

'This is a book about Tokelau, yet it also has much to say about how a small country (New Zealand) attempts to manage its relations with a distinct people (Tokelauans) and a self-serving international organisation based in New York (the UN) . . . Informative, interesting, insightful and worthwhile.'

— Professor Stephen Levine, Political Science and International Relations, Victoria University of Wellington.

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The future of Tokelau

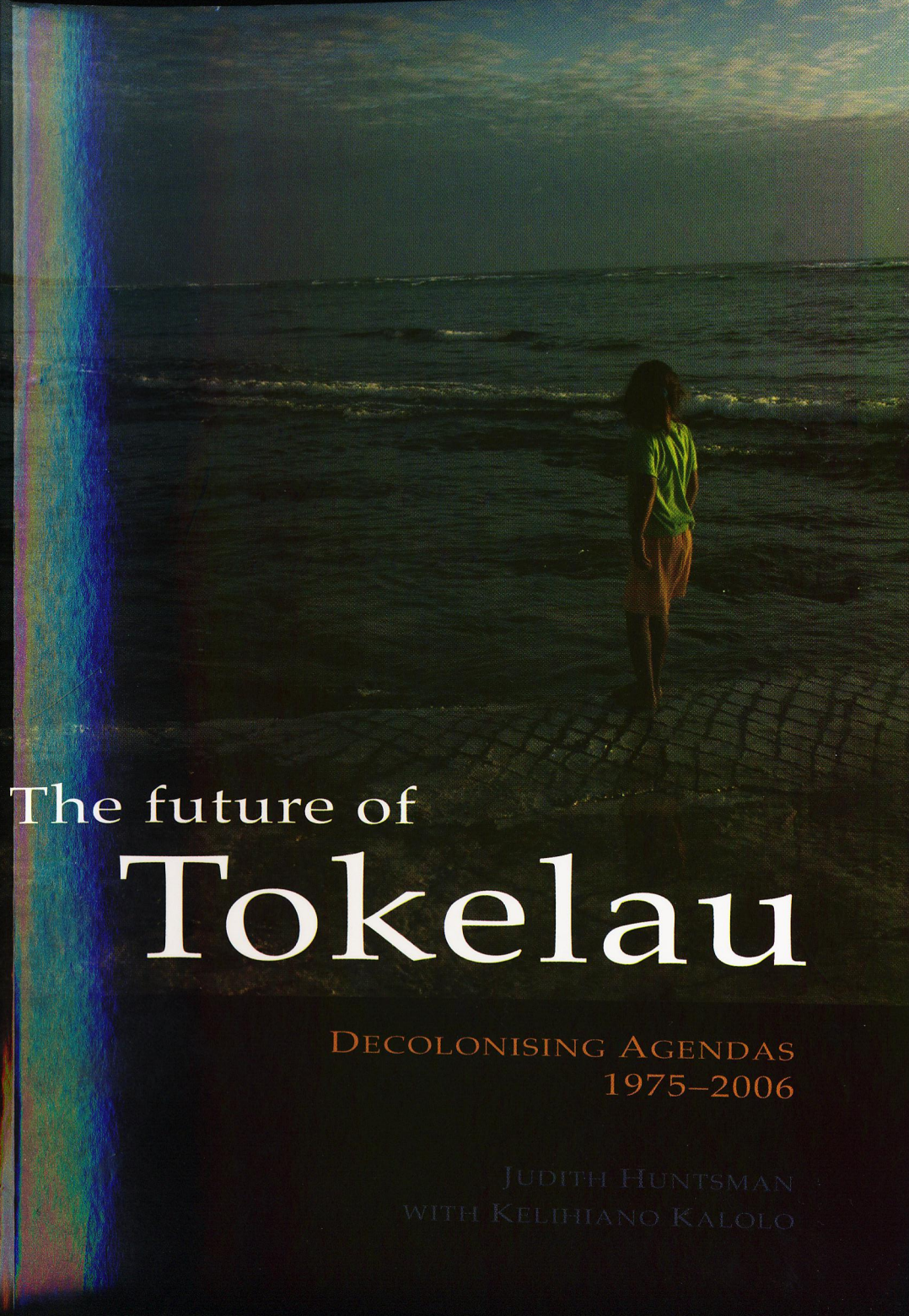
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KALOLO



The future of
Tokelau

DECOLONISING AGENDAS
1975–2006

JUDITH HUNTSMAN
WITH KELIHIANO KALOLO



three parties concerned with Tokelau's future is the contrast between the altered perspectives and attitudes of the Committee of 24 and the Ministry, and Tokelau's steadfast stance. The Committee and the Ministry had their differences about how and when Tokelau might be removed from the list of dependencies. For Tokelau, being on the list was irrelevant – the aim was to retain and enhance the benefits of their New Zealand connection for their *lumanaki*.

Suspicion on all sides

The Ministry officials representing New Zealand to the UN Committee of 24 in the 1960s were far removed from the realities of the Island Territories concerned, and not just by distance. They tabled the dry, repetitive Annual Reports compiled by Islands Affairs and spoke to them as best they could. In the case of Tokelau, they knew virtually nothing about how life was lived in the atolls, and the stories they were apt to tell in their annual presentations to the Committee were exaggerated if not unreal (see Chapter 1, for example).

If New Zealand's representatives were uninformed, other UN representatives and officials were even more so. The Committee of 24 was largely made up of members from large and populous former colonies. They could not really imagine a place like Tokelau, and, moreover, were not inclined to consider the quite different circumstances in the dependent territories on the list of those yet to be decolonised.

In the face of the Committee's intransigence, New Zealand representatives expressed exasperation.

I have an inclination to take up in the General Assembly the inadequacy of the task being performed by the Committee of Twenty-four in drawing up its recommendations on small territories. Like specialists in many fields the "decolonizers" have become the prisoners of their own terminology and are unable to break away from the obvious and (in New Zealand's case, at least) the undenied. There is, however, a danger, in stirring the committee up along these lines, that they may start making detailed, but wrong, recommendations, which might be worse than the present, because meaningless, inanities. (449/3/1 pt 3: 2-9-66)

The Ministry, whether reporting or commenting about Tokelau, had a response that became a mantra: 'There is no fixed timetable for Tokelau's act of self-determination' and 'New Zealand's stated intention is to be guided by the wishes of the people of Tokelau.'

By the late 1960s, New Zealand's annual speeches to the Committee were beginning to voice some indignation.

I believe my delegation's regret that more of the Committee's time is not devoted to a consideration of the problems facing the small non-self-governing territories is well known in this forum The problems of these territories are unique and one blanket formula will not do. Any attempt to apply rigid and inflexible formulas to all these territories simply because they may have been acceptable and appropriate elsewhere, or because they satisfy the need of some theoretical logic are unhelpful . . . (449/12/1 pt 2: 25-11-69)

The Committee doubted New Zealand's commitment to decolonisation and pressed for a fact-finding mission to Tokelau. New Zealand regularly dismissed this request on the grounds of irregular transportation and unsuitable accommodation, masking a real disquiet about what facts a mission might find: 'The only means I can think of by which a mission could be transported would be a ship charter or aircraft charter from French Polynesia. What a mission would expect to accomplish other than mischief I cannot but imagine' (449/3/1 pt 3: 6-9-67).

The Ministry's intention was that Tokelau would eventually follow Niue, which would shortly follow the Cook Islands, by becoming self-governing in free association with New Zealand. New Zealand never entertained the idea of Tokelau becoming an independent state, like Western Samoa, though from time to time people did mention the possibility of integration, which the Ministry regularly dismissed as unrealistic, if not impossible (Bertram & Watters 1984: 35-47, 68, 407).

In Tokelau, all of these matters were quite inconsequential. Statements and pamphlets about the United Nations and its various resolutions were distributed in the atolls, but nobody paid much attention to them. Tokelau attitudes about decolonisation were primarily based on their knowledge of Western Samoa's decolonisation, and they thought their dependent political status far more desirable than their neighbour's independent status. New Zealand supported them; their citizenship gave them unrestricted entry to New Zealand. They would not have concurred with the descriptions of their lives and atolls presented to the Committee of 24 had they heard them, and they certainly would have been puzzled by the prevailing stance of the Committee had they been apprised of it. Quite simply, Tokelau had no interest in, and little knowledge about, the preoccupations of the Committee of 24, and the Committee had no concept of what Tokelau was like or how

Tokelau people lived. They were of utterly different worlds. New Zealand, represented by the Ministry, was in the middle.

By 1975, fifteen years had elapsed since New Zealand had endorsed the UN resolutions on decolonisation. The Ministry took considerable pride in its decolonisation achievements; the Cook Islands and Niue were off the UN list, both self-governing in free association with New Zealand. But still there was Tokelau. Those who had earlier judged Tokelau's 'future' hopeless and promoted complete resettlement to New Zealand could not but be aware Tokelau was not going to be depopulated.³ The transfer of money and goods, people and ideas between the atolls and New Zealand had changed atoll life and people's attitudes and expectations. Yet Tokelau had thrice (in 1963, 1964 and 1966) insisted upon retaining its association with New Zealand as a dependency, and on one occasion (General Fono 1971) asserted that they had no thought of abandoning their atolls. In short, Tokelau entertained no major change on the horizon. They spoke about the 'future' (*lumanaki*) in expectation that their children's lives would be secure, indeed improved, by the guarantee of New Zealand's continuing and enhanced support. More and better-paid employment would mean more money to buy runabouts and motors, house-building materials and goods. Improved schools and medical services would provide better education and health. Otherwise, life in Tokelau would be much the same: men fishing and harvesting, women plaiting and cooking, ongoing meetings and cricket matches, communal festivities and work, all directed and overseen by the elders.

The first UN Mission to Tokelau

The Ministry revised its position on UN Mission visits in the early 1970s. The Ministry's Secretary wrote to the Prime Minister explaining why:

(a) *New Zealand's standing in the United Nations as a liberal administering power should not be eroded*

(b) . . . acquaintance with the fundamental economic and social problems of Niue and the Tokelaus should serve to demonstrate quite clearly just how unreasonable and unrealistic are the United Nations calls for early progress to self-determination and/or independence in *all* cases. Few have ever seen a small Pacific island . . . (449/4/2 pt 1: 13-5-71, emphasis in the original)

He recommended inviting a Visiting Mission to both Niue and Tokelau in 1972, though doubted that a visit to Tokelau would eventuate until 1976.

In the early 1970s, the Committee of 24, too, was revising its stance, becoming less doctrinaire – at least regarding New Zealand territories. They did visit Niue in 1972, but not Tokelau. In 1974, a Mission witnessed Niue's act of self-determination and had intended to visit Tokelau, but on arriving in Apia decided not to proceed after becoming aware of the discomfort in getting to and staying in Tokelau. Thereafter, the Committee praised New Zealand for its co-operation; New Zealand applauded the Committee's realistic flexibility and renewed its invitation to visit Tokelau.

So a UN Visiting Mission was immediately in the offing when the Ministry assumed responsibility for Tokelau. The Ministry was optimistic about the outcome of its plans for Tokelau; a suitable ship was available to transport and accommodate UN visitors, and Tokelau expressed willingness to host them. However, one Ministry official, who had visited Tokelau, worried about the UN visitors' reaction to what they would see and what they might hear. Perhaps the following portrayal of Tokelau by New Zealand's representative in New York was designed to forestall the shock: 'In short, Sir, life in the Tokelaus is a constant and unremitting struggle for survival on coral atolls only marginally fit for human habitation' (449/4/1 pt 1: 10-4-75). Three concerned but optimistic Ministry officials accompanied the Visiting Mission to Tokelau in June 1976 (see Chapter 2 for an account of the Mission's visit and report).

In Tokelau, the Mission visit was a social occasion rather than a political event. In most respects – the preparations, the formalities of welcome, and the festivities and gifting – it was like the Governor-General's visit shortly thereafter.

Recall that Tokelau, in making its definitive statement, 'stated that it was in the Territory's interest that the development and progress of the islands be improved further to ameliorate the conditions of the people' (UNGA 1976: para. 143). To which the Chairman asked 'how they viewed the process of development of the Territory'. The reported reply was, 'New Zealand had been administering the Territory for some time and had done much for Tokelau. However, since they were now being visited by a United Nations mission, they also hoped to receive help from the United Nations; that would also help New Zealand to help them' (UNGA 1976: para. 145). This astute response was completely in keeping with Tokelau ideas about their *lumanaki* and their notions of gifts and blessings. The Mission had been lavishly hosted and gifted, and they might be expected to reciprocate by helping Tokelau.

The Mission, however, attributed their rejection of any change to 'apprehension' and urged New Zealand 'to reassure the people of Tokelau

concerning their future and to enlighten them of the possible choices which lay before them when they were prepared to exercise their right to self-determination' (UNGA 1976: para. 307). Here was the conundrum. Tokelau had unequivocally 'exercised their right of self-determination', but not to one of the three acceptable options. Opting for the status quo did not warrant removal from the UN list.

The aftermath and the intervening years

The Ministry and the Committee of 24 judged the Mission's visit and subsequent Report positively. A New Zealand representative in New York pronounced it a 'watershed' that recognised the 'uniqueness' of the Tokelau situation and the genuine desire of Tokelauans to maintain their present situation (449/4/2 pt 2: 7-4-77). Corner, as both Tokelau's Administrator and Ministry Secretary, pronounced that Tokelau had in effect 'exercised their right of self-determination', at least for the time being:

- At some point in the future the Tokelauan people will again wish to express their views on their political status and to exercise their right of self-determination. They may choose the status they have at present; they may choose a different one. Whatever their choice . . . and it is their choice alone, New Zealand will support them in their decision and help them achieve the future they desire. (449/13/2 pt 1: 5-4-77)

In subsequent years, New Zealand's reports and speeches to the Committee, relating steps being taken towards 'administrative decolonisation' and other initiatives, were usually genially received.

Optimists in the Ministry, in both New York and Wellington, and indeed Neil Walter in Apia, believed the next Visiting Mission would witness a Tokelau act of self-determination for a political status similar to that of the Cooks and Niue. Walter proposed a timetable, albeit a tentative one, that would have Tokelau removed from the UN list in 1979. It ran like this (summarised from OTA 15/3 pt 3: 11-7-77):

- Mid-1977: The Official Secretary would spend several weeks in each of the atolls talking with everyone about Tokelau's future.
- Early October: The Faipule, accompanied by the Official Secretary and Tokelau Directors of Health, Education and Administration, would make a study tour of New Zealand, meeting with New Zealand-Tokelau communities and touring the South Island. The

Faipule would attend the South Pacific Commission meeting and then return to Wellington for talks with Ministry and other officials, appropriate Parliamentarians and perhaps the Prime Minister.

- December 1977 to February 1978: Back in the atolls, the Faipule would convene village meetings to discuss issues concerning a 'changing relationship' with New Zealand.
- About March 1978: The Minister of Foreign Affairs or his representative would attend a Fono 'to inform the people of Tokelau of the help New Zealand would give Tokelau if it decided to become self-governing'.
- July/August 1978: The United Nations would send a small observer team to witness an act of self-determination. 'The ceremony would presumably take the form of a special General Fono attended by the Minister of Foreign Affairs or his representative . . . as well as the UN observer(s). The outcome of the act of self-determination would presumably be that NZ would be asked to draft legislation to give effect to the wish of the Tokelauan people to become self-governing in free association with NZ.'
- At its 1978 session, the UN General Assembly would take note of the 'freely-expressed wish of the people of Tokelau' and encourage New Zealand to take action to implement it.
- At the 1979 UN General Assembly session, New Zealand would present the enabling legislation already drafted, cleared with Tokelau and enacted, thereby making Tokelau self-governing and removing Tokelau from the list of non-self-governing territories.

Needless to say, this was a quixotic timetable. Walter did go to the atolls, but the plan of 'talking to everyone' was compromised by the vagaries of transport and other difficulties. The New Zealand tour was undertaken, but the responses of the New Zealand-Tokelau communities to developments in Tokelau were both sceptical and critical, and the Faipule refused to discuss any political change with New Zealand Government officials. Thereafter, the timetable was derailed. Only in Nukunonu did the Faipule report to the village on his New Zealand tour; elsewhere only the Taupulega were informed. At the ensuing Fono there was a notable absence of discussion. Tokelau simply was not interested. Neil Walter ended his term in 1978, regretting he was not retiring as Tokelau's first and last Official Secretary, confident his successor would be second and last.

Others were not so optimistic. Corner expressed some apprehension, fearing the Committee of 24 might be led to expect too much from glowing

reports of developments in Tokelau, leading to difficulties when a Mission visited again (marginal note in 449/4/2 pt 2: 20-4-78). Simon Carlaw, newly appointed Official Secretary, echoed this caution: 'A start has been made on the much slower and more difficult task of political education and it may be difficult to point to tangible achievements in this area . . . we consider our objective should be to continue to dampen UN expectation to a level which would permit Tokelau to move at a speed which is only marginally prompted by New Zealand' (449/4/2/ pt 4: 11-78).

A second UN Mission visit was somewhere on the horizon. One in 1979 was mooted, but then shipping calamities scotched it. New York suggested a 1980 visit to witness an act of self-determination, but Carlaw and Wellington agreed there was no possibility of such an early act of self-determination: 'Given the infrequency with which we can endeavour to advance the process of political education, the residual suspicion and resistance to change, . . . we would suggest that a formal act is unlikely before 1981-82' (449/4/2 pt 4: 5-2-79).

The communications between Apia, Wellington and New York regarding the next Mission visit illustrate their differently distanced perspectives. From 1979, Apia was saying an act of self-determination was some way off; Wellington continued hoping for one when a delayed visit occurred, but finally conceded it would not; New York kept seeing it as imminent until finally convinced in 1980. In Apia, Carlaw was daily interacting with Tokelau public servants in the Office and regularly communicating with and visiting the atolls. Corner in Wellington was in regular contact with both Apia and New York, and far better informed about Tokelau than he had been in the past. Representatives in New York were generally the least informed and the most eager to maintain New Zealand's reputation in the United Nations.⁴

These differences between Ministry officials arose from the conundrum created when the Ministry assumed responsibility for Tokelau from Island Affairs in 1975. The Ministry's essential mandate is to maintain and enhance New Zealand's reputation and status abroad in line with the policy of the New Zealand Government. Practical, day-to-day administration of a colonial dependency was not an accustomed or easy role for the Ministry, particularly given New Zealand's position on decolonisation. Ministry officers at the Tokelau end were engaged 'hands-on' in Tokelau's interest, and at the New York end they were promoting New Zealand's interests at the United Nations. In Tokelau, Official Secretaries sought to engage Tokelauans in their own administration and thereby prepare the atolls for an act of self-determination that would remove them from the UN list of dependencies. In New York, officials spoke of Tokelau's progress towards self-determination

with a certainty that Tokelau would shortly become self-governing in free association, further enhancing New Zealand's international reputation. That the officials at each end had different views of the Tokelau situation is not surprising. Though both ends had similar aims, as the years went by, those afar became impatient, wanting a definite 'timeline', while those dealing directly with Tokelau recognised that any such timeline was counterproductive and urged patience.

The final years of the 1970s were difficult ones. Matters in Tokelau were not progressing exactly as envisioned. Changes that had been initiated with all goodwill were creating problems of which Wellington became increasingly aware (see Chapter 3), and Carlaw was far less upbeat in his assessment of the situation than Walter had been, particularly after shipping became a major problem.

In New York, the USSR member of the Committee was being difficult, insisting on using the word 'independence', which New Zealand judiciously avoided, and objecting to the declaration of a Tokelau Exclusive Economic Zone (EEZ) (449/4/2 pt 4: 28-6-79). The annual statements on 'the question of Tokelau' did not pass smoothly.

New Zealand's declaration of an EEZ on behalf of Tokelau brought other troublesome matters to the fore.⁵ One of Tokelau's submissions to the 1976 UN Mission had been a claim to the atoll of Olohega/Swains Island. The claim received no attention at the UN, but it disturbed the Ministry. While they were obligated to act in Tokelau's interests, pursuing the matter posed problems.⁶ Briefly, Olohega had been surreptitiously appropriated under the 1856 Guano Act (Skaggs 1994) by Eli Jennings, originally of Long Island, New York. Successive male Jennings asserted ownership thereafter, and because the original Jennings was an American citizen Olohega became attached to American Samoa rather than Tokelau. Claims of the Jennings family to the atoll's ownership were problematic, as were all claims under the Guano Act. When EEZs were being declared in the 1970s, the United States undertook to clear up its dubious Guano Act claims, which had been made to virtually all the atolls in the Central Pacific, by making treaties with the nation-states involved. In the case of Tokelau, this meant New Zealand. The United States' position was that it would give up its claims under the Guano Act to the three atolls if Tokelau/New Zealand would never press any claim to Olohega/Swains.⁷ For many reasons (into which I will not go), New Zealand was placed in an invidious position. And for several reasons, including an inability to establish a Tokelau EEZ if the United States persisted in a claim to all the atolls, New Zealand decided to discourage Tokelau from pressing its claim to Olohega/Swains. This was an emotive matter in Tokelau and

Tokelau initially balked, but in the end was reluctantly persuaded to forego its claim by the Treaty of Tokehega.⁸ The Administrator supported the Treaty, citing its economic benefits for Tokelau, and it was signed in December 1980 by the three Faipule on behalf of New Zealand (449/4/2/1 pt 1: 12-12-80). However, many Tokelau people in the atolls and elsewhere viewed the Treaty with dismay. This episode jeopardised New Zealand rapport in Tokelau; New Zealand was not supporting and caring for (*tauhi*) Tokelau's interests.

The second United Nations Mission visit

The second Mission visit was eventually scheduled for mid-1981. In New York, New Zealand endeavoured to have suitable members of the Committee assigned to the Mission – preferably persons acquainted with and sympathetic to the problems of small islands – and to educate those chosen. Arrangements were made in Wellington for the three Faipule to be briefed before the Mission visit,⁹ as well as for hosting the Mission before and after its visit to Tokelau. Alerted that nothing had been done about the 1976 Mission's recommendation that the customary and public law in Tokelau should be examined (UNGA 1976: para. 457), the Ministry contracted an academic legal expert, Tony Angelo, who would become Tokelau's legal advisor. A suitable vessel for transporting the Mission was chartered from the Marshall Islands and a Fono was convened in Tokelau to canvass what matters Tokelau might raise with the Mission visitors. The atolls prepared as usual for the arrival of distinguished visitors.

Two days before the Mission arrived, each atoll received a radio-telephone message transmitting the Mission's request that their local programmes include opportunities to hold discussions with women and younger men as well as the elders. I was in Nukunonu at the time and witnessed the consternation this request caused among the women – what had they to say to these people from the UN? After prolonged discussion about what they might say, they agreed to state simply they agreed with whatever the elders said.

The Mission was composed of a Chairman from Ivory Coast and members from Yugoslavia and Fiji. Their Ministry hosts were amazed at how uninformed they were when, upon their arrival from New York, they admitted they had not read the 1976 Mission report or any literature on Tokelau. Upon their return from Tokelau, they seemed similarly naïve, indeed rather stunned, and their questions were inane – for example, the Chairman 'asked what was the relationship between the Minister [Ministry?] of Foreign Affairs and the anthropologists on Tokelau'.¹⁰

The Mission found the voyage taxing and their accommodation primitive

– 'they took to their beds', remarked Larkindale (449/13/2 pt 1: 18-8-81). Furthermore, the Chairman, though fluent in English, insisted on speaking French at all meetings; so in Tokelau interchanges were exceedingly tedious: the Chairman's French translated into English by a Belgian interpreter, then into Tokelauan, and then the process reversed when Tokelauan was spoken. Consequently, the meetings were very constrained and lengthy. Larkindale, in an informal overview of the visit, remarked: 'The only real note of inquiry was a private comment from one of the members to the effect that perhaps the best future for Tokelau was to become fully integrated into New Zealand. We doubt, however, whether any such suggestion will find its way into the final document' (449/13/2 pt 1: 18-8-81).

The Mission's short meeting with the Nukunonu women was concluded by the women expressing thanks and surprise that they had been asked to meet with the Mission (UNGA 1981: paras 200–207). Nukunonu younger men, as it turned out, were even less forthcoming than the women; speakers said: 'while Tokelau might want to move a step ahead, the decision to do so was in the hands of the elders' (para. 196) and '... that kind of meeting, i.e., a consultation, had never take place before, therefore, the *aumaga* [able-bodied men as a group] were not ready to air their views' (para. 199). Both groups when asked directly 'to tell the Mission what their wishes and thought were of the future of their country' (para. 195) spoke of education for their children – the *lumanaki* of Tokelau. Otherwise, the Mission had difficulty eliciting complaints; and those they did elicit were overstated. The Mission was more comfortable speaking with the Tokelau communities in New Zealand, and its recommendations that these groups be consulted about Tokelau's future were not welcomed by the Ministry (UNGA 1981: paras 356–60 & 449/13/2 pt 1: 31-8-81).

The Ministry officials, whether in Apia, in Wellington or in New York, were disappointed by the Mission's report, but considered it innocuous enough, despite some inappropriate recommendations. The Mission had found all Tokelauans (bar some people in Auckland) perfectly satisfied with their present status: 'The people of Tokelau made it clear to the Mission that, under the present circumstances, they did not intend to review the nature of the existing ties between New Zealand and the Territory' (UNGA 1981: para. 346).

Reappraisal and revision

In the years immediately after the 1981 Mission, interest in 'The Future of Tokelau' lapsed in both New York and Wellington. Tokelau did not want

to consider changing its political status, and for the moment this was accepted all round. Typical is the New Zealand summary statement to the UN Fourth Committee in 1985: 'If the people of Tokelau wish to continue with the present relationship for the meantime then that itself is an Interim expression of self-determination that deserves the respect and support of the New Zealand Government and of this Organisation' (449/13/2 pt 3: 7-11-85). The statement was accepted unanimously. Likewise, Prime Minister David Lange assured the people during his visit to Tokelau in January 1985 that

the future of political development in Tokelau will be decided here in Tokelau. The pace . . . will be decided by you. The direction . . . will be decided by you . . . New Zealand will not impose any form of government or any changes on the people of Tokelau that Tokelau and its leadership do not want . . . Tokelau does not want change at the present time . . . There will be no change forced on you if that change is not wanted. (Lange 1985)

However, with a Mission visit again looming in 1986, Ministry discussion resumed. New York, reporting to the Ministry Secretary in Wellington, evinced some concern about inaction on Tokelau self-determination. The UN was not pressing or impatient, but there were other matters to consider, so it was inadvisable to ignore the issue.

The Committee of 24, with fewer and fewer territories to look at, was becoming more radical and focussing its nastiness more clearly on the remaining non-self-governing territories. There was a need to start preparing the way for an act of self-determination at some stage . . . [A] number of reports . . . had drawn attention to the precedent established for an integration solution by the success of the Australians in having the Cocos Islands incorporated with UN blessing. A modified form of the classic sort of integration set out in Resolution 1541 seemed to be called for in the case of the Tokelau. While we did not wish to push the Tokelauans . . . The [New Zealand] Mission's feeling was that if we left the subject indefinitely to the Tokelauans there would be no move for many a long year.

One of the points which is concerning . . . is that if the Tokelau operation should start to go sour in the Committee of 24 then there would be rub-off for us in other bodies: "The UN is a seamless garment". (449/13/1 pt 6: 12-7-85)

Two matters in this communiqué, aside from the concern of the last paragraph, are worthy of particular note: (i) since 1981, the Committee had

not pressed the matter of Tokelau, but with fewer dependencies on its list it was seeking to justify its own existence; and (ii) there looked to be a way out of the Tokelau impasse. True, the Cocos Islands' historical case was very different from the Tokelau one,¹¹ but given that Tokelau too was small and isolated, it did provide a precedent for integration with the administering power.

Wellington, in turn, reviewed the situation (449/13/1 pt 6: 12-9-85; see also 449/13/2 pt 3). Australia was no longer reporting to the Committee following the de-listing of the Cocos Islands. The United Kingdom had ceased reporting annually because it considered all its former colonies had been dealt with one way or the other, and was so dissatisfied with the Committee's methods and 'ideological polemics' it was contemplating complete withdrawal. The United States was continuing to report on Guam, American Samoa and the Virgin Islands, but was mightily annoyed with the Committee too because of its attempts to 'reinscribe' Puerto Rico on its list of dependencies, and possibly might follow the United Kingdom's lead. The dependencies still listed were predominantly very small Pacific and Caribbean islands. But rather than scaling down its decolonisation rhetoric, the Committee was amplifying it, implying that the administering powers had hidden strategic military or economic interests in these small dependencies. New Zealand, in light of its consistent support of the UN's decolonisation agenda and basking in recent praise for its 'exemplary' record of co-operation, obviously had to continue to support the Committee. Yet there was the risk that New Zealand, with the smallest dependency (aside from Pitcairn), would become the target of the Committee's exasperation with the United Kingdom and United States. Therefore, though Tokelau was satisfied with its present dependency and more interested in economic than political development, the Ministry judged a reappraisal was warranted in light of the pending Mission visit.

In the course of this reappraisal, several significant observations were made (449/13/1 pt 6: 12-9-85), signalling a marked change in the Ministry's vision of 'The Future of Tokelau'. During the reported discussions, the following points were made:

- Either integration or self-government in free association might be possible options, but choosing one or the other was not urgent. A position between the two might evolve and this would take time – at least five years. In the meantime, Tokelau needed to be consistently reassured of New Zealand's continuous 'bottom-line' commitment to Tokelau.

- Tokelau had never contemplated independence and was also wary of what self-government in free association might mean in the long term. New Zealand had never adequately explained what integration might mean – i.e. how it might work, and how it might affect the territory.
- In the 1960s and 1970s, integration with New Zealand would have been unacceptable, but now with the Cocos Islands resolution, New Zealand could explore this option with Tokelau.
- An elder had affirmed to the Prime Minister ‘that the relationship with New Zealand be retained, but stressed that they also wished to have greater latitude and autonomy in making their own decisions’. Perhaps New Zealand could take a more directive role, rather than the passive ‘according to the wishes of the people’ approach, developing an option of ‘integration plus’ rather than ‘free association minus’.
- Theoretical issues of self-determination should not overshadow practical steps for ‘strengthening indigenous decision-making processes’. Yet caution was needed in empowering the Taupulega – i.e. giving power to elderly men only.
- On the one hand, ‘that New Zealand’s record had been used to embarrass the United Kingdom and the United States was not a particularly bad thing, because New Zealand gained much kudos in being set up as a good example’. Was it really a worry if, say, in ten years’ time Tokelau was still a dependency of New Zealand? On the other hand, the forthcoming Mission was an opportunity to move ahead, establish a timetable, keeping in mind the interests of Tokelau and New Zealand, as well as the UN.
- Tokelau was quite capable of making its own decisions. Tokelauans regarded their way of life as something special and were concerned to maintain their culture, which was the ‘lifeblood of the Tokelau community in New Zealand’ as well.
- Tokelau was important in terms of strategic denial.¹²

The general tenor of the remarks indicated a fresh approach: integration was a possibility to be explored; self-government could be encouraged without invoking self-determination; assured support was crucial; and any change would take time. Moreover, the penultimate remarks, made by Tokelau’s new Administrator, H. H. Francis, would be pervasive in rhetoric about Tokelau’s future/*lumanaki* in the years to come.

A specific interchange may have prompted Francis’s remarks. Eighteen

months before, when he was New Zealand’s Permanent Representative to the UN, he had responded to a ‘think-piece’ by the retiring Administrator (Corner 1984), advocating ‘steadily and determinedly’ moving towards self-determination. He suggested moving forward could ‘best be done by setting a timetable (and the use of the UN observed act of self-determination is useful here) and adhering to it; and . . . establishing priorities among measures that have to be taken and putting datelines on them’ (449/14/1 pt 1: 28-3-84). Ten months later, in November 1984, he met with Tokelau’s Faipule and Pulemuku in Wellington. Fresh from New York, he proposed changes in Tokelau’s political status with a long persuasive argument, to which one Faipule abruptly responded, ‘No’, twice. The Tokelau delegation told him quite bluntly that Tokelau wished to retain the closest possible links with New Zealand, but essentially on its own terms (449/14/1 pt 1: 11-1-85).¹³ They were indeed quite capable of making their own decisions! Some months thereafter, Francis visited Tokelau, discovering their way of life to be, as he said, ‘something special’ (Francis pers. comm. 5-05). Clearly, his earlier notions about Tokelau’s decolonisation had changed.

This change of perspective reflects two things, I think. The first is a familiar anthropological tenet: ‘real, on-the-ground’ experience is very different from a view from afar. Indeed, most Official Secretaries posted to Apia expressed their appreciation of Tokelau capabilities and values in their reports and later reflections, and so too did all long-term Tokelau Administrators. The second is a wider paradigm shift, a sea change in wider ideas and ideologies: notions of inevitable and unitary progress and development had given way to ideas about pluralistic cultural survival, integrity and identity. Ministry officials had been repeatedly told that their initiatives and proposals did not fit with Tokelau ways of doing things, but had usually dismissed Tokelau ways of doing things as irritating traditional constraints on progress that would inevitably be overcome. In the mid-1980s the Tokelau message was finally heard. Tokelau messengers at the time did not speak of ‘tradition’ or ‘culture’ or ‘heritage’. However, in years to come, these words would lace the rhetoric of the Ministry, of Tokelau, and even, eventually, of the Committee of 24. Sustaining ‘cultural heritage’ became a central tenet of the Tokelau decolonisation discourse – and this accorded with Tokelau’s *lumanaki*.

UN Mission visit 1986

Though the participants in the Ministry discussions in 1985 did not completely agree, they did reach a consensus that ‘a clear statement by New

Zealand on the relationship with Tokelau was needed, and the immediate question was how these revised, even innovative, notions would play out with the UN Mission and Committee of 24.

Adrian Macey, posted to Apia in 1985, had his say too:

A key question is the extent to which our objectives within the UN determine our policy for Tokelau. How far should our policy be determined by a wish to "get Tokelau off the books" of the Committee on Decolonisation. New Zealand appears to be offering more cooperation to the Committee than either the US or the UK. There may be wider foreign policy advantages in being seen as a choir boy in the eyes of the Comm. of 24, but there are none from the Tokelau end.

This view may be seen as excessively cynical but [we] should have no illusions about the attitude of Tokelau towards the UN. My impression is that it is simply not seen as relevant and is regarded with some suspicion – the Committee in particular. (449/12/1 pt 1: 8-85)

He also reported Tokelau sentiments about the upcoming visit; they accepted the visit to 'humour NZ' and regarded the UN as a nuisance, especially its human rights conventions.¹⁴ He anticipated Tokelau would have little to say beyond reaffirming their content with their present political status and reciting 'wish lists'.

This time, all the Mission visitors had some familiarity with small island territories; the Tunisian Chairman headed the Committee of 24 Subcommittee on Small Territories and his associates were from Fiji and Trinidad and Tobago. Tony Browne, who had gone straight from Apia to New York, had some influence on the composition of the Mission and 'spent a lot of time talking to them and shaping the way that they approached their visit' (Browne pers. comm. May 2005). The Ministry provided the Mission with 72 pages of 'Background Notes', and Francis briefed them in Auckland before they flew to Apia (449/13/1 pt 6: 4-7-86). He foregrounded the theme of cultural maintenance: 'New Zealand's real responsibility lay in helping Tokelau retain its vibrant, determined culture and integrity' and 'sustaining Tokelau's cultural fabric'. He told the Mission they would encounter a 'resilient society and culture' with 'original tradition and customs . . . living on the edge of the world'. The recurrent mantra that New Zealand was resolved 'to act in response to Tokelau's wishes and to act at the pace set by Tokelau' was accompanied by the observation that 'the Tokelauans were superb politicians who were capable of running their country without New Zealand's help' and the prediction that Tokelauans in the end 'were

likely to choose something closer to integration than independence'. Francis diplomatically diverted difficult questions concerning human rights, the role of New Zealand-Tokelau communities, and the relations between the Taupulega and the TPS. The Chairman's astute response to all this was: 'New Zealand was trying to make Tokelau independent not in political terms but in terms of self-reliance and tradition'.

The Mission spent two days in each of the atolls and two days at sea, both going and returning, aboard a vessel with few amenities. Ashore, the same simple message was repeated: 'Tokelau did not wish to change its relationship with New Zealand or to engage in an act of self-determination' (UNGA 1986: para. 89). The Mission could only conclude as follows: 'The people of Tokelau expressed, unequivocally, their desire to maintain their present status and relationship with the administering Power' (UNGA 1986: para. 166). Having heard this, the Mission asked leading questions about what New Zealand was doing and what further people wanted done. So, as anticipated, out came the 'wish list', from which it could be inferred New Zealand was not doing enough in the fields of education and health, transport and infrastructure, and so forth.

Francis made one strategic mistake in directing the Mission to seek information from the senior public servants in Apia, referring to their 'independent stance' (449/13/1 pt 6: 4-7-86). Upon their return to Apia, the Mission was dismissive of the Office, but then they had had a very taxing voyage. Possibly, the Mission resented being told whom to get information from, or suspected senior public servants were mouthpieces of the Ministry, or, because of their location, were out of touch with the people in the atolls. Whatever the case, the Mission treated the public servants in Apia as 'representatives of the Government of New Zealand only and as such not in the Mission's view reflecting the views of Tokelau'. This particularly disturbed the TPS directors, who feared they would be the scapegoats in the Mission's report (449/13/1 pt 6: 16-7-86).

Back in Wellington, the Mission met with numerous officials, who were briefed beforehand about what had transpired in Tokelau and Apia in hopes they might counter some of the impressions the Mission may have formed. It also held meetings with Tokelauans in Wellington and Auckland. Comments from these meetings were recorded in the Mission's report, but no recommendations arose from them.

The probable contents of the subsequent report were of concern in both Wellington and Apia. Already the atolls were overwhelmed with development projects funded by New Zealand and the United Nations Development Program. They feared the report would recommend further projects based

on a Tokelau 'wish list' that would be both impractical and impossible to manage. As it turned out, these concerns and fears were groundless. Shortly after the Mission left, Wellington received the following message:

Amari [the Chairman] . . . expects report (completed yesterday) to be uncontroversial and indeed to receive "ho hum" treatment in C24 and G.A. [General Assembly]. Mission was told clearly by the Fonos that they were content with the status quo and there was no interest in an act of self determination. Report will probably say that continuing political education is necessary but pressure for change should not be imposed from outside. (449/13/1 pt 6: 28-7-86)

To this message was appended the Chairman's astute suggestion that one or two 'Faipule/Toeaina' attend when the report was presented to the Committee of 24, 'to speak with the authentic voice of Tokelau'. He apparently concurred with the Administrator's comments about Tokelau capabilities and cultural integrity.

The published Report was brief and received with neither much pleasure nor any alarm (449/13/1 pt 7). New Zealand officials considered the Chairman reasonable and wanted to remain in his good graces, and that was that. In the event, when presented to the Committee, despite Soviet grumbling about the idea of flexible self-governing arrangements, New Zealand was again commended for its 'exemplary co-operation'.

Thus the third Mission visit concluded. Two subsequent statements sum it up. From Apia (449/13/1 pt 7: 11-8-86), Macey wrote that he had hopes for a positive report on 'a territory run by confident and astute leaders who are doing a competent job in steering the territory through a period of change without the sacrifices of traditional authority and culture that have occurred in other small territories', and noting: 'It is doubtful that the mission fully perceived the extent to which it was being manipulated by the elders during its discussions.' And Browne, in New York, in addressing the Fourth Committee said:

I am hesitant about assuming the privilege of speaking on their behalf, or of arguing the case for the adoption of the resolution and the endorsement of those conclusions. For it is emphatically for the people of the Territory itself to take the lead in determining their future. It is their views which the Visiting Mission has recorded, and is their views which the New Zealand Government is committed to respecting. (449/13/1 pt 7: 16-10-86)

Tokelau in the UN Committee of 24

The above statement suggests the Ministry had already taken up the Mission Chairman's suggestion about 'the authentic voice of Tokelau' being heard at the UN. The subject was broached at a Fono, where it was 'decided to send a delegation with the principal objective of commenting on aspects of the Visiting Mission's Reports', and the Ministry enthusiastically seconded this '[o]ppportunity to hear from the horse's mouth' (449/13/1 pt 7: n.d.). The Faipule jointly decided who would go, and the chosen Faipule was accompanied by Perez, recently appointed Official Secretary. The idea was that the Faipule would make a statement on behalf of Tokelau, the contents of which he would determine, subject to direction from the Fono, because it was to 'be a Tokelauan rather than a New Zealand statement' (449/13/1 pt 7: 24-4-87).

In June 1987, the Faipule and Official Secretary flew off to New York, where they were hosted by Browne and others. Tokelau's appearance before the Committee was a resounding success, and by all accounts the Faipule gave a star performance.

After a brief scene set he touched on the shortcomings of the Visiting Mission's Report in a manner which was well received but nonetheless noted. He traversed the history of Tokelau's political development and the occasional element of confusion that innovations had engendered. He highlighted the authority that the General Fono now holds and the determination it has demonstrated to make decisions within a context which preserves Tokelau's traditional culture and values. He highlighted the law reform project in this text, noting that it was necessary as NZ had in the past imposed laws on Tokelau which failed to give due recognition to those cultural values . . . [He] ended on the note that was repeated throughout the statement – that Tokelau is a unique society, that experiences elsewhere have little relevance to Tokelau, and that the underlying aspiration of Tokelau is to maintain that distinctiveness. (449/13/1 pt 7: 16-6-87)

Committee members reacted positively to the speech and the Tokelau representatives responded well to their questions. After the Report was accepted, the Faipule replied 'eloquently':¹⁵

We are in the South Pacific, my people are South Pacific people, we share concerns with our brothers across the region. But within the region our society is distinct and precious to us. We can work with others, we can learn from others, but we can only in the end be ourselves. We ask you to share with us in the sacred task of developing Tokelau. (*Te Vakai* 1987)

And New Zealand received considerable praise as a 'model administering power' (449/13/1 pt 7: 18-6-87).

The Official Report on the whole exercise was both glowing and self-satisfied. Tokelau evinced a 'confident and assured' persona to the UN and had its own say about deficiencies of the 1986 Mission Report and about UN inflexibility. New Zealand and Tokelau's close and mature relationship was affirmed by the dependent party. The Committee would be more open to 'a decolonisation route which may be developing in a different manner from anything which we or other administering powers have proposed to the United Nations in the past' (449/13/1 pt 7: 30-6-87).

Indeed, henceforth any lingering suspicions underlying the relations between New Zealand and the UN, and Tokelau and the UN, were largely cast aside. Co-operation replaced disquiet, though differences did persist. There was a palpable change in the rhetoric, as all spoke of 'preserving/sustaining/recognising' Tokelau's 'cultural integrity/fabric/values/heritage'. This largely had come about through Tokelau interventions: first by the collective Faipules' blunt responses to Francis in late 1984 to which he responded, and second by Tokelau's eloquent statement before the Committee of 24.

Despite the Faipule's stellar UN performance in 1987, he and his peers decided this would not become an annual event. In the following years, Tokelau statements in the name of the Faipule were read before the Committee by New Zealand representatives and Tokelau public servants. They spoke of the effects of cyclones, of developments in transport, always emphasising that Tokelau was proceeding at its own pace in its own way and would arrive at Tokelau solutions to Tokelau problems.

In 1991, when the next five-yearly Mission visit was in the offing, the Faipule, again jointly, deferred a visit until such time as they were ready (499/13/1/ pt 8: 12-3-91). Cyclone Ofa had devastated Tokelau in early 1990, and the remainder of the year had been largely devoted to recovery and reconstruction. Any thought about change was focusing on the pending relocation of the Office from Apia to the atolls. The Faipules' joint statement transmitted to the Committee in that year sums up Tokelau's position:

Sir, we are honoring our obligation to the United Nations and to New Zealand by our continuing search and strive to meet the Declaration . . . but we are equally obliged to honor our responsibilities in ensuring the choice we make arose out of full consultation with the people and took into account our own traditional practices Again therefore, we seek your committee's cooperation by giving us the freedom to do this in our own time and pace. (449/13/1 pt 9: 6-91)

New Zealand reiterated the message:

New Zealand's view is that its role should be to maintain a free and open dialogue on all issues that are important to the future, but not to urge changes, or a more rapid evolution than the people of Tokelau want for themselves. In UN terms, New Zealand fully acknowledges its obligation to prepare Tokelau for self-determination but equally recognises that it is not going to force some externally-imposed agenda on the Tokelau people. (449/13/2 pt 4: 22-10-91)

The Committee was acquiescent; all parties agreed. While the Mission visit of 1986 and Tokelau's 'voice' in the Committee had done nothing to change Tokelau's political status, they had transformed relationships between the three parties. Suspicion had been replaced by support, and the Committee of 24 needed it.

The Committee of 24 under fire

The disquiet about the procedures and rhetoric of the Committee that had arisen in the mid-1980s (see above) had not calmed. The Committee was stymied: no territory had been decolonised since 1984 when the Cocos (Keeling) Islands and Brunei had been de-listed. The United Kingdom still had eight Atlantic/Caribbean small island territories on the list (as well as Pitcairn and Gibraltar), which the UK argued had voted to remain in a dependent relationship and should not be listed. A letter from 'one of the Administering Powers' – i.e. the United Kingdom – in 1990 announced to the Committee that it 'considered the colonial era as over and therefore saw no further need for the United Nations to devote time and resources to the special study of the affairs of the non-self-governing territories' (449/13/2 pt 1: 26-4-90). Following this, there were complaints, obviously from the same source, to the Fourth Committee about the Committee's irrelevant and intemperate language, including unwarranted accusations (449/13/2 pt 4: n.d.).

The General Assembly and the Fourth Committee, despite their support for decolonisation, both expressed concern (449/13/1 pt 8: 28-2-91) about the 'anachronistic, irrelevant and unnecessarily contentious' language of resolutions, which raised extraneous issues; and about resolutions that were too long, repetitious and defective, and 'continue to imply that the only possible result of an act of self-determination was independence'. They suggested steps to ameliorate the bombast: the use of more positive language that recognised the co-operation, contributions and constructive actions

of administering powers; plus recognition in recommendations of realities and circumstances of dependencies. They urged the Committee to limit its activities, to produce precise and concise documents, and to highlight all options of self-determination. Predictably, a working group was formed.

What proved to be a focus of contention was the Committee of 24's proposal to produce an 'omnibus resolution' – i.e. one declaring its aims and intentions – with many 'whereas's, that would speak of all the decolonised territories as one, as opposed to separate resolutions reflecting territories' specific situations and needs. The following year, the Committee conceded there might be a separate resolution for small territories (499/13/1 pt 8: 12-3-91). But the critique was really about the 'omnibus language' of resolutions – an outdated template.

In early 1992, the United States (with the status of its Micronesian Trust Territories largely resolved) 'decided after careful thought to suspend its cooperation with the C-24 until the Committee takes the steps needed to bring its work in line with the current focus and spirit of the United Nations' (449/13/2 pt 4: 4-2-92).

New Zealand's reaction to these developments was mixed. While it was true the Committee was intransigent in certain respects – in a 'time warp' – New Zealand needed to stay involved as a progressive critic (449/13/2 pt 4: 19-6-92). Of course, New Zealand's reputation as a supportive and exemplary administering power furthered its other objectives in the UN and, in 1992, specifically its candidature for the Security Council. In short, New Zealand was not inclined to follow the lead of the United Kingdom or United States; but then New Zealand was being praised, not castigated.

In December 1991, the United Nations General Assembly had resolved and declared 'The International Decade for the Eradication of Colonialism' (UNGA 1991). This Decade, to end in 2000, would make the world free of colonialism in the twenty-first century. This grandiose gesture was intended to revitalise the Committee of 24, which would be responsible for guiding the Decade to its desired end. Under the auspices of 'The International Decade . . .' and contributing to the 'revitalization of the Committee,' seminars were to be held alternately in the Pacific and the Caribbean, attended by representatives of both regions, to discuss the question of small island dependent states ('SIDS') (449/13/2 pt 4: 29-5-92). The first seminar took place in Grenada in 1992 and the second in Port Moresby in 1993 (see Chapter 6).

What had changed since the first UN Mission visit in 1976? Tokelau had remained steadfast in its insistence that it wished to remain a dependency of New Zealand, and had persuaded New Zealand and the Committee of 24 that Tokelau would do things in its own way and at its own pace, abiding by its own cultural traditions – though divulging little about what those traditions might be. The Ministry remained hopeful Tokelau would eventually change its political status by an act of self-determination, but had ceased to press the issue. Even Ministry officials in New York were willing to let things ride while the Committee of 24 praised New Zealand's exemplary co-operation. The Committee was under attack, not only from the other administering powers but also from within the UN. What had it achieved in recent years? The answer was very little, while at the same time it continued to chastise the remaining administering powers and seemed not to appreciate that some dependencies remaining on its list were probably happy as they were. From 1991, the Committee had been given a new task – to oversee the end of colonialism by the beginning of the twenty-first century – and this required another approach.

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