclusivities¹³, which the Polynesian legislator finally has not adopted in accordance with economic theory (see on this issue: Montet, 2018). Ultimately, in the realm of actual ACP, the New

11 On this issue of subtleties in writing the rule of law see for instance the comments of the Global Antitrust Institute of Georges Mason University on the modification of competition law in Viet-Nam (Global Antitrust Institute, 2017).

12 The cases cited below are those known at the time of writing this chapter. Other cases of ACP may have been handled recently by the New Caledonia authority or by the Polynesia authority.

13 Art. Lp. 421-2-1 of the Neo-Caledonian competition law, see the decisions: n° 2019-PAC-04, n° 2019-PAC-05, Decision n° 2020-PAC-02 Decision n° 2020-PAC-03, Decision n° 2022-PAC-06.

Caledonian Competition Authority can cite sanctioning a price agreement¹⁴ and two cases of abuse of a dominant position in the funeral sector¹⁵, whereas the Polynesian Competition Authority has, to date, only made decisions on commitment regarding the telecommunications historical incumbent and, more recently, the sanctioning of an agreement in the funeral sector.¹⁶

28 – This relatively limited assessment suggests potential obstacles in understanding what antitrust law entails. The analyst is left to make assumptions. One possible explanation could lie in the overly ambitious scope of the legislator in attempting to graft numerous rules, perhaps insufficiently adapted, onto an economic fabric that might not have been ready, encompassing issues beyond competition.¹⁷ Another explanation could be the specific challenges hindering their implementation in the context of small island territories.

- **Obstacles to the success of competition law resulting from legislation extending to issues of commercial law not related to antitrust (control of retail development projects and law of commercial practices and transparency)**

29 – **The issue of controlling retail developments.** In both New Caledonia and French Polynesia, lawmakers have entrusted competition authorities (rather than commercial planning commissions, which would be more logical¹⁸) with the task of prior control over retail trade sector development projects. These authorities can oppose them or subject them to prior commitments. This preventive control limits entrepreneurial freedom and the freedom of trade and industry, fundamental freedoms with constitutional value, which can only be restricted for reasons of public interest and must respect strict proportionality regarding lawful objectives pursued.¹⁹ While these organic growth projects have little to do with impairments to the market's proper functioning, New Caledonian and Polynesian competition laws have asked the New Caledonian Competition Authority (ACNC) and the Polynesian Competition Authority

14 Decision n° 2022-PAC-01 of January 22, 2022, relative to practices implemented in the distribution of agricultural equipment and materials in New Caledonia.

15 Decision n° 2022-PAC-03 and Decision n° 2022-PAC-02.

16 Decision n° 2021-PAC-01 of December 8, 2021 relative to a request for interim measures in the telecommunication industry and Decision n°2022-PAC-01 of September 5, 2022, relative to practices in the funeral industry.

17 However, both Neo-Caledonian and Polynesian lawmakers rightly perceived the need to take full account of the narrowness of their territories in defining the thresholds of merger control.

18 The French Antitrust Authority can nevertheless be consulted for advice by the commissions of urban commerce planning in the overseas territories (other than New Caledonia and French Polynesia).

19 Conseil Constitutionnel (French Constitutional Council), Decision n° 89-254 DC, July 4, 1989.

(APC) to assess them in terms of supposed risks they might pose to competition.²⁰ Out of caution, the texts refer to “excessive” lessening of competition, particularly through the creation or the reinforcement of a dominant position.

30 - The bewildering allocation of this competence to independent antitrust authorities might be explained by specificities of small island territories, such as issues related to land control and fears of corruption of political decision-makers. However, activities encouraging commercial dynamics, monitoring land use or vacant lots, rental amounts, urban logistics, road construction, measuring created and lost employment, do not fall under a competitive assessment. The legal framework rather reveals a Malthusian vision of retail trade sector regulation.

31 - From a competition perspective, organic growth operations are not typically restrictive since, as the French Competition Authority (Adlc) noted²¹ regarding an overseas project, they occur through enduring investment, benefiting consumers through new services, and exerting additional competitive pressure on competing stores. Rather sceptical about implementing “ex ante” control of organic business growth²², which could disastrously “curtail the expansion of the most efficient companies”, it recommended utmost caution in applying such rules.²³

32 - Forced to conduct controls that are not genuinely their concern, these young Pacific authorities had to develop analysis tools and were tempted to reason by analogy with merger control, even though the situation envisaged is opposite as it assesses the arrival of a new competitor by referring to a set of rules intended to consider the possible risks linked to reduced supply. Such a contradiction, likely to create insoluble difficulties, harbours numerous dangers for the future. In any case, it does not promote understanding of competition law among the affected populations.

33 – **The issue of transparency and restrictive practices control.** Regarding this issue, only the ACNC is involved since its competence (unlike that of the APC) extends to practices whose impact on the market does not need to be established or concerns obligations aimed at informing customers about transaction conditions. Similar rules

20 The Polynesian competition code adds another assessment criterion related to urban planning, an area about which the APC has no competence.

21 Consulted by a commercial planning commission in a French overseas department. See Avis 13-A-20 of November 7, 2013, on a project for supermarket expansion in Saint-Barthélemy.

22 Avis n° 07 - A-12 of October 11, 2007, on the regulation of commercial developments, see §97.

23 Avis 13-A-20 of November 7, 2013.

exist in France but fall under the jurisdiction of the judicial court.²⁴ These transparency and commercial loyalty rules are not strictly part of competition law, which, aiming for the autonomy of every economic operator, requires ongoing uncertainty about competitors' strategies.²⁵ Horizontal competition, therefore, urges each supplier, spurred by doubt about their competitors' strategic action plans, to formulate the best proposal to win over customers. However, the French lawmaker deemed transparency rules essential regarding vertical relationships, such as between suppliers and distributors.

34 – In summary, the horizontal level embodies the legal imperative of opacity, while the vertical level of contracts between companies must abide by a rule of transparency, although entrepreneurs are often tempted to do the opposite (Idot, 2015). Associating restrictive practices law with antitrust law can create confusion or generate misunderstandings, as economic actors struggle to distinguish between competitive processes and loyalty in commercial relationships. When a single institution applies both sets of rules, as is the case with the New Caledonia Authority, it becomes even more challenging to differentiate practices prohibited due to their negative impact on the market and those that only affect co-contractors.

- **Obstacles to the success of competition law resulting from specific implementation difficulties in the context of small island territories where competition law is recent**

35 At the implementation stage, the recent introduction of competition law in small island territories is an obstacle to penalizing anti-competitive practices. Detecting agreements is specially made difficult by the belief among economic actors that it is a normal way of organizing activities according to the Pacific Way. While subsidiaries of large international companies are aware otherwise, one cannot rely on their cooperation to reveal their potential unlawful participation. As for the victims of agreements, they are unaware of their illegality and do not approach the prosecuting authority. The authority is therefore constrained to stimulate these approaches by

24 French Commercial Law organizes commercial relations by imposing transparency in Title IV of Book IV of the Commercial Code ("On freedom of prices and competition"); the Commercial Code of New Caledonia has taken up these rules, even in the wording of the titles.

25 The French Competition Authority (Adlc) explains in a very pedagogical way: "Agreements and concerted practices between competitors that consist in directly or indirectly fixing prices or other transaction conditions are expressly targeted as restricting competition (...). Such behaviors contravene the principle of autonomy which companies must demonstrate when they compete on a market. Each company must indeed strictly refrain from participating in direct or indirect contact with its competitors with a view to discussing commercial policies and in particular the prices of the goods and services it plans to offer on the market": Adlc, 11-D-17 of December 8, 2011 relating to practices implemented in the detergent sector, § 447 et seq.

continuing sustained efforts in information dissemination and education. Furthermore, the leniency mechanism has not yielded results thus far. Abuse of dominant position might be easier to detect, especially in network industries. However, in such cases, the success of procedures is hindered by difficulties of qualifying and assessing commercial strategies. Once again, concrete implementation requires time to disseminate the spirit of competition.

II – HOW TO ADOPT EFFECTIVE COMPETITION LAW IN PACIFIC ISLAND COUNTRIES

1. Theoretical and experimental studies advocate for a step-by-step application of antitrust laws

36 - The global spread of competition laws, particularly under the auspices of the WTO and the OECD, faces challenges due to national socio-cultural differences (as seen above). As noted by Pape (1999, p. 443), even the term “competition” does not entirely hold the same meaning across different countries. Significant nuances even exist between culturally and economically close countries like Germany, Great Britain or France.

37 - Nevertheless, numerous studies have shown that difficulties arise less from the substantive law and more from its application. Indeed, since its inception with the Sherman Antitrust Act (1890), antitrust law has been formulated in a way that could garner broad support from public and private decision-makers within market economies. As noted by Professor Lesguillons in 1995 (quoted by Pape, 1999, note 2, p. 438): “In competition law, the world needs less new substantive rules and more effective application of existing rules.”

38 - Radically eliminating national differences in implementing antitrust law is certainly an illusory perspective (and perhaps not desirable, at least initially, as divergences and competition in applying legal rules can stimulate regulators and generate positive effects).

39 - Differences in the application of antitrust law are striking between the United States and Europe. A long convergence process has been observed over the last thirty years, evidenced by Europe’s less structural and rigid economic approach to abuse of

dominant position. However, the number and magnitude of qualified and sanctioned abuses of dominant position are higher in Europe than in the United States, without a readily justifiable reason for this difference in one way or another.

40 - Differences in the implementation of competition law are even more obvious for Japan, Korea, or China compared to the Western approach. As noted by Pape (1999, p. 451): "This divergence is particularly clear for Westerners who rely on [...] legal texts, formally very similar to the texts they are familiar with in their countries, but then feel deceived when the actual enforcement and practice is quite different because of fundamentally differing attitudes. To bridge such dualism Asians, like the Chinese, often soften legal texts very pragmatically, by calling them 'preliminary,' 'provisional' or, as in Japan, by using extra-legal measures of coercion and persuasion such as 'administrative guidance' (gyosei shido), thus introducing flexibility to adapt non-native systems to cultural particularities of their own."

41 – These studies in legal sociology led to the following conclusion (Pape, 1999, p. 460): "[...] a premature introduction of more or less purely American-style competition rules could lead to an enduring backlash against any move towards internationalization in this field."

42 - This type of analysis corroborates the more political observations made during the 2000s regarding the difficulties of applying American-style antitrust laws worldwide. Empirical analysis conducted by Nicholson (2008) shows that while competition laws have multiplied worldwide, the reality of their application is much less apparent. Quantitative analysis shows that the strictest laws do not necessarily correspond to the most effective competition policies. The study's results reveal the gap between official legislation (de jure) and effective application (de facto).

43 - These findings align perfectly with the work of economists based on game theory. Acemoglu and Jackson (2017) demonstrate that social norms can hinder the effectiveness of laws but are simultaneously influenced and modified by the laws themselves. This bidirectional interaction is the origin of the possibility of multiple equilibria, with the crucial result being that an excessively severe and abrupt introduction of new laws can have the opposite effect of what is expected. Conversely, the gradual imposition of moderately severe laws can prove effective by altering social norms and consequently fostering the progressive acceptance of new rules.

44 – Drawing on game theory application as well, Dixit (2021) shows that respect for institutions responsible for enforcing the law cannot solely rely on the state's monopoly on coercion and violence. Beyond formal rules, there must be an endogenous legitimacy within the set of social norms. As reminded by United States Supreme Court judge Elena Kagan²⁶ "The only way to see people respecting the rules that we defend is if these people respect us and recognize the fairness of our decisions". Economic and social actors tend to be more wary of formally imposed institutions from above than informal institutions closely related to their daily life and social settings. As shown by Nobel laureate Elinor Ostrom (1990), such problems are found in the management of common resources, i.e., situations where the market is unable to prevent overexploitation of the resource. Ostrom demonstrated that attempts to manage this risk of the "tragedy of the commons" through state regulation were often less effective than solutions resulting from the repetition, in a less formal framework, of the same non-cooperative game at the level of the concerned communities, whose actors share a common understanding of the issues and conflicts to be resolved.

45 - The formal imposed institution of public authority from the top is generally more distant and runs the risk of suffering from distrust towards central governments. If a formal institution in charge of enforcing the law aims to build trust among citizens and gain acceptance for the rules, it must make special efforts to get closer to those affected, implement clear and transparent procedures, and accept discussion about its decisions.

46 - In the specific case of competition law, decentralized solutions at the local community level do not seem plausible. It is therefore important that the grafting of legal rules brought from outside be done while paying maximum attention to the risks of rejection.

2. Need for a comprehensive antitrust law, but clear and flexible implementation

a) Necessity of the three pillars

47 - There is no need to dwell on the necessity of the three main pillars of competition law: merger control, prohibition of anticompetitive agreements, and prohibition

²⁶ During an appearance at a women's conference at her "alma mater", Princeton University, in 2018.

of abuses of dominant positions. This issue has already been widely debated and practically addressed in the implementation of new antitrust laws worldwide.

48 - However, behind the same words, significantly different things can be conceived. Nuances can be substantial within each of the three pillars which have consequences for the enforcement of the law in each specific situation and particularly in the small island territories of the Pacific.

49 - First, it is not certain whether merger control is essential in very small territories. For instance, Luxembourg's antitrust law does not include this preventive aspect because concentration problems are addressed by neighbouring European countries and European law. More generally, in very small territories business mergers and joint ventures are likely to be factors of efficiency while the risks to competition may be moderate, especially if the market is largely open to the outside (tourism, export industries, etc.). If this aspect of antitrust law is adopted it can be nuanced in many cases to avoid unnecessary bureaucratic control of operations that are already known in advance not to have anticompetitive effects. For example, operations that involve replacing a business owner with another who previously had no activity in the territory, indicating that the structure of competition cannot be affected.

50 - Regarding abuse of a dominant position, there is a significant risk in a very small economy where many sectors are dominated by a single company, at least based on market share alone, of seeing numerous cases of abuse if one sticks to a structural approach as opposed to the modern approach of economic effects. In fact, this debate on the evolution of antitrust in the most advanced economies traverses the opposition between a bureaucratic or even populist vision of abuse of dominance and a Schumpeterian view of competition. The consequences can be substantial in small territories. Certainly, much of this problem depends on the flexibility and intelligence in the application of the law, but the way the law is written can mitigate some of the difficulty by clearly framing the behaviours of competition authorities.²⁷

51 - From all these works of legal experts and economists arise some lessons on the adoption of new and complex laws, such as competition law, in territories like the Pacific Islands where social standards are initially less receptive to new rules. At least three objectives emerge: (i) favour a gradual adaptation of legal rules; (ii) promote

²⁷ See the comments of the Global Antitrust Institute of GMU on the competition law of Viet-Nam, *op. cit.* note 9 above.

the adoption of new law through integration into local modes of problem and conflict resolution; (iii) choose flexible methods (soft law, negotiated procedures, etc.) that must be implemented judiciously.

b. Clarity of the mission

52 - If one wishes to facilitate the adoption of new competition laws and the institutions intended to enforce them, one prerequisite is that these innovations be clearly identified and understood by the economic agents concerned. The objective can be more easily achieved if the mission entrusted to the competition authority is perfectly understandable to the public.

53 - Authorities responsible for competition often find themselves entrusted with other missions, such as ensuring consumer rights, controlling prices of numerous products, or even regulating network industries. However, assigning multiple tasks to the competition authority not only sends the wrong signals to the citizens (i) but also weakens the mission of the authority's agents themselves (ii)

54 - (i) We have seen that the authorities of Fiji and PNG devote a significant portion of their resources to overseeing price controls that have nothing to do with competition logic. As mentioned earlier (see above § 33-34), the rights related to commercial relationships between suppliers and distributors and other regulations encompassed in what is called in France the "small law" (or "false law") of competition, as well as administrative authorizations for opening or expanding businesses hinder the understanding of competition law in its strict sense by the citizens due to the multiplicity of controls they imply and especially the logical inconsistencies they generate.

55 - (ii) In his work on independent authorities, Nobel laureate Jean Tirole (2023) rightly emphasizes the sense of mission that control agencies must develop. According to him, multifunctional authorities (conglomerates, to use an antitrust term) fail in this regard. He writes: "Well-managed independent authorities must resist the pressure of being given new tasks". A specialized institution, in antitrust or in the regulation of certain technical sectors, should necessarily benefit from recruiting staff specialized in the field, endowed with a developed sense of their mission and great responsibility towards the citizens. To give just one example, steering the regulation of a network industry such as energy or telecommunications requires technical skills that exceed the strict knowledge of legal experts or economists specializing in competition.

56 - In the small Pacific islands, one of the reasons for consolidating functions within the same agency stems from the lack of financial means and human resources available in the territory. A compromise seems necessary between this funding argument and the advantages of specialization mentioned earlier. In any case, if local resources do not allow for enough competent personnel, it is better to resort to specialized agencies with reduced staff who will seek external advice for resolving the most complex issues.

c. Search for solutions adapted to territories (specific thresholds, negotiated procedures, exemptions, etc.)

57 - The three pillars of antitrust law are now universal, but as mentioned earlier, details in drafting the law allow for initial adaptation to local conditions. Thresholds for controlling mergers are logically defined according to the characteristics of the economy being considered. The law can also provide for simplified procedures for clearly delimited cases. However, it is mainly at the level of procedures and the practical implementation of the law that the possibilities of adapting it to local conditions can contribute to its understanding and compliance.

58- Like the Competition Council of Luxembourg (CCL), one can consider that the authority's mission (as stated on the CCL website) should, at least initially, be more oriented towards preventing anticompetitive practices than towards their repression. Such an orientation undoubtedly offers the opportunity to gradually familiarize citizens with the new law. It seems particularly suitable for small states and island territories in the Pacific due to its compatibility with the cultural and social norms of the Pacific Way.

59 – Some misunderstandings could also be resolved by accepting, depending on the territories, exemptions to competition rules in certain sectors facing strong international competition. This is the case, for example, as suggested by some commentators (Selinsky, 2018), for sectors almost entirely focused on exports: Tahitian black pearls, hospitality, etc. Companies operating in these sectors are fundamentally concerned with international markets corresponding to the economic concept of “monopolistic competition”, meaning dealing with differentiated products but with low entry barriers to the market. These exemptions would have no negative consequences since, without an artificial scarcity of supply (via public regulation, for example), it is almost impossible to benefit from sustainable monopolistic rents in such markets. Obviously, these exemptions must remain very limited in number: there is no question of exempting

numerous sectors from common competition law while retaining entire sectors of the economy under administrative control (price controls, quotas, occupational licences, etc.).

60 - Progressive adaptation to local conditions should imply a progressivity of sanctions, from simple warnings up to huge financial penalties. Considering the Pacific Way could involve initially seeking prevention through informing economic agents and ensuring companies comply with the law, then favouring negotiated procedures, such as accepting commitments and other codes of conduct, if it does not involve favouritism for friendly companies or, conversely, coercion to accept behaviours favourable to government bodies. Finally, sanctions can be imposed, showing increasing severity as the rules are known and integrated. This is what happened in many countries, for instance in France where coercive law was preceded by a long period of acclimatization of thirty years through the intervention of a merely advisory commission.²⁸

61 - This approach aligns with the teachings of jurists and economists on the necessary gradual implementation of the new law by the independent authority overseeing its application. However, it carries the risk of the law never being applied in its strictest form. Therefore, it is up to the competition authority officials to effectively manage the interaction between social norms and the new law, finding the right path toward complete law enforcement within the framework of maximum acceptance by the citizens.

d. Importance of soft law (guidelines, etc.)

62 – As Pape's article suggests (Pape, note 37, p. 459) : "It would be useful to further explore how soft law instruments could be flexibly applied as a first step in introducing international competition rules without initially resorting to a rigid and detailed codification. Soft law, or flexible law devoid of binding force, which plays an increasingly important role in competition law (Idot, 2007), also triggers a more participatory and inclusive legislative process, with greater legitimacy, especially because less formalism allows for greater openness of the legislative process to other stakeholders within civil society, such as non-governmental organizations, etc."

²⁸ French antitrust law started by prohibiting anticompetitive agreements (1953), then abuses of dominance much later (1977), the third pillar only appearing when coercive law was introduced in 1986.

63 – Therefore, Pacific competition authorities must follow the example of authorities with extensive experience in issuing guidelines and other informational materials. As an example, the Polynesian Competition Authority (APC) published in 2020 a guide on agreements for local businesses based on real-life examples in which entrepreneurs can recognize themselves. This guide, drafted by the APC's "general rapporteur", considers the most common situations, from union meetings to price agreements, including public procurement allocations.

3. Appropriation of rules by local actors

64 - Ultimately, the success of antitrust law, in the PICs as elsewhere, requires genuine adherence from local actors, as they gradually become convinced that these rules are an essential means of overall improvement.

65 -. We have seen that the antitrust rules are defined in terms broad enough to be easily and effectively adapted to all local situations. As noted by Geradin and Petit (2003): "It may be simpler to choose a pre-existing model of competition rules (such as European law), and consider, at the implementation level, the local circumstances of the economic system in question. Indeed, competition rules are generally drafted quite broadly and leave significant discretion at the implementation level." Therefore, more than the rules themselves, it is the authority responsible for their application that will determine the quality of the necessary adherence of the economic agents concerned.

a. Trust in the supervisory authority

66 - Public adherence primarily relies on trust in the institution responsible for enforcing the law and in the individuals who compose it. From this perspective, independence from the government and economic actors, as well as the impartiality of those responsible for law enforcement, are fundamental elements. Progress in these two areas still seems significant in the Pacific countries and territories. Impartiality requires either that professional judges decide cases after investigations and dossier instructions within the administration, or that the specialized agency strictly separates the investigative branch from the decision-making body. This implies, in terms of appointments of members of the board and recruitment of agents, choices of qualified and honest

individuals. In any circumstance, the government must keep as far away as possible from the internal workings of the institution.

67. In countries and territories like the small Pacific islands, the dual requirement for competence in competition law on one hand, and the absence of ties with the government and businesses on the other hand, explain the temptation to seek individuals from outside. However, while this might be justified for one or two officials of the institution (for example president and head of the investigative service in a French-style system), it can only be a limited and temporary solution. In any case, entrusting decision-making responsibilities to foreign individuals carries risks. The quality of advice and decisions of the authority requires a thorough understanding of the local economy, a factor in the adherence of all actors to competition policy. From this perspective, recruiting agents and appointing board members among qualified indigenous individuals is a necessity for enhancing the integration of rules by local actors (provided that these individuals are trained in a modern and effective approach to antitrust law as opposed to an out-dated, sometimes political, or populist approach to the same law).

68. Knowledge of the terrain allows those authority figures to avoid overly mechanical transpositions of decisions established in vastly different contexts. Such a lack of discernment in applying rules to local conditions risks becoming a major obstacle to understanding new rules and their acceptance by the parties concerned.

b. Information, transparency, and authority accountability

69 -. The integration of competition rules and adherence to the system requires that laws and the authority's opinions and decisions be widely disseminated, presented, and discussed. During the introduction phases of a new law, it is normal for the public to have, at best, an approximate knowledge. Therefore, the authority must make efforts in information dissemination and pedagogy to familiarize the public with the rules. It must also accept debates surrounding these rules and the decisions it makes.

70. The opinions and decisions of authorities are generally published on their websites. The facts and especially the reasons that led to the opinion or decision are not always clearly explained or, on the contrary, risk being lost in esoteric language, nearly inaccessible to most interested individuals. In the French system as transposed in the

Pacific (New-Caledonia and French Polynesia), readers may benefit from formalism imported from the metropolis after years of practice. But this methodological importation risks reinforcing an easy tendency to copy-paste decisions established in different contexts, as mentioned above.

71. A competition authority can only perfectly accomplish its mission if it seizes all opportunities to explain its actions, not only to economic actors (government, public authorities in general, businesses, consumer organizations) but more broadly to the entire population. It is important that it assumes this educational role by presenting (for example, on its website) the details of cases handled, showing how competition law was applied and played a beneficial role for the entire community. In this way, competition law can gain public acceptance (World Bank, 2019).

72. The dissemination of information about the law and the authority's opinions and decisions, as well as transparency about its functioning and activity, fully serve the integration of rules by local actors only if this mass of information is analysed, discussed, and even criticized in specialist forums, by legal experts, economists, and within debate platforms such as meetings of employers' unions or consumer associations. The evolution of antitrust laws in advanced countries has greatly benefited from these forums supported by universities, major international organizations, and large law and consulting firms. Small island states and territories have more difficulties establishing these types of debates. However, understanding the system and the adherence of economic agents depend on sustained efforts in this field. It is the responsibility, for example, of elected officials in democratic institutions in small Pacific Island countries to take up these issues and organize training sessions and debates on competition-related matters.

Conclusion

74 – The observation of the weak performance in the development of competition law in small Pacific Island countries is consistent with its recent introduction in different territories. The same challenge must be faced by all countries that need to ensure the transition from an administered economy to a market economy. Substantive rules do not seem to be the issue as long as they are limited to the three (or even two)

pillars of competition law in the strictest sense and do not blur the message by adding other contradictory measures (price controls) or those far from its objective, which is the proper functioning of the market, as is the case with the law regulating contracts between suppliers and distributors (the so-called “small”, or “false”, competition law in France) and worse still with the commercial development controls.

75 – The room for improvement lies in the modalities of applying this new law. Competition, as a progress vector, and the rules that promote it, can only be accepted by acquiring the deep adherence of local populations. To achieve this, instilling a spirit of competition requires a progressive and consistent application of the rules. Time is essential: if the learning time is long, the procedural time must be as short as possible so that any potential sanctions have a genuinely educational and deterrent effect (interest of non-contestation procedures). Time goes hand in hand with adaptation in terms of the action to be taken. Negotiated procedures allow consideration of the efforts that companies are willing to make to evolve, and if sanctions are necessary, it is probably more effective in the long term to start with moderate (or even symbolic) penalties and gradually move towards greater severity. Finally, the application of rules must be entrusted to an institution that is impeccable in terms of its independence and ready to tirelessly explain its positions. This universal requirement is even more prevalent in territories where the multiplicity of networks, due to the narrowness of the Pacific islands, too often undermines public trust. Perhaps therein lies the Pacific Way of competition law.

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The Pacific Way and French Polynesia

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The concept of the *Pacific Way*, introduced by Ratu Sir Kamisese Mara, was taken up in numerous speeches and conferences by the entire political class of Fiji: a veritable Oceanian *mantra*. Initially, the idea was to include all communities, regardless of creed, race, opinion or culture, in the nascent Fijian nation, with the sole objective of the general interest in governance “without rancour or guile”. It has to be said that Fiji was divided between Indians and indigenous peoples. This initial approach to the *Pacific Way* does not really seem to apply to French Polynesia, where the Polynesian community forms the vast majority of the population, speaks its own languages and elects its own leaders.

On the other hand, there is a double definition, which follows on from the first, given by the ethnologist Michel Panoff, a definition taken up by Elise Huffer (1991:10): it relates to “an attachment to a consensual approach to internal affairs and the desire to resolve regional problems by remaining within the community in the face of possible intervention by non-Oceania powers” (Panoff 1991: 3). However, Epeli Hau'ofa (2014 : 10, note) explains that “the proliferation of violent conflicts in Oceania (riots and clashes in New Caledonia, coups d'état in Fiji, the Bougainville crisis and Papua New Guinea, the dockers' strike in Papeete in 1987) has undermined the Pacific Way philosophy”.

Thus, by detailing this definition, we will first deal with the impossible consensus in the internal order in French Polynesia, and sometimes in Oceania, in other words demonstrate that the consensual approach advocated by the *Pacific Way* for internal affairs is a utopia (I). In regional affairs, we are going to talk about the deep-rooted desire of Polynesians and, more broadly, of Oceanians, to be among themselves,

a desire which seems, despite being a strong desire, to be a myth (II). Indeed, the presence of regional powers and even major world powers, much to the chagrin of the Oceanians, remains unavoidable in Oceanian affairs. In any case, Epeli Hau'ofa has noted that the “unifying ideology” of the Pacific Way has been shattered: “the Pacific Way was a superficial ideology that was swept away in the 1980s by the rising tide of regional disunity... (in particular) by the introduction of neo-Marxism which, in essence, was fundamentally hostile to any form of regionalism” (Hau'ofa *id.*: 8). We can add a historical explanation raised by a former Polynesian Minister of Culture, Heremoana Maamaatuaiaatapu: it was the nuclear tests carried out by all the world powers (the United States, the United Kingdom and France) in the 1960s that “divided the Oceanians through no fault of their own”¹. So there are several reasons to deconstruct the myth.

So, will the 21st century be more favourable to the return of this narrative? The problems of global warming, the rise of the oceans, the plundering of marine resources and waste, the confrontations between the powers, etc. all require a common strategy. Indeed, the states and territories of Oceania cannot face these challenges alone. In fact, since 2019, the Pacific Islands Forum has required that meetings with outside powers should only be attended by all members. It is better to unite to confront or cooperate with the world. The former President of French Polynesia, Edouard Fritch, explains the need to “unite and remain solid in the face of those greater than ourselves”². This attitude is in keeping with the Pacific Way. But geostrategic pressures are mounting, and the *Pacific Way* narrative is being challenged by grand strategies such as the New Silk Roads and the Indo-Pacific. The time has come for island states to choose between these two geostrategies: didn't President Macron say: “woe betide the small, woe betide the isolated, woe betide those who will suffer the influences and incursions of hegemonic powers who will come looking for their fish, their technologies and their economic resources”³ (III). Similarly, these new geostrategic realities oblige France to maintain its presence in the region; it is a categorical imperative.

I) **Internal order: the consensual approach - a utopia?**

Democracy can be interpreted in two ways, one by the majority and the other by consensus. Let's take the example of Arend Lijphart's definitions:

1 Interview with the former Minister of Culture in French Polynesia, Heremoana Maamaatuaiaatapu, on 7 October 2022.

2 Interview with the former President of French Polynesia, Edouard Fritch, October 2022

3 Speech by the President of the Republic in Papeete, 28 July 2021. « www.Elysee.fr »

The difference between these two types of democracy can be described schematically as the difference between the concentration of power in the hands of a small majority on the one hand, as opposed to the sharing, dispersion and limitation of power on the other, which can take different forms. Another similar difference is that the system of majoritarian democracy is exclusive, competitive and conflictual, whereas the system of consensus democracy is characterised by inclusion, negotiation and compromise. (Lijphart 2014/1, 21 :13).

The first type, which characterises today's democracies, is seen as a system for resolving the inevitable conflicts that can arise between the groups that make up a society by letting the majority rule. The second is a consensual system where the conversion of all to the common interest should lead to unanimity. This latter definition would correspond more closely to the definition of the *Pacific Way*.

In French Polynesia, it is the first definition that prevails: the assembly is elected by direct universal suffrage and it is from this assembly that the executive is elected. Elections are held under a proportional representation system with a strong majority bonus that excludes small parties from the redistribution of seats. The fundamental rules of democracy are not contested, as they are in much of Oceania. We are in a democracy that recognises conflicts of opinion and the clash of ideas in a pronounced split between autonomists and independentists. When there is unanimity, it even becomes suspect. It is therefore a small number of representatives who express the will of the majority. There is therefore rarely consensus, or not any. Gaston Flosse, the autonomist leader and President of French Polynesia for many years, says of his governance that the Pacific Way in the internal order "is not my style"⁴. He points out that he does make proposals and initiate discussions on a subject, asking for opinions, but at the end of the process, he alone will make the decision: "I make the decision and we go for it... it's not very Pacific Way", he admits. This is an inevitable trend: as the President of French Polynesia is the keystone of the institutions and holds all the powers (the ministers receive their powers by delegation), he can govern and decide alone.

Still far from consensus, there are the political instabilities that have been seen in French Polynesia, but also in so many states in Oceania. Indeed, throughout the region, we find political lives made up of chronic instability, political nomadism and unfinished

4 Interview with Gaston Flosse, former President of French Polynesia, on 10 October 2022.

mandates (Agniel 2008 : 4, 127, 135 et ff.). Regardless of the type of colonisation or political and legal system, political instability is often the norm. There is no shortage of examples in the Cook Islands, Vanuatu, Papua New Guinea, the Solomon Islands, Tuvalu⁵, Tonga⁶, etc. In all these islands, elections are just one moment among many, because a party that wins an election can lose power fairly quickly if there are no electoral deadlines (Al Wardi 2008). A great deal is invested in the elections, but as soon as they are over, the various opposition political parties are constantly on the lookout for “nomads” to regain power (*ibid.*). We even have the example in Samoa of an elected woman Prime Minister who was refused access to Parliament to take the oath of office⁷. In French Polynesia, there have been 15 governments since 2004, i.e. in 18 years. Admittedly, the voting system has changed, making it impossible to overthrow a government, but this does not mean that there is consensus. Political life in French Polynesia is made up of autonomists and independentists, but also of several branches of autonomists and independentists, who are genuinely opposed to each other and do not seek to reach a consensus.

In Oceania as a whole, Guy Agniel argues that we are also witnessing the decline of the *Pacific Way*, because the “Oceanian consensus no longer holds sway”. And he explains:

these days, rival “clans” are fighting for power, not to implement a programme governed by reason and the well-being of the population, but rather to obtain the attributes of power and the benefits that go with it... with the new rulers having to “return the favour” to those who brought them to power through unbridled clientelism⁸.

And yet there is an “Oceanian way” of doing politics. Talks can be endless in Oceania. To take just one example, discussions within the FLNKS in New Caledonia are lengthy because the aim is to reach a consensus on every point raised. But this way of doing

5 In Tuvalu, after several months of political crisis, a motion of no confidence overthrew Willy Telavi on 2 August 2013 in favour of Enele Sopoaga, who was elected three days later. It should be noted that it was Governor General Sir Italeli Iakoba who demanded the opening of the debates in Parliament, as his Speaker Kamuta Latasi wanted to adjourn the debates for six weeks. To sum up Tuvalu’s situation as a micro-State with a high degree of political instability, between 1985 and 2006 there were 19 motions of censure, 4 of which were successful. Mose Saitala explains that over 13 years, all the governments have had difficulty completing their four-year term (Satalai, 2007).

6 On 8 October 2012, a motion of no confidence was tabled to overthrow Prime Minister Lord Tu’ivakano. He held on by the fragile score of 13 to 11 votes. Three ministers had previously resigned.

7 See TV Polynesie 1^{ère}, 23 May 2021.

8 Guy Agniel (op. cit: 145). He adds that “this is what the people of Vanuatu call Wantok (or Oceanian-style nepotism, where power is confiscated for the benefit of the tribe or sibling from which the elected official comes)”.

politics can be considered natural. President Edouard Fritch, for example, asserts that the *Pacific Way* concept has never influenced him because this behaviour is deeply rooted in him, stems from his own life, and comes from his childhood:

The Pacific Way has not influenced my political life. But I'm in that frame of mind. I'm all for listening and dialogue. What's more, I've long held the values of solidarity, fraternity and sharing on the one hand, and I am deeply attached to my Oceanian and island roots on the other. I grew up on an island, Tubuai. As a result, I'm steeped in a way of life where "faa-oromai" and "faa-tura" structure relationships between people in the local community⁹. In Tubuai, I grew up in simplicity. When you live on an island, you are also called upon to respect and be humble in the face of nature. It's this background that has shaped my personality and my relationships with the local people. If, for you, "faa-oromai, faa-tura and simplicity" are also a form of the Pacific Way, then why not? But I learnt them by myself and from my life experiences¹⁰.

So this would be a profoundly Polynesian and Oceanian attitude.

In fact, the cognitivist approach, which asserts that thought "selects all information in the environment and processes it to construct an internal representation, enabling it to regulate its behaviour on the basis of its representations", raises the question of the ideal discourse on internal order in Oceania (Kernallegenn 2017, 1, 38: 69). It is the voluntary and repeated interpretation of the ideal Oceanian world that gives this idea of consensus. It is a doxa in the sense given to it by Pierre Bourdieu: "all that is taken for granted" (Bourdieu 1993 : 50). But has this idea really existed? Historically, no, not even in pre-European times, a fairly violent period as Michel Panoff describes. And yet this belief is presented as a certainty. This is the difference between the imaginary and the often brutal reality, a difference we find in political ideologies and religions.

II) **The external order: the Pacific Way in regional affairs between Oceanians; a myth?**

Michel Panoff (*op. cit.*) explains that the underlying philosophy of the *Pacific Way* is "solidarity between Pacific peoples and negotiation". But it is not just about coming together; there's a method to this concept. President Edouard Fritch explains that

⁹ Translation : Faaoromai (to take upon oneself, to endure or be patient without complaining) and Faatura (to respect, to be respectful).

¹⁰ Interview with Edouard Fritch, former President of Polynesia, October 2022.

the concept emphasises the primacy of dialogue and the search for consensus to resolve any problems that may arise in the region, in a peaceful manner, in the Oceanian way. Hence the constant search for consensus to avoid votes, which are seen as divisive”¹¹.

Unlike the internal order, international relations require negotiation and consensus.

But the first question is: consensus with whom? The Polynesians or the Melanesians or, more generally, the Oceanians? Oceania has several regional organisations, and the first or “infra” layer is made up of organisations that are strictly Polynesian (such as the GLP) or exclusively Melanesian (such as the Spear Head) or even Micronesian. It is only in the “supra layer” that we find truly Oceanian organisations such as the Pacific Islands Forum. For the Polynesian world, the concept of the “Polynesian triangle” is one of the founding myths, in the sense proposed by Paul Geyer, of “the formation of identities and questions of legitimisation” (Geyer 2007 in Al Wardi 2015). This set of myths, shared cultural practices, navigation techniques and settlement history reinforce the Polynesian identity, as well as that of Oceania. From then on, the desire to come together has been a constant in the history of this area, which has a high degree of cultural and linguistic homogeneity (Feinberg and Mc Pherson 2002). At the Pacific Islands Forum summit in Auckland in September 2011 the Samoan Prime Minister brought together the leaders of Tuvalu, Tonga, Niue and Cook to promote the idea of a Polynesian reunion, an idea that had been desired for several years. On 17 November 2011, in Apia, under the name of the Polynesian Leaders Group (in French GLP, Groupe des Leaders Polynésiens), the dream of Samoan leader Malietoa Tanumafili II, according to the Samoan Prime Minister, came true¹². Moreover, Paul de Deckker adds that during his time as Secretary of State, Gaston Flosse, having met most of the leaders of the South Pacific, “met with his greatest success with his Polynesian brothers with whom he felt culturally very close”, citing in particular Tupou IV, King of Tonga, Sir Tom Davis, Prime Minister of the Cook Islands, and Vaai Kolone, Prime Minister of Samoa. Gaston Flosse confirmed during our interview that he had special ties with the King of Tonga and the Prime Ministers of the Cook Islands and Samoa¹³.

11 Interview with the President of French Polynesia, Edouard Fritch, October 2022.

12 Talamua Media and Publications, Samoa, 18 November 2011 in Al Wardi, op.cit).

13 Interview with Gaston Flosse, Ibid.

All the regional groups emphasise their cultures and identities. Are these groups based on ethnicity? No doubt, according to the Samoan media outlet *Talamua*, the aim is clearly to “unite all Polynesian ethnic groups”¹⁴. It is curious to see these entities, the two Polynesian groups (GLP and GPP *Groupe des Parlementaires Polynésiens* ¹⁵), the Micronesia Challenge and the Melanesian Spearhead Group, named according to a geography inherited from the colonial era. Before Serge Tcherkézoff’s remarks (2008), Cluny Mc Pherson and Richard Feinberg (2002) raised the question of the limits of Polynesia: beyond the famous Polynesian triangle, they note, there are a number of islands considered Polynesian in the Melanesian or Micronesian space, such as Tikopia, Bellona or even Anuta in the Solomon Islands and Nukumanu in Papua New Guinea (Feinberg and Mc Pherson, 2002: 192).

Referring to Michael Keating and Rogers Brubaker, Tudi Kernalegenn argues that “ethnicity is therefore a way of looking at the world, understanding and identifying oneself, making sense of one’s problems, identifying one’s interests and orienting one’s actions” (Kernalegenn *op. cit.*: 66), even if this is most often unconscious. He reminds us that regionalism is characterised “by a horizontal division of the world, of social reality, i.e. a division based on territorial and/or cultural criteria, more than on socio-economic criteria” (*id.*: 60). So one can be Polynesian and Oceanian at the same time.

So is it Polynesian, Melanesian, Micronesian or Oceanian solidarity? Whatever, once again, one does not preclude the other. This Oceanic link is indisputable: Epeli Hau’ofa (*ibid.*) insists that “the Ocean is within us” and that “the Ocean is no longer a frontier that separates the Oceanian peoples from each other and locks them up on their islands”. For example, Heremoana Maamaatuaiafatu, a former minister and former director of the Maison de la Culture, rejects the Polynesia/Melanesia division and says he recognises himself in the Oceanian family. He wanted to “recreate the pirogue route” by setting up a festival of Oceanian films and documentaries (FIFO) with the help of Wallès Kotra, as well as supporting book fairs to “recreate the link”. Manuel Terai, Director of International Relations for French Polynesia, also talks of a “strong cultural link, we understand each other”¹⁶. He adds that when French Polynesia joined the

14 Talamua Media and Publications, Samoa, 18 November 2011.

15 Created in 2013 at a meeting in French Polynesia (American Samoa, Cook Islands, Niue, Tonga, Tuvalu and French Polynesia and the two «observer» members, Wallis and Futuna and Easter Islands); but modified in 2019 to become the Pacific Islands Parliaments Group (PIPG) (Fiji, Hawaii, Easter Islands, Cook Islands, Niue, New Caledonia, New Zealand, Palau, French Polynesia, Samoa, American Samoa, Tokelau, Tonga, Vanuatu and Wallis and Futuna), which meets every year (2023 : Tonga).

16 Interview with Manuel Terai, Director of the Delegation for International, European and Pacific Affairs at the Office of the

Pacific Islands Forum as a “full member”, “the Oceanian spirit prevailed”. Indeed, the members really did change or “lighten” the membership criteria to enable Polynesia and New Caledonia to become “full members”. However, Manuel Terai adds a nuance: it was thanks to the insistence of the Polynesian clan, which supported this membership from the outset, that membership was possible.

For former President Fritch,

Pacific leaders like to say that we share the same ocean, the same sky, the same aroha, the same taro, the same pirogue. These commonalities mean that we share a common history. This necessarily creates links. The values that bind our island communities together are those of Solidarity, Cohesion, Fraternity and Peace.¹⁷

Epeli Hau'ofa adds that “as we travel, we notice that Polynesians, Melanesians and Micronesians have the same reflexes and the same sense of humour”. President Fritch welcomed the Group of Pacific Island Parliaments¹⁸ with the words “the Pacific family” reunited at last. He added: “*We must stop thinking of ourselves as small island territories, but as the blue continent of the Pacific*”.

So there is indeed an Oceanian way of approaching things. But is it institutionalised? No, because, once again, it's said to be in the essence of the society! Michel Panoff, a specialist in Oceania as well as Polynesia, says of the *Pacific Way* that “Tahitians have been practising it for a long time, both among themselves and in their relations with other peoples”. This is confirmed by the former President of French Polynesia, Edouard Fritch:

Our actions, our attitudes and our relationships with others have not been dictated or inspired by the idea of a Pacific Way. We are not conditioned to act by a Pacific Way. Dialogue is part of our methods. It's in our DNA. Consensus is sought, but it is not a necessary or obligatory condition [...] this accumulation of sociological and historical singularities could lead us to say that we have a Pacific Way. But for all that, no one has defined, shared or enshrined this concept as a political objective among the Pacific countries.

President of French Polynesia, on 12 October 2022.

17 Interview with President Edouard Fritch.

18 Tahiti Infos on 5 October 2022.

What's more, since French Polynesia has been a member of the Pacific Islands Forum, this concept, he says, has not been the subject of "any particular reflection or work among the region's leaders". However, he notes that dialogue and the search for consensus are "sacred" within the Forum: "When certain decision-makers try to deviate from the rule of consensus, they are called to order and the subject is postponed to another date". But he concedes that "within the Forum, this is a decision-making rule. It's a decision-making 'mode' whose sole objective is to remain at peace with oneself first and with others as a result".

So why is it a myth? There is the inevitable intervention of regional powers. We keep coming back to the desire to get together as Oceanians, and only as Oceanians. But is this possible? What about regional powers? Territorially, the regional powers are also in the South Pacific. And culturally, aren't these regional powers also part of Oceanian culture thanks to their original peoples? Are ethnic criteria therefore relevant?

Epeli Hau'ofa (*op. cit.*: 24) felt that "the independence of the Pacific Forum was compromised from the outset by the inclusion, for financial reasons, of Australia and New Zealand". This is because the island states have few financial resources. He adds that these regional powers have "complicated the development of a post-colonial regional identity" in the South Pacific Commission and the Forum, given that Australians and New Zealanders are not *Pacific Islanders*. Élise Huffer (*op. cit.*: 10) also confirms that the *Pacific Way* "is also a way of imposing cultural values and asserting the identity of island societies vis-à-vis the major regional powers, especially Australia and New Zealand, but also France, Great Britain, the United States and Japan". Still on this subject, Nathalie Mrgudovic notes a certain frustration on the part of the Melanesians with regard to the Forum. In fact, they were already very frustrated with the Secretariat General of the Pacific Community (SPC), where no political discussion was possible, which is why the Pacific Forum was created. And so it is another frustration that has created the Spearhead, with the desire to be among islanders, among Melanesians, without the regional powers, without Australia and New Zealand. Nathalie Mrgudovic (2003: 177) writes that "the Groupe Mélanésien du fer de Lance (GMLF) was born, one might say, out of a double frustration". It is true that the presence on the SPC of France, the United States and the two regional powers posed a number of problems for the small states of the South Pacific. The presence of Australia and New Zealand in the

Forum also caused embarrassment and led the Melanesians to create the Spearhead group. Michael O'Keefe confirms this impression : "There was also a growing perception that regionalism in the Pacific was not up to scratch... Regionalism was also seen as a buffer and a brake on the interests of outside powers and the domination of powerful Pacific states" (O'Keefe 2015 : 128).

Besides, powers can be in rivalry. Gaston Flosse, for example, recalls the coup d'état in Fiji in 1987 when he was Secretary of State for the South Pacific. He says that the Fijian Rabuka asked for his help. He travelled with Manuel Terai and the Admiral commanding French forces in the Pacific to Fiji at a time when New Zealand and Australia were strongly denouncing the coup. Rabuka wanted France to at least partially take the place of the regional powers. Manuel Terai confirmed that "orders had been given to save Rabuka, who had been abandoned by the Australians and New Zealanders". He accompanied Ratu Kamisese Mara to Paris. Was this an attempt to counter the States opposed to the nuclear tests and the situation in New Caledonia? There was no real follow-up to this diplomacy.

Lastly, a more recent difficulty arises. Heremoana Maamaatuaiahutapu recounts how, in discussions between Oceanians, some island states can no longer really express themselves freely because they are being watched by "their backers". This includes China. Indeed, beyond the regional powers, the new global geostrategies place Oceania in the Indo-Pacific/New Silk Roads competition.

III) **The Pacific Way and the new challenges facing Oceania**

We have seen that the *Pacific Way* concerns both the internal and external order. But the world, and Oceania in particular, are facing new challenges. What is the contribution of the *Pacific Way*? Has realism affected all the players? First of all, as Polynesia is French, what is France's place in Oceania? Do Australians and New Zealanders accept the French presence? What impact does France's presence in the Indo-Pacific have on French Oceanians? Do the people of Oceania need the great and middle powers to meet the new global challenges?

Following the end of nuclear testing and the launch of the decolonisation process in New Caledonia, France's presence is no longer in question. Nic Maclellan explains that

Australia has increasingly supported France's regional role and has proposed that territories such as New Caledonia become full members of the forum, even before their final political status has been determined. This significant policy shift was endorsed in the 2013 Morauta Review of the Pacific Plan for Strengthening Regional Cooperation and Integration, which argues that the forum's original priorities such as decolonisation and a nuclear-weapon-free Pacific "have been resolved or moved to other platforms for debate and determination" (MacLellan 2015: 264).

France, for its part, has seized the opportunity to have real "aircraft carriers" in the Pacific, allowing it to claim to be part of the Indo-Pacific. Because one has to be physically in the Pacific to claim to be part of the Indo-Pacific. To remain a player in the world, to maintain its role as a global power, France must be in the Indo-Pacific. The former Minister for Overseas France, Victorin Lurel, said that this region "will orchestrate the course of the world in the 21st century"¹⁹. So France is very much a part of this new geostrategy. For its part, Polynesia, being part of France and therefore part of the Indo-Pacific, seems particularly well equipped to face the challenges of this century. France thus has a dual diplomacy: directly or through its territories. This is not a new approach for France, but it is exacerbated by relations between China and the United States. It was Michel Rocard who came up with the idea of the territories as a bridgehead between metropolitan France and the rest of the Pacific. This idea was taken up by Jacques Chirac and developed at the 2003 France-Oceania summit in Papeete. In 2013, the former Minister for Overseas France, Victorin Lurel, pointed out that "France is anchored in the Pacific and has a duty, through its local authorities, to interact constantly with the near abroad. It encourages the establishment of direct relations between French entities and these friendly countries" (*ibid.*). This is a particularly Pacific way of being when the Minister adds that

France is proud and happy to have these Polynesian and Melanesian worlds in its midst, which resonate with their Aboriginal and Māori neighbours. Through the affirmation of their culture, identity and customs, they help to make France more present, more diverse and richer (*ibid.*).

¹⁹ Closing of the symposium on 17 January 2013, Senate, Information report, Senate Delegation for Overseas France, n°293, p 135.

He affirms that “France intends to play its full part, in close cooperation with its allies, for the greatest benefit of the people of New Caledonia, Polynesia and Wallis”. Delphine Allès (2016: 45) demonstrated the success of diplomatic work based on “interpersonal relations”. What better way to make diplomatic progress in Oceania than to take advantage of relations between Oceanians?

Then there are the major global challenges that Oceania cannot ignore. For example, at a summit of the GPIIP (the group of the Pacific parliaments) in 2019, representatives of the assemblies of the 15 member countries met in Papeete. With the “Taraho Declaration”, this grouping formalised a “Pact for a Sustainable Blue Economy”: “*the waters that are inexorably rising will be at the doors of our homes, at the ankles of our children, nibbling away at our shores and our coastline. What will become of our resources, our island lifestyles and our ocean?*” The aim is to encourage the preservation of the oceans through managed marine areas and to protect territories against rising sea levels; to encourage the sustainable development of fisheries resources; to help reduce marine pollution from ships; to promote responsible and clean fishing; and to promote innovation in favour of a sustainable blue economy.

Former President Edouard Fritch details the vast range of problems facing all Oceanians. Today,

the Pacific is united around a common set of issues. These include the consequences of climate change; the preservation of ocean resources; the surveillance of our respective EEZs; common health pathologies such as obesity, arbovirosis, etc.; the production of renewable energy; the treatment of waste from modern consumption such as plastic; and regional international transport²⁰.

Given the scale of the challenges, he recognises that the help of regional or global powers is essential:

the Pacific countries are looking for partnerships with major countries that can provide us with solutions or support us in tackling these issues that affect the daily lives of our populations. Eliminating our waste and being less dependent on fossil fuels are everyday concerns.

In his view, this realistic approach concerns virtually all states and territories:

20 Interview with Edouard Fritch, *op. cit.*

the Pacific countries united within the Pacific Forum want to work with all the major countries of the world. The driving force behind international relations is the triptych of “cooperation, partnership and development”. And we are succeeding. The very recent dialogue between the world's smallest countries and the world's largest in Washington is proof of this.

The competition between the Indo-Pacific and the New Silk Roads makes Oceania attractive to all the major powers.

If we can imagine a return of the *Pacific Way*, the Oceanians need to group together to claim their place in the concert of nations in order to combat the problems that affect them directly and that concern humanity as a whole, such as global warming, rising sea levels and the pollution of water tables by rising sea levels. But here too there is the problem of unity: Heremoana Maamaatuaiahutapu, who attended the summits in Hawaii, Lisbon and many others, notes that China favours bilateral agreements in order to divide Oceania, while the Americans and the French prefer a common strategy²¹. The *Pacific Way* urges these small states and territories to unite within the Pacific Islands Forum to confront the world's big players. The 2023 meetings in Papua New Guinea and South Korea clearly demonstrated this.

By way of conclusion, it should be stressed once again that the Indo-Pacific powers, and even China, are attaching greater importance to this once forgotten Oceania. It should also be noted that at regional and international level, it is primarily budgetary and financial problems that are forcing the small island states to move closer to the medium-sized or major powers. The financial reality is stronger than the desire to be among oneself. A former Polynesian minister explains that, apart from the rhetoric, there is another difficulty for these small states: “European funds are virtually inaccessible, too complicated to set up, whereas China can respond financially quickly” (*ibid.*). This is China's chequebook policy. These difficulties may work against the Indo-Pacific, because the budgetary emergencies of small island states are real.

All the climatic and geostrategic challenges are linked. Edouard Fritch notes that

the Indo-Pacific Axis will only have meaning and reality in the Pacific if France and Europe accompany our countries in the problems... The Indo-Pacific Axis must

21 Interview with Culture Minister Heremoana Maamaatuaiahutapu, 7 October 2022.

be an axis of solutions for our small countries and island states. Good solutions will always find a consensual welcome with our friends in the Pacific.

France, Australia, India and the United States (which has brought together the states and territories of the Pacific Islands Forum in Washington in 2022) are strengthening their presence. The voice of the Oceanians, on behalf of the Indo-Pacific, should now count for something. But how? Of course, the major powers are now showing themselves to be generous and attentive to the problems of the Oceanians, but the privileged exchanges, or those hoped for, will remain those between the Oceanians themselves. After Jacques Chirac's dream that French Oceanians would be the voice of France in Oceania, Heremoana Maamaatuaiahutapu adds the same idea for all Oceanians: "there is no better ambassador for Polynesia in Washington than Hawaii and there is no better ambassador for Polynesians than Hawaii". Indeed, it was in Hawaii that the Pacific Islands Forum met before going to Washington. In other words, faced with the challenges of the 21st century, the Oceanians need the rest of the world more and more but, in line with the *Pacific Way*, they also have an interest in forming a united bloc. However, the security agreement between China and the Solomon Islands shows that this is not always feasible. So we keep coming back to the deconstruction of the myth, facing the need to be linked to the medium and major powers in the Pacific.

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Acknowledgments

Thank you to all the authors of each of the 24 chapters for their patience, for their willingness to check their manuscript and then, for some of them, to check the English translation, and then to read and check the successive versions of the proofs. The authors have each retained their own way of arranging their subtitles and list of references.

Thanks to the teams of the Maison des Sciences de l'Homme du Pacifique, Eric Conte, former Director, Jacques Vernaudeau, Director, and Lois Bastide, Associate Director.

For their contribution to funding: the MSH-P and the CNRS.

Thanks to the GDI for taking care of the funding of the English proof reading.

Thanks to Professor Rando for proofreading and editing the English text

The 'Api Tahiti publishing house and Jean-Luc Bodinier for their layout work and graphic support.

Achévé d'imprimer Novembre 2024

Directeur de publication : Éric Conte

ISBN : 978-249-3616050

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