

# **“Pacific ways” of talk**

## **Hui and talanoa**

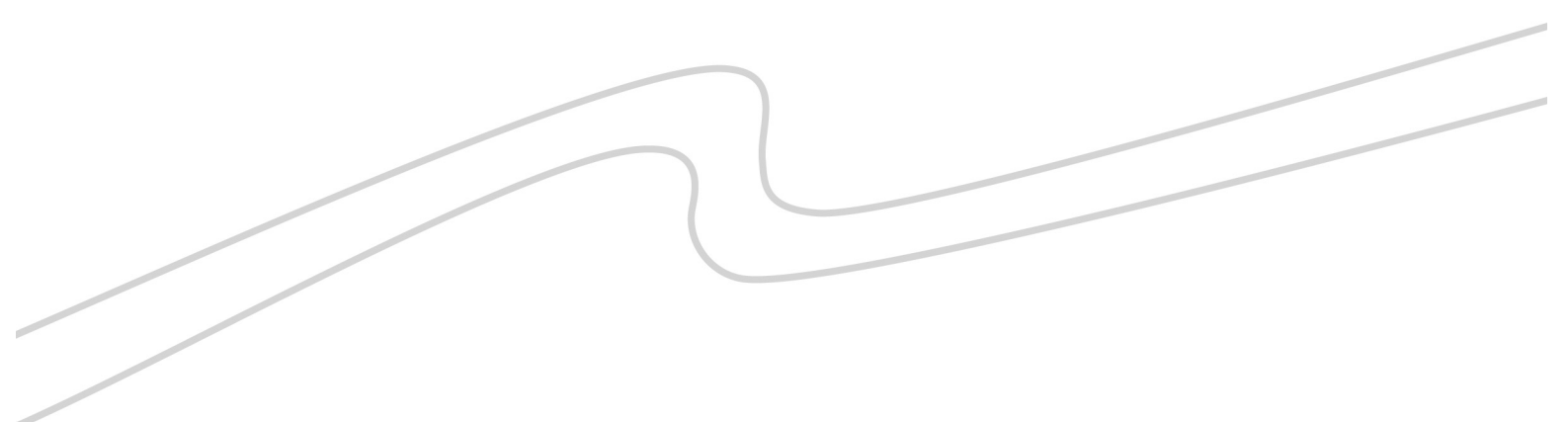
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## **Preface**

This paper draws on material from a research project being carried out for the New Zealand Institute for Economic Research on how consensus is reached in different cultural groups in response to issues of globalisation and technological change. We would like to acknowledge the contribution of Tu Williams to the section on hui.

## **Authorship**

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# 1. Introduction

In this case study we explore the “Pacific way” of talking about issues of common concern with reference to two customary forms of talk that continue in current use in Fiji and Aotearoa (the Maori name for New Zealand).

Taken together they provide an insight into an approach to collective talk, especially the importance of ceremony, which has commonalities with that used in other customary societies.

Maori, the indigenous people of New Zealand, use the term hui to describe the customary way of talking about and (sometimes) resolving issues of community concern. Hui are open-ended meetings, there is no time constraint and no pre-determined outcome. People talk about the issues for as long as it takes to reach understanding (and possibly agreement). If there is no agreement then the meeting continues later.

There are well understood customary rules concerning who can speak and the order in which they should speak. Deference is shown to elders and those with mana (prestige) and status in the community.

Hui continue to be used by Maori to consider issues including claims on the Government under the Treaty of Waitangi, management of local and regional resources (such as fisheries), relations with local authorities and a wide range of social and economic issues.

Talanoa (“talk” or “discussion” in Fijian, Samoan and Tongan) is a Pacific Island form of dialogue that brings people together to share opposing views without any predetermined expectations for agreement. Talanoa participants set the parameters for their discussions: inclusion, reconciliation and mutual respect.

Following the May 2000 coup in Fiji a series of talanoa was held in 2003 to bring together political opponents, religious leaders, former hostages and coup sympathizers in an effort to rebuild national unity. Sitiveni Halapua, moderator of these talanoa sessions, believes that talanoa provides a forum that could work in other conflicts around the world. “To say people have to agree to something is starting at the wrong end. Whose fault it is for not striking an agreement becomes the primary focus. People are afraid of differences but they are a fact of life. The ultimate goal is living with the differences. Understanding them better is a good start.”

What these two approaches have in common is an emphasis on process rather than outcome; the process itself helps to bind a community together even when there is considerable disagreement about the content of an issue. The idea of holding a vote is absent from them both. However, they are based on strong customary rules concerning who participates, which does not always allow for equal input from women and young people.

In this case study we:

- Provide a brief historical background to New Zealand and Fijian society
- define and outline the nature of hui in New Zealand and talanoa in Fiji,
- discuss ways in which they are being used currently,
- note positive and negative aspects of their use in dealing with issues in contemporary society,
- suggest ways in which official processes could be adapted to enable customary cultures to participate fully in modern society.

Events covered are:

1. **Hui** established by a group of iwi (Maori tribal groups) to enable them and hapu (sub-tribes) to negotiate the traditional management of fisheries resources. Issues include the geographic boundaries between hapu and negotiation with government on the boundaries between traditional and “official” concepts of management.
2. The recent use of hui by the Government to consult with Maori over proposed legislation on the ownership and control of the foreshore and seabed is also reviewed.
3. The series of **talanoa** sessions used in Fiji to bring together political opponents, religious leaders, former hostages and coup sympathizers in an effort to rebuild national unity following the May 2000 coup in Fiji.

In considering the nature of customary talk we have found it useful to consider this in relation to the “four Ps” – place, process, participants and purpose. Especially in the contemporary use of customary forms of talk, using this framework helped us identify which factors are present and which are missing:

**Place** – where does this talk happen?

**Process** – how do people interact with each other?

**Participants** – who takes part and what roles do they play? Who talks, who makes the decision, who reports the outcome?

**Purpose** – why and when is this kind of talk used and who decides on the issue to be discussed?

We also found that in comparing the nature of past (traditional) and current use of these forms of talk it appeared that they are sometimes used in a “pure” form as what can be called authentic talanoa or hui.

On other occasions the term may be used to describe something that is incomplete in form and can be defined as incomplete or, in some cases, symbolic.

A key purpose of this research was to identify the key components of customary talanoa and hui and to explore what factors need to be present in order for the

process to be of use in contemporary society and the degree to which they must all be present in order for an event to be considered to be authentic.

## **2. The place of Māori in New Zealand**

New Zealand was the last country in the world to be discovered and inhabited by humankind; it is also the first country to allow women to vote for a national Parliament. The dawn of the twenty-first century came to New Zealand at a time of debate over the definition of who is a New Zealander. Within a growing mixture of cultures and ethnicity, the first settlers in this country are now a minority of 15% of the overall population. However, the tangata whenua (people of the land) are an assertive minority who have increasingly come to demand the righting of what many see as broken promises made in the Treaty between Māori and the British Queen in 1840.

No one knows exactly when or where the Māori people originated but they are thought to have first arrived in New Zealand sometime between 950-1130AD. Settling mainly around the coast they are believed to be the descendants of the Lapita people of Polynesia, originating from Southeast Asia, and also inhabit islands such as Samoa, Tonga and Fiji. Māori named their new home Aotearoa, “land of the long white cloud”, and were known by their individual iwi (tribes), and hapu (sub-tribes), not as a homogenous group. Along with a name, the settlers introduced dogs and the small Polynesian rat to a country that had no natural predators or land mammals of any kind. These new creatures combined with the new settlers hunter-gatherer life style led to the extinction of many native birds including the moa, a large flightless creature often reaching a height of 3.7 meters.

In 1642 Dutch explorer Abel Tasman was the first European to discover New Zealand and in 1769 British explorer James Cook took possession of the land in the name of King George III. During the late eighteenth century whalers and tradesmen began exploring the region and setting up small settlements. With the arrival of Europeans came disease and the first severe epidemic was introduced to the native people.

The term Māori was originally used to distinguish between the white European settlers and the native people. It initially meant “the local people” or “the original people”, and was in common use by 1815. To further distinguish the natives from the new arrivals the term Pakeha came into common usage to refer to non- Māori settlers who were mainly of British heritage.

Throughout the nineteenth century there were bouts of conflict and disagreement among Māori and Pakeha, culminating in 1840 with the signing of the Treaty of Waitangi and the proclamation of British sovereignty over New Zealand. One reason for signing the Treaty was to try to defuse the growing ethnic tension in the country.

British settlers had been quick to take land from Māori and run the country as they saw fit, leaving Māori with few rights. The Treaty was established to protect the Māori people and their land. It stated that Māori would retain possession of their land and fishing rights while also being guaranteed the same rights and privileges as other British subjects. At the same time Māori agreed to accept the sovereignty of the Queen and the new Colonial government's pre-emptive right to purchase land.

At the time of signing the Treaty, it was believed that all parties had the same understanding of what was stated in it; this belief has since been dispelled. Māori culture and language is based on an oral tradition so translations, especially written ones, had to be created for the Treaty to be understood by both Māori and Pakeha. This led to confusion about its true meaning, with Māori and Pakeha taking different meanings from two different texts.

In the Māori translation, the Treaty confirmed and guaranteed “te tino rangatiratanga”, which is interpreted as the exercise of chieftainship over their lands, villages and property. Māori also agreed to give the Crown the right to buy land from them should they want to sell it; the English version stated that the Crown would have exclusive rights of pre-emptive purchase.

There continues to be debate over the meaning of the text of the Treaty of Waitangi although it was created so that all people of New Zealand would know the rights and obligations placed upon the Crown, the British settlers and Māori. Whether or not a full consensus over the meaning of the Treaty will ever be reached, recognising and acting in the spirit of the Treaty is of most importance.

New Zealand was granted self-governance in the mid-1850's, and by 1900 almost all adult citizens were entitled to vote in elections for the House of Representatives. Every male citizen over the age of 21 was granted the right to vote in 1879 and in 1893 women won the right to vote, although they were not allowed to stand for Parliament until 1919.

In 1868 four Māori seats were established on a trial basis and by the turn of the century these parliamentary seats dedicated for Māori became a permanent fixture; the four seats were roughly in proportion to the Māori population. With population increases there are now seven Māori seats; but this increase has been a slow process. It was not until 1996 that the number increased to five, then seven in 2002.

New Zealand gained Dominion status in 1907, and full independence in 1947. New Zealand remains an independent nation within the British Commonwealth. Although the British Monarch plays no role in the governance of the country Māori continue to refer to the Treaty relationship as being between them and the “crown”, not the government of the day.



## 2.1 Traditional use of Hui

The term hui can be used both to describe an event or type of forum, that is, you can take part in a hui, and it can also refer to an activity or a specific kind of discussion, that is you can "hui", using it as a verb. The first refers to the event and place, the second to the process used within that forum.

In Māori culture hui refers to an occasion where people come together to renew old friendships, to celebrate, debate, tell stories and to listen to and argue in lengthy whaikorero (the person or the action of the male who speaks during the processes of an event that occurs on a Marae). Hui started off as interactions within tribes, but became more inter-tribal during the late nineteenth century as leaders and followers felt the need to address key issues of the time without resorting to battle.

While some details of etiquette differed slightly from tribe to tribe and district to district, all hui were conducted according to similar Māori kawa or protocol. In some places the hosts spoke first while in other regions it was common for the visitors to speak first. Each tribe's customs had evolved and become fixed practices prior to 1840 during a time when the tribes were largely separated from one another.

Generally the hui ceremony began with the hosts calling the visitors onto the marae, with both parties pausing to commemorate their ancestors. The hosts would greet their visitors with speeches and waiata (songs) that asserted their identity, the guests would then reply with their own speeches and songs. The two parties would progress to hongi, (touch noses) in a sign of respect, to indicate that the tapu, or personal sacredness, of visitor status had been removed through the ritual of welcome; they would then be fed.

The customary hui ritual that has remained most common is the tangihanga or mourning of the deceased. The practice has been modified slightly and Christian elements incorporated, but the fundamental sequence and purpose has changed little from the nineteenth to twentieth century.

A major similarity amongst the tribes was that most forbade women to speak on the marae, although some tolerated it, such as some of the tribes on the East Coast of the North Island. Women were believed to noa, or contaminate, the tapu of male activities and jobs, with men being given more social rights than women. Children and youth were also not permitted to speak upon the marae, although they were generally treated well and indulged by their relations.

During the late nineteenth and early twentieth century hui, along with other traditional Māori customs such as tangi and tohunga-ism (consulting with Māori spiritual leaders), were deemed harmful and evil. Some Pakeha and some Western educated Māori believed that the most promising future for Māori could only be attained through their adoption of Western practices, institutions and technology. There was an attempt to detach Māori from their native culture and customs. It

was thought that the only way forward was to phase out the Māori way of life, and integrate Māori fully into the Pakeha world.

While some Pakeha were attempting to “Westernise” Māori, many of the native people of New Zealand were fighting to maintain their culture at the same time as they became part of the mainstream governance of the country including holding seats in Parliament.

In 1928 Apirana Ngata re-entered Parliament after 16 years out of office, during which time Māori land holding had reduced from over 3 million hectares to 1.8 million. Ngata was a strong proponent for cultural revival for the Māori people, helping set up the Māori Purposes Fund Board to provide grants for educational, social and cultural activities. When he became Minister of Native Affairs in 1928 he made use of large hui to promote inter-tribal discussions on broad questions including how Māori could best share in the opportunities offered by Pakeha society and technology. Hui were also used to look at specific issues such as social welfare, land development and the future of Māori language, crafts and arts.

## **2.2 Contemporary form and use of Hui**

An aspect of tradition that is of particular importance in the contemporary use of hui is the form of ceremony that operates to “set the scene” for the subsequent discussion.

This protocol:

- establishes who is present and who they represent or are affiliated to
- establishes and reaches agreement over the purpose of the meeting
- allows the opportunity to “let off steam” and express strong views that might otherwise either disrupt the substantive discussion or remain hidden and unacknowledged
- acknowledges the history of the discussions – both the history of the people involved and the history of the issues to be discussed
- establishes this as a reciprocal forum in which a range of views will be put forward and listened to with respect.

This is carried out through:

- powhiri (formal introductory speeches from the hosts) and response from the guests
- waiata (traditional songs) from each side
- the giving of a koha (or gift) by the visiting group.

Together the speeches and waiata link the gathering with the past, bring the past into the present and link those at the meeting to “others” who are not present. The process of the powhiri from the host iwi acts to “lift the tapu” (sacred state) on the hui and confirms that the place where the discussion is to occur is appropriate for

this activity. That is, it removes any restrictions on discussion and sanctions the holding of the meeting, enabling it to go ahead.

The formal welcome is often followed by refreshments prior to any actual discussion.

This serves to cement the agreement to talk (in earlier times to talk rather than to fight) and is a sign of reciprocity – a response to the “gift of koha” with the “gift of hospitality”.

In total the ceremony consisting of the powhiri, the waiata and the responses establish the situation and the conditions under which people are willing and able to talk with each other. That is, the welcome and response set the scene and establish that those present do, in fact, wish to talk with and listen to each other and that they are willing to respect an agreed protocol for such a meeting.

### **2.3 Bay of Plenty Iwi Customary Fisheries Forum**

A fisheries forum in the Bay of Plenty region of the North Island has been organised by local iwi and is being conducted on customary lines through an ongoing series of hui. Representatives from six iwi have been meeting with invited guests on a monthly basis for two years. The hui were initiated by the iwi, they are organised and run by iwi and Ministry of Fisheries officials and others attend as invited guests. The purpose of the hui is to enable iwi and hapu to negotiate the traditional management of fisheries resources with each other, with government officials and other interested parties. Issues include the geographic boundaries marking fishing rights between hapu and negotiation with government on the relationship between customary and “official” concepts of management.

At the June 2004 hui participants emphasised the need to create localised organisations so that local people, including hapu and iwi, can create their own fisheries policing system. The intention was not simply to implement regulations defined by and monitored by government but to develop a system of self-management within the broad parameters of a mutually negotiated policy. For example, participants considered that the encroachment of one rohe moana (tribal fishing ground) on another is up to the iwi forum to resolve, not for the Ministry of Fisheries to legislate for.

A voice from the floor of the meeting said that in the past “the relationship between the Ministry of Fisheries and iwi has consisted of you telling us what you are doing - to me a relationship means sitting down and working together.”

This is what the series of hui have been successfully developing. It is not a forum for the Ministry of Fisheries to consult with local Māori but an opportunity for the exchange of views and the negotiation of agreed procedures over a lengthy period of time.

## 2.4 The foreshore and seabed conflict

Although the Treaty of Waitangi, signed in 1840, had confirmed Māori ownership of their land, forests and other resources the status of the seabed and the foreshore had never been clarified. While it was most people's understanding that these were both held in public ownership this had, in fact, never been legislated for. Consequently, when a South Island iwi took the case for their ownership of their local seabed and foreshore (in relation to a planned aquaculture development) to Court in 2002 the government moved to introduce legislation to vest these resources in the government's ownership.

An urgent inquiry into the government's policy for the foreshore and seabed of New Zealand was sought after the government announced its response to the Court of Appeal's decision in the Marlborough Sounds case. In that decision, the Court of Appeal departed from the previous understanding that the Crown owned the foreshore and seabed under common law. This opened the way for the High Court to declare that Māori common law rights in the foreshore and seabed still exist, and for the Māori Land Court to declare land to be customary land under Te Ture Whenua Māori Act 1993.

It is important to be clear about what the foreshore and seabed refers to. The foreshore is the intertidal zone, the land between the high- and low-water mark that is daily wet by the sea when the tide comes in. It does not refer to the beach above the high-water mark. The seabed is the land that extends from the low-water mark, and out to sea. The need to distinguish the foreshore from the adjacent dry land and seabed arises from English common law, which developed distinct rules for that zone. In Māori customary terms, no such distinction exists. The foreshore and the land beneath the sea is viewed as an extension of the adjacent dry land and accordingly belongs to the local hapu or iwi.

According to the Government its policy aimed to establish a comprehensive, clear and integrated framework providing enhanced recognition of customary interests of Māori while at the same time confirming that the foreshore and seabed belongs to, and is in principle accessible by, all New Zealanders.

When the Crown released the first version of its policy in August 2003 it resulted in a storm of protest from Māori who saw this as a form of confiscation of resources that they had been guaranteed control of in the 1840 Treaty of Waitangi.

At the same time the media portrayal of the situation led to widespread fear among non- Māori that Māori would gain exclusive control over access to the beaches. This resulted in an emotional response across the whole country. In the following weeks, the Crown held a number of hui around the country to consult with Māori about their proposed policy. However, they were not intended to provide an opportunity for an open discussion on what iwi thought should happen, rather this was seen as a consultation exercise on the government's proposed legislation.

There was a lot of criticism from Māori and non-Māori about the Government's consultation. Many non-Māori feeling unfairly excluded from a process that was targeted at and organised through iwi (tribal groupings). Forty-one other meetings with non-Māori were held throughout the country where there was local demand. Some being hosted by interest groups such as Federated Farmers and the Royal Forest and Bird Protection Society. This received little media attention compared to the front-page reporting of the hui.

It is estimated that more than 3000 Māori attended the ten hui organised by the government on marae around New Zealand in September and October 2003. These hui were organised on a tribal basis and were held on the local tribal marae or other site chosen by the iwi. Government Ministers attended to present the government's case and to listen to the discussion among local Māori.

A total of 186 oral submissions were presented and sixty of these were supplemented by written materials. The official report on the process noting that "a further eight written submissions were tabled by people unable to speak at the hui due to time constraints" reflects the fact that these were time limited meetings rather than open-ended hui. An additional nine hui attended by a total of 374 people were organised in the Taitokerau (North Auckland) region by the local Māori MP.

The two major issues raised by the Waitangi Tribunal (a quasi-judicial body standing outside the political process) were that the consultation process was too short; and that it was clear that the Government had already made up its mind.

A symbolic form of hui was used without paying adequate attention to the customary way in which such issues are explored, debated and, most important, decisions made.

Between August and December 2003, while the hui were taking place the Government's policy was developed further, but it was not changed in any essential way.

Many Māori accepted that, realistically, there was no prospect of a regime for achieving complete te tino rangatiratanga (governance) over the foreshore and seabed. On the whole, their aspirations were more modest.

All, however, said that their preferred option was for the Government to agree to go back to the drawing board, and engage with Māori in proper negotiations about the way forward.

That is, Māori were seeking a genuine dialogue with Government – not just to have the opportunity to comment on pre-determined legislation.

The report from the Prime Minister's Department following the hui and subsequent submissions, "The Foreshore and Seabed of New Zealand - Full Report on the Analysis of Submissions", emphasised the interest and willingness

of people to engage in a more substantial and open-ended process. The introduction commented that:

“The general public, Māori, and various stakeholders expressed a high degree of interest in resolving foreshore and seabed issues. Many ..... expressed a strong desire for the government to engage in dialogue with them on the issues so that they can contribute to the development of appropriate and workable solutions. Respondents of all persuasions frequently exhorted the government to **take as long as necessary** to ‘get it right’ on this defining issue.”

Although iwi rejected the government’s proposal at every hui the legislation, with some amendments, was submitted to Parliament.

At the start of this exercise all seven Māori seats in Parliament were held by the governing Labour Party. At the end of the process when the Labour Party introduced legislation into Parliament to vest the foreshore and seabed in government ownership one Māori MP voted against the first reading of the legislation, resigned from Parliament and was re-elected at a by-election as leader of the newly formed Māori party. Another Labour Māori MP abstained from the vote. The final legislation has still to be passed by Parliament before it becomes law.

## **2.5 How do hui and the associated ceremony fit in contemporary society?**

A key issue in considering the contemporary use of hui is that in its customary form this form of deliberation has several functions.

As well as being a forum for dialogue within and between iwi it fills the space left vacant by the absence of any “democratic” electoral or selection process in customary Māori society. In the hui people have the opportunity to speak and to express their views. There is the opportunity for the most persuasive argument to prevail.

That is, the hui provides:

- a space for people to contribute, to be selected, endorsed or confirmed by others as potential leaders
- a space for dialogue
- and at the conclusion of the hui there is a decision – to act or not to act.

In its authentic form the outcome of a hui is not referred elsewhere for a decision. It is not just a form of consultation for an outside body or external process; it is a self-contained activity. However, in the case of the government’s use of hui in the foreshore and seabeds legislation it was only a part of a wider process. It was used as a form of consultation, not as a form of dialogue and decision-making. The

symbolism of space provided by the marae and the ceremony of the powhiri could not obscure the fact that the:

- form of the issue to be discussed was pre-determined by government
- time allocated for each hui was determined by the time that government Ministers could commit to the exercise
- overall time allowed for the whole process was determined by the government's legislative programme
- decisions could not be made at the hui which could only result in submissions to a formal legislative process.

The preceding comments relate to the limitations in use of hui by government as part of an official process. In this case the symbolism on its own is not sufficient to when Māori have an overwhelming interest in the actual decision reached and whether this has an impact on government policy.

There are many other occasions in which the symbolism of the ceremony and protocol surrounding hui is in itself crucial. This includes events such as the opening of a new school hall or other public building. In this case the symbolism marks a recognition and acceptance of the ongoing relevance of Māori values to the wider community.

In these cases it is important that the norms and values that ground custom in the life of the Māori community is fully understood, respected and adhered to. For non- Māori the protocol inherent in the extended welcome and response of the powhiri and waiata can appear to be time-wasting. This shows a lack of understanding of the importance of acknowledging the participants in formal functions and “clearing the way” for a serious discussion to take place.

For example, the Minister of Education, Trevor Mallard, said in a speech to the Secondary School Principals Association in September 2004 that some Māori ceremonies in schools are “time-wasting” and “sexist”.

The Leader of the Māori Party in the New Zealand Parliament, Tariana Turia, responded in a newspaper article with an explanation of the nature of the customary welcome to hui and other Māori forms of discussion.

“The powhiri, in its essence, is about relationships. In that ceremony, it is women who issue the call, and who respond on behalf of the visitors, to commence the process of engagement.

In the process of a powhiri, we remember those who have passed on, and we greet newcomers. We acknowledge individuals, noting distinctive contributions they have made. We welcome all.

Powhiri demonstrates our values, our commitment to manaaki tangata – to care for others and to convey our respect for their presence.

It is a time of honour, of valuing the mana whanua in their role of looking after the people, as well as recognising the importance of relationships. It is also a time of spiritual sustenance, as we call on our ancestors to offer protection.”

### **3. Fiji: history and background to ethnic relations.**

Fiji was settled around three and a half thousand years ago by the Lapita People, who are part of the Austronesian language family that includes many Southeast Asian and Pacific language and ethnic groups. They also inhabited other South Pacific islands, such as Samoa and Tonga forming the basis for the strong cultural and traditional similarities shared by these islands.

The first European to sight the islands of Fiji was Dutch navigator Abel Tasman, who passed by the North Eastern islands and reefs in 1643. Over a century later, in 1774, Captain James Cook sailed past the southern island of Vatoa; but like Tasman he did not attempt to land due to the dangerous uncharted reefs that surrounded the islands. The first known contact between Europeans and Fijians occurred in 1791, when the H.M.S. Pandora spent five weeks in Fijian waters and received friendly and hospitable treatment from inhabitants. Over the next century, Fiji encountered a steady flow of European contact.

The people of Fiji were never a political unity even though kings such as Naulivou of Bau, and his successors, controlled a large area of the Eastern Fijian islands. The islands did not come together as one nation until Fiji became a British colony in 1874 at the request of the Fijian chiefs who were threatened with defeat by Tongan invaders and intimidated by unruly foreign settlers. After nearly a century of colonial occupation, Britain withdrew from the Pacific, leaving the islands they had once controlled to form independent nations. Fiji gained its independence on 10 October 1970.

However, when the British withdrew from Fiji they did not leave it as they had found it. In 1879 Indian workers were brought to Fiji as a source of cheap labour for European plantation developers. In 1900 there were 15,000 Indians in Fiji, and by 1947 there were about 130,000 while the indigenous Fijian population was only around 119,000. The descendants of the indentured Indian labourers continued to outnumber indigenous Fijians until the 1980's and tension between the two groups escalated. Among indigenous Fijians there was a general view that Indo-Fijians were greedy and uncooperative, while Indians viewed Fijians as naïve and undependable. These perceptions and stereotypes were generally subdued and hidden, but only the slightest provocation was needed to bring the rift between these two groups into the open.

Following independence in 1970, Ratu Sir Kamisese Mara, of the Fijian Alliance Party, became the first Fijian Prime Minister after the 1972 general election. He led the nation until 1987 when the Labour Party, lead by Dr Timoci Bavadra, an



indigenous Fijian in a predominately Indian party, came into power. This change of power led to the 1987, May 14<sup>th</sup>, military coup in which Bavadra's government was overthrown and Ratu Sir Kamisese Mara reinstated as Prime Minister. This coup saw ethnic tension between indigenous Fijians and Indo-Fijians increase significantly. Following another coup in September Fiji cut its ties with the British Monarchy and became a Republic.

At the South Pacific Forum, in July 1987, Australian and New Zealand officials were surprised to discover that, although Pacific Heads of Government did not approve of the military overthrow of the elected government, they gave priority to indigenous rights over democratic ideals. While the coup was not necessarily agreed with, it was not totally opposed.

Ratu Sir Kamisese Mara continued as Prime Minister until 1992, when he relinquished his role as leader of the Alliance Party and became President. He held this position until 2000 when Ratu Josefa Iloilo took over the presidential role.

The Fijian government operated smoothly throughout the 1990's, until the 1999 election when Indians block voted for the Labour Party while indigenous Fijians fragmented into competing parties and lost power. In an attempt to avoid another coup, such as the one that had occurred just over a decade earlier, the new Prime Minister, Mahendra Chaudhry, himself an Indo-Fijian, gave most cabinet posts to indigenous Fijians.

This attempt to please all Fijians was short lived. In May 2000 Fijian nationalists executed another coup. Led by George Speight, a group of armed militants stormed Parliament on 19 May 2000, taking hostage many of those within the building, including Prime Minister Chaudhry.

According to Speight, this overthrow of the government represented a culmination of frustration, anger and disappointment at the way the government had handled matters important to the indigenous community. Speight and his supporters held Chaudhry and twenty-six members of his government hostage for nearly two months. He claimed he was acting in the interests of indigenous Fijians who would not tolerate a non-indigenous Prime Minister, even though the government was not Indian-dominated. Fifty-six percent of the members were indigenous Fijian, with Indo-Fijians making up just thirty-eight percent.

Following the coup an election date was set for September the following year and the people of Fiji attempted to return their lives to normal. In August 2001 Fijians voted, and on 9 September Laisenia Qarase of the Soqosoqo Duavata Lewenivanua, the nationalist Fijian People's Party, was sworn in as the new Prime Minister. Out of seventy-one seats, Qarase's party gained thirty-one seats, with Chaudhry's Labour Party winning twenty-seven seats. Fiji's former Prime Minister, Sitiveni Rabuka called for the two parties to form an alliance but this was dismissed, with Chaudhry stating that his party stands for the poor, the

workers, farmers and marginalised people while Qarase stands for the rich. It was also widely publicised that the Fijian People's Party's campaign was based on enhancing indigenous rights at the expense of the Indo-Fijian community. Without any one party having a clear majority in parliament, it became apparent that steps needed to be taken to enhance the overall function of government in Fiji and bring the opposing parties together to talk.

### **3.1 Traditional use of talanoa.**

Talanoa is a traditional Pacific Island deliberation process that goes round in circles; it does not follow a straight line, aiming towards a final decision like many Western processes. It involves a lot of repetition, which it is believed can lead to avoidance of issues. As the concept of talanoa has no time restrictions, it can lead to problems and conflict between 'slow' and 'fast' thinkers, with some people arriving at a decision more quickly than others. However, this does provide the opportunity for "slow thinkers" to be engaged in the discussions.

While the philosophy of talanoa is centred on an open-style of deliberation, focusing on respect, tolerance, flexibility, openness and fairness, the role of ceremony and protocol are just as important as the process itself.

Talanoa is underpinned by unwritten rules and etiquette, with the philosophy of the concept being passed verbally from one generation to the next. In traditional Pacific society taking on the traditions of one's ancestors is a sign of respect and honour for those who have passed before you. Because the concept of talanoa is conveyed orally, the philosophy is not set in stone, it often allows chiefs and speakers to amend the rules. This sometimes occurs because of greed reflecting disputes over money and power, undermining the fairness of traditional talanoa.

Talanoa always starts with a ceremony where gifts are presented and kava is drunk. Kava is a mildly narcotic drink made from the roots of the kava shrub. Drinking kava before the talanoa session is a ritual acknowledging and apologising for harsh words or wounds that have been inflicted by people involved. It opens up the discussion and sets a peaceful tone for the following deliberation. Once the kava has been drunk, participants are obliged to sit and talk without preconceived views opening the opportunity for reconciliation between those who have been in conflict. If someone drinks kava during the opening ritual and then initiates a dispute during the talanoa, it can lead to escalated conflict. One can refuse to drink kava before the talanoa begins and state that you want to have your own, often controversial, say before you take part in the ceremony.

Gifts are also an important part of the opening ceremony, as the presentation of them is an expression of respect and sometimes used as an apology for any previous conflict; the more serious the conflict the more elaborate the gift. The tubua, or whale's tooth, is the highest form of gift. They cannot be bought and are passed down through family generations. Other gifts include ibe (mats) and masi (cloths).

Within the traditional process of talanoa, only men are permitted to speak. Women do not have the right to speak, but are often the “motivating” force behind the men, speaking forcefully in private and telling male family or village members what to do and say. While never publicly acknowledged, women are often the actual peacemakers in traditional forms of talanoa. If a woman is directly involved with the purpose of the talanoa, then a male family member will represent her and talk on her behalf.

Women are not the only people excluded from talanoa; youth do not have a voice in many areas of Pacific life and culture. Elders often think that youth issues are simple and easy to resolve, thus they will often speak on behalf of youth, setting their concerns to one side and expect the issue to be forgotten.

Talanoa can be held at any location but time will be taken to choose and prepare the area that is to be used. For talanoa to function in a positive and productive manner, all those involved must respect and understand the space and the people that surround them.

Talanoa is a general philosophy that promotes open discussion and respect among people. It is used to deal with issues of conflict, disputes and to help bring about understanding when there is disagreement or opposing views. A word that is commonly used for talanoa sessions which focus on conflict resolution is *veisorosorovi*, a term that comes from the word *soro*, meaning to humble oneself, surrender or ask for forgiveness while admitting fault. *Veisorosoro* also entails elaborate ceremonial procedures including gift giving and the drinking of kava.

When talanoa is used as a dialogue for conflict resolution between two people or two opposing groups, a third person will facilitate the session. If it is a dispute within a family, another family member will take on the role as facilitator. If it is an issue affecting the whole village or where one village is against another village or institution, then the village *Matanivanua* will step into the facilitating role. The *Matanivanua* is the term used for the village spokesperson and is a title inherited by male heirs.

The role of the facilitator is crucial to the success of talanoa. The main role of the facilitator is to win the approval of both parties and get them to talk openly, honestly and with genuine respect for one another. They do not lead the session, and it is up to the parties involved to agree to meet; the facilitator is there to moderate the discussion, not enforce rules. Talanoa is a voluntary process.

Even if the talanoa session takes place due to an issue involving only two people, they do not enter into the discussions as individuals. The family or village of those involved will often speak for them, resolving the issue as a communal task. Due to the importance of communal conflict resolution and decision making, good relations are often only forged at the collective level, leaving individual victims to suffer without justice. This is especially evident in cases such as rape, where the

accused kin-group or village will collectively apologise to the victim's family, avoiding prosecution of the accused.

### **3.2 Contemporary use of talanoa in Fiji.**

In response to the growing political instability in the area the leaders of the Pacific, meeting in Honolulu in 1993, approached Dr Sitiveni Halapua and asked him to look into developing a process consistent with Pacific cultures that would help create a positive direction and environment for future development issues in the region.

These leaders felt there was a need for a more holistic approach to issues surrounding development; a way of incorporating all the differing points of view and opinions held by those involved in the, often opposing, sections of a nation's makeup. Politics, the economy, tradition, gender, religion and the environment can all be sources of tension. Halapua was given the task of addressing how a nation, or group of nations, could better deal with these issues. It was felt that there was a need for a process that could bring together these differing dimensions, taking into account people's different priorities and opinions.

Halapua researched a range of Western literature, but could not find a holistic, open process that would fit the criteria given him. He then turned to traditional, Pacific ways and came up with the idea of talanoa.

He has taken a traditional Pacific philosophy of talk, talanoa, and put it into use within Fiji's post-2000-coup government. Halapua is of Tongan ethnicity and has a PhD in Economics from the University of Kent at Canterbury, England. He is Director of the Pacific Islands Development Program at the East-West Centre at the University of Hawaii, and has an interest in multidisciplinary approaches to economic development within the Pacific. It is this work that led him towards the concept of talanoa.

In Tongan the word is taken from the terms *tala*, meaning to tell stories or talk, and *noa*, meaning zero or what comes from the heart. The term, talanoa, has a similar meaning in Samoan where it refers to conversation between people. In Fiji the word talanoa is not found in the dictionary, but ask many Fijians and you will find that it has the same meaning that Halapua has come to use.

In Fiji it is essentially seen as dialogue between people or groups; often a third person facilitates the conversation, especially if it surrounds a dispute or conflict of interests or opinions. The concept of talanoa has been in use in some South Pacific islands, including Samoa, Fiji and Tonga, for generations.

It works on the idea of talking without any preconceptions or set agenda; in a process in which people come together to discuss issues that they feel are relevant to that time and place. There is no set structure. Within the use of the philosophy

of talanoa ideas are floated and discussed. No time constraints are placed upon a talanoa session, which can often lead to lengthy decision-making.

One indigenous Fijian community worker told us that the way that indigenous people in Fiji most often settle their decision-making is known by the term “talanoa”. This is where the whole village or elders come together and talk over issues in a traditional manner where the chiefly herald acts as chairman of the discussion.

After listening to all angles of the story from all the elders, the herald then advises the chief that those were ideas from the floor of discussion. The chief will then give his final say, but this is done only after everyone has voiced their different opinions. This exercise is carried out only in the traditional villages - not in towns and cities. If the chief needs the advice of his people who are living in town, he will advise his herald to call them to the village or make arrangement for the herald to visit them in towns in order for them to give him their views. This procedure is still practiced at the present time.

Halapua sees the philosophy of talanoa as a narrative rather than a written dialogue. Oral history and the passing of traditions from one generation to the next through songs, and other verbal means, is an important part of the Pacific way of life, and talanoa is no different. It is a voice that can be heard and not read. There is very little written on the topic and to explore the subject one must listen and shape the ideas that are told.

Halapua relates talanoa to the concept he refers to as va, the Tongan word for space. The meaning behind peace and conflict is to be found in the Pacific-based notion of va, within which differing connections of rights and obligations are located. In other words, the va in which talanoa is constructed can be seen as a moral va, a creation by the communal and placed upon those individuals who speak in situations such as talanoa. Va is intricately connected with the identity of both the community and the individual. Therefore the moral va that incorporates talanoa is unique to the particular session and people.

Collective groups create and shape individuals within the Pacific. A person is identified by their relations, social status and position. How people see and comprehend this information often relates to how they will respect and welcome this person. In talanoa, the people with whom one is speaking in front of, or to, create the environment and must understand who you are before they will accept what you say. This makes the moral va associated with talanoa a very important factor in the concept.

Moral va differs extensively and affects people in different ways depending on their identity and the identity of those who have created the va. The philosophy of talanoa involves using an open dialogue where people can speak from their hearts and where there are no preconceptions. It focuses on talk and understanding those

around you. For this open agenda-style of deliberation to succeed there must be a good comprehension and acceptance of the va in which the talanoa is situated.

In Fijian terms, it is through the voice of we, in a space of who we are, that we begin to see the common ground of understanding our differences. This sets the scene for the following discussion and is the basis for the possibility of reaching agreement at the end of the deliberation (what is usually referred to as “common ground” in deliberation terms).

This implies that for deliberation to function in a positive and productive manner all those involved must respect and understand the space and the people that surround them.

An example of differing moral va can be seen within Tongan funeral rituals. During the funeral ceremony only women are permitted to speak, whereas at the cemetery it is only the men who are allowed to speak. This shows how different spaces shape the way people act and communicate.

Talanoa takes the form of a Pacific-style forum where all voices are heard, not just all views, as often occurs in many Western forms of deliberation. Everyone involved has the right to express their views and opinions openly and it is implicitly understood that those around them will respect what they have to say.

As there is no agenda, people are free to discuss what they want without feeling that they have strayed from the topic for discussion. This allows for backtracking and repetition and means that the session does not focus on just one or two people, everyone is involved.

By floating ideas and allowing everyone time to speak their minds, it is hoped that talanoa will help people become more tolerant of one another. All involved are obligated to listen to what others have to say, any preconceptions are left behind and an open acceptance and understanding of what people have to say is expected. By listening to and, hopefully, understanding those who have differing ideas, views or opinions the intention is that talanoa will lead towards a common point of consensus. People need not necessarily agree entirely with each other, what is important within talanoa is that they have listened and understood the position of the others involved.

Talanoa focuses on the process of talk, not the outcome. This is in contrast to the way many forms of governance and discussion operate, where the outcome is most important. Talanoa emphasises discussion and letting everyone speak their mind and make their own decisions. No one is rushed to meet deadlines, if someone needs more time to think about a problem or decision that they need to make, then they are allowed to take as much time as necessary.

Samoan Matai (chief), Leuluai Tasi Malifa, told us that he finds this form of decision making can often be frustrating as people seem to sit around in the fale (house) talking about the same thing over and over again. Coming up with a final

consensus can take a very long time, longer than often seems appropriate. This has led to some criticism of the philosophy but Halapua states that it is better to “talk, talk, talk than to fight, fight, fight”.

It is exactly this approach, that it is better to talk than to fight, that has led to the use of talanoa within Fiji’s post-2000 coup government. The history behind the need for such session is long and flows from past political, economic and social issues faced within Fiji.

With the end of the coup in July 2000, an election date was set for September 2001 and the people of Fiji hoped that life would return to normal. In December 2000 the East-West Centre, at the University of Hawaii, sponsored the first of a series of talanoa sessions which drew together political opponents, religious leaders, former hostages and coup supporters in an effort to rebuild national unity. The aim was to promote understanding and respect between the different ethnic groups in Fiji while addressing national problems, such as the economy, natural resource management, politics and the education system.

The first talanoa session facilitated by Halapua took place on 30 November and 1 December 2000, just eight months after Speight and his supporters took the Prime Minister and members of the government hostage. Halapua states that “to say that people have to agree to something is starting at the wrong end... people are afraid of differences but they are a fact of life. The ultimate goal is living with the differences. Understanding them is a better start.” This is what the first, of many, talanoa session hoped to achieve- better understanding between the people of Fiji.

At the end of this first talanoa session it was made clear that it was not a means to an end, but rather a beginning point for a period of learning, incorporating greater acceptance and respect for the different ethnic groups living in Fiji. The Pacific Islands Report published a summary of the initial session stating that “in this first stage of talanoa, we have only begun to identify issues. We are pledged to continue the ‘Talanoa Process’ of free and open discussion of national issues to promote well being and national unity of our country.” Further sessions were held in March and May 2001. Each session brought about a sense of respect and understanding between those involved, but also emphasised concerns about the political uncertainty faced. The talanoa participants urged the country’s leaders to hold their own talanoa to try to form a consensus.

A suggestion from the May talanoa was that the leaders of the current political parties agree, before the next election, that the Prime Minister considers forming an all-inclusive multi-party government of national unity that reflects the multicultural makeup of Fiji. Those involved in the talanoa sessions did not want to see their attempts to build national unity destroyed by an incoming government that would disregard the multicultural communities within Fiji and focus purely on its own interests.

Although Laisenia Qarase of the nationalist Fijian People's Party was sworn in as Prime Minister following the election his party only held thirty-one seats out of the seventy-one in parliament. Chaudhry's Labour Party winning twenty-seven seats.

Without a clear majority in parliament it was apparent that steps needed to be taken to bring the opposing parties together to talk. Talanoa was used to bring the leaders together, to the satisfaction of those involved in the earlier sessions. On November 3 – 4, 2001, Qarase and Chaudhry came together with fifteen other leaders and prominent members of the government to discuss issues concerning relationships between leaders and communities, the constitution, good governance and safety within homes. While they did not agree on everything they discussed, a greater appreciation for each other's perspectives and position was a positive approach taken into future meetings. Unity cannot be forced; it must be allowed to develop naturally and the leaders recognised the need to continue such sessions in an attempt to maintain and promote understanding and national unity.

Since the talanoa session, held in November 2001, there have been three more involving the Fijian People's Party and the Labour Party. Each one has discussed important issues of concern in Fiji, ranging from sugar reform to the constitution. Halapua has been a silent facilitator in all of these sessions, making clear that he is involved only as a moderator. The Parties, themselves, must decide on their own that they are willing to get together for a talanoa session.

Within these sessions it is important that the fundamental ideals of talanoa are preserved. It is a chance to step outside the realm of parliament and discuss issues without the pressures that arise within such a politically charged environment. Qarase stated that "talanoa takes the issues away from debate in parliament... from scoring political points and glossing over issues."

The sessions also play a role in helping to reassure the people of Fiji that their leaders are making an effort to build a stronger relationship and create a better understanding between the different ethnic groups. After one session Chaudhry said that the most important challenge is "to build trust and reduce superstition and fear among leaders and the community". He believed that the most significant achievement from the talanoa sessions was that they had started talking, reinforcing Halapua's idea that it is better to "talk, talk, talk" than to "fight, fight, fight".

Talanoa can be seen as a mediation between two opposing worldviews. Halapua has taken a traditional form of deliberation and implemented it in a modern setting and he believes that this approach could work in other countries.

The philosophy is simple; talk without any preconceptions or limitations. The implementation is not so straightforward. People are difficult and mindsets are often hard to change or penetrate. Halapua has put forward this form of Pacific-style forum and the Fijian government has chosen to use it in an attempt to bring



about national unity and a greater understanding between the political parties and ethnic divisions. While it has been noted that not all decisions made and/or discussed within the talanoa session continue to be upheld outside the session, the fact that there is respected dialogue is a start. It serves to help ease tension and conflict, therefore encouraging peace, stability and an understanding of differences.

Fiji's talanoa sessions within the post-coup government are one of the most publicised and well known uses of this approach, but they are not the only ones. This approach has been used in other situations in the Pacific. In November 2002, a small group of key private sector and government delegates met to discuss security concerns and the viability of the transportation sector in the Pacific Islands. They used a talanoa format marked by open, frank and respectful discussion over often-contentious issues, again with Halapua facilitating the workshop.

Within Fiji Halapua has helped bring together two opposing political parties in a way that incorporates the strong traditions of the Pacific. Talanoa is part of the intense oral history that permeates the Pacific region. The process of talanoa has been brought into the twenty-first century in an effort to better the lives of the Fijian people, both Indigenous and Indian.

*“Even though it is impossible to totally put your own bias aside, in a talanoa you speak from the heart and mind- as a person in relation to another person- with respect to any issue in question. In this way, while significant common ground may not be immediately established, a greater understanding of not only where the other person is coming from but where they are going, is sure to be gained.” Halapua 2002.*

## 4. Summary

In reviewing the past and current use of these forms of talk it seems that they are sometimes used in a “pure” form as what we might call a complete or authentic talanoa or hui. On other occasions the term may be used to describe something that is incomplete in form and this could be called symbolic or incomplete. The distinction between authentic and symbolic does not refer to that between traditional and modern, rather it highlights the difference between using the full process and a situation where only some aspects are used.

In both hui and talanoa it is critical that all **voices** are heard rather than that all **views** are heard. In these circumstances there is likely to be considerable repetition. This is expected and acceptable to the participants when all those who wish to talk are given the opportunity to do so.

This is quite different from the modern Western approach of ensuring that all **views** are presented (preferably without repetition) and that when this has been done the discussion should be closed and a decision made.

- Customary discussion - all people are heard.
- Modern/ Western discussion - all views are presented.

The following table sets out some differences between customary forms of discussion in the Pacific, modern/ Western discussion and modern deliberation.

**Table 1: Summary of types of discussions**

Customary	Modern discussion	Modern deliberation
Not time-limited	Set time allocated	Set time allocated
Guided by spirit of participants	Bounded by formal rules	Guided by alternative rules
Internal control by participants	External control and/or direction	Facilitated by neutral moderator
Likely to be cultural obligation to participate	Individual choice to participate but may be directed by status or interest group	Individual choice to participate
Ceremony used to set scene and establish will to participate	Attendance assumed to signify will to engage	Attendance assumed to signify will to engage
All voices heard.	Opportunity for all ideas to be expressed. Repetition discouraged.	Emphasis on interaction among participants

Source: D Robinson & K Robinson (2005)

## 4.1 The four “Ps”

In comparing the nature of hui and talanoa we found it useful to use a framework using the four “Ps” – place, process, participants and purpose.

### 4.1.1 Place

Traditional talanoa are village based.

Hui are usually iwi or tribal based. However, when held on a marae a hui also has something of the nature of being “village” based.

Making use of a customary place such as a marae or village requires understanding the process and protocol that need to be adhered to in order to make a meeting place “sacred” or appropriate for holding a hui or talanoa. In Fiji this means acknowledging the nature of va, while for Maori this means carrying out

the appropriate ceremonies to lift the tapu on the space and from the participants (especially any visitors).

#### **4.1.2 Participants**

These are both collective discussions within which all participants are free to speak.

However, there may be limitations on the participation of women and young people. The rules on this participation varies from village to village or iwi to iwi.

(Ways in which this is being dealt with include encouraging external discussions and amending the local “rules” over time).

Any decision is reported by the leader or elder. This does not mean that the elder is a decision-maker but that he has listened to all contributions and has drawn the views together into a decision.

The welcome ceremony (including the drinking of kava and the powhiri) allows visitors to take part in these discussions.

#### **4.1.3 Process**

Hui are not time limited, discussions continue for as long as it takes.

It is not necessary for a decision to be reached at all; the hui can simply be adjourned until people are ready to make a decision.

The customary concept of talanoa has no time restrictions.

With customary talanoa the issue and expected outcome are not defined and pre-determined. There is an open discussion around a broad issue.

In both cases there is a complex and formal, though largely unwritten, set of rules that must be followed.

Talanoa is a more flexible process – in its customary form it has existed as a practice rather than a formal procedure. In the contemporary form it is surrounded by an approach or attitude that ensures that the nature of va is acknowledged and present during a talanoa.

#### **4.1.4 Purpose**

In customary hui issues usually arise from discussions within the hapu, iwi or marae committee. However, hui are being used increasingly by government to provide a forum for explaining and consulting over government policies. In these cases the full protocol of a customary hui is not always followed – the process is incomplete.

Talanoa have been used to initiate discussions on social and economic issues of concern to a village or community group.

The format of the talanoa is now also being used as a framework for structured discussions over national political issues.

#### **4.1.5 The role of ceremony**

In modern forms of deliberation and dialogue it is usually assumed that the very fact that people come to a discussion is confirmation of their willingness to engage; to speak, to listen and to interact.

In reality people often arrive with different levels of understanding about what is to take place, uncertainty or differences of opinion over the agenda and whether the meeting is being held to consult over external issues, whether the purpose is to become better informed about a matter of concern or to make a decision.

Spending time on ensuring that all those present have been acknowledged and accepted into the forum and that they all have a common understanding of the process is an important aspect of customary forms of talk that could be usefully integrated into our own forms of deliberation.

#### ***Specific features of ceremony***

Feature of the ceremony surrounding these discussions include the use of a specified set of rules that set the terms of engagement that will enable wide:

- collection of knowledge (who did what, what happened in the past, etc)
- canvassing of opinion (why things happened, what might happen in the future, and why)
- exchange of views on what action should be taken.

The introduction of the deliberation is marked by key elements of protocol. The acceptance of a suitable **physical setting** (the marae and the acknowledgement of va) and by the **ceremonial agreement to talk**. This agreement is marked by the powhiri and gift of koha for Maori and the ceremonial drinking of kava and presentation of gifts in Fiji.

Where outsiders have been invited to a discussion this ceremony is a sign that they have been accepted by the hosts and can safely engage in robust discussion. The presentation of gifts is a reflection of the concept of reciprocity that underlies the process. While they are within the talk hosts and visitors can interact on equal terms.

At the conclusion of the discussion a decision to act or not to act is presented by the elders. The distinction is between decisions being **made** by elders and decisions being made collectively and then **reported** back by the elders. The

elders are essentially guardians of the process and reporters of collective decisions rather than themselves being the decision-makers.

Clarification of the role of elders as being, on occasion, decision-makers, and, in other circumstances, being reporters of collective decisions draws attention to the wider function of these forms of dialogue.

These customary forms of dialogue were developed and used in societies in which there is no formal process for the election or selection of leaders. Position in these societies is based on whakapapa – genealogy, that is, on hereditary principles. This may be subject to change following conquest or similar challenge to existing authority but the principle of hereditary position remains.

Therefore the process of discussion or dialogue takes on a wider function and a greater importance in customary societies.

It is within this forum that views can be exchanged (forcefully on occasion). It is the place where the leaders can gain a “mandate” for their actions or where they may decide not to act.

The process of “talk” fills the space left empty in the absence of any election or selection procedure.

That is, the process itself functions at three levels:

- it provides the “space” for the democratic engagement of people
- it is a venue for and process of talk
- it provides a venue for decisions to be made.

A key feature is that traditional hui and talanoa procedures are “bounded”. That is, the discussion takes place within its own set of rules, within its own space, with its own set of participants. The decision to act or not to act does not need to be checked or re-litigated with an external party.

However, in the contemporary use of these processes they are often only part of a wider discourse. The issues to be discussed may be defined externally (e.g. a policy on which government wants comment) and the decision-making role of the hui may be reduced to providing comment or opinion. This comment is then taken away and dealt with elsewhere.

For example, in this situation the use of a hui’s deliberations is handled through an external process. This may include input to formal Government Select Committee hearings, it may appear as an agenda item at a local City or District Council's order paper or it may be fed into private, behind the scenes political decisions. In each of these cases the hui no longer has a clear decision-making capacity.

Therefore a key question is whether the interface between customary forms of dialogue, such as hui and talanoa, and the formal, modern systems of public policy decision-making can be configured in such a way as to maintain the integrity of both processes.

Some features of the Pacific way of talk such as the following may also be present in other customary or traditional forms of deliberation.

A feature of custom is that it is not written down; it is handed down by word of mouth and through experience. This means that custom is always being amended – there is no definitive form. Custom arises from past experiences and is also amended by these experiences. The fact that it is an oral tradition means that this flexibility and capacity for change is preserved.

Through defining the current rules inherent in customary processes and writing these down with an appearance of precision and authority there is a risk of suggesting a false stability and under-mining the very flexibility that gives custom its power.

In each action within a hui and talanoa the rules are reconfirmed or amended. Custom emerges afresh from each event.

In the Pacific the “past is present” in the present time. That is, the past is not an historic concept. The present is not just influenced by the past – the past actually is with us as we talk and interact. This concept is most clearly expressed when people are welcomed onto a marae. The visitors are welcomed along with their ancestors who enter the marae with them. This concept underpins the timelessness of Pacific discussions.

Although women appear to play a limited role in the formal discussions they are very active behind the scenes and in both New Zealand and Fiji many of those consulted have commented that women are the real decision-makers with a great deal of influence over the discussions that take place before and after the formal procedures.

***What influences and impacts limit or undermine the continuation of customary deliberation?***

Generally when issues have been identified within a community and they are self-contained to the degree that they can be dealt with by that group then custom can prevail.

However, for hui and talanoa to be used in more than a symbolic way by government agencies requires that considerable effort be made by these agencies to understand and act according to the customary protocol.

There must be willingness from all parties (especially the outsiders or visitors) to truly listen and hear what is being said. There must be a will to suspend judgement and to engage unconditionally in the dialogue.

This does not mean that decisions on external issues (for example government policy) should be made at the hui or talanoa but that the voice of these discussions must be respected and acknowledged and taken serious account of when decisions are made.

Within Western culture accepting the open-ended nature of a form of discussion that is not time-limited by outside considerations is a difficult concept for formal agencies to adopt.

However, it is salutary to note that the New Zealand Government allocated two months to a process during which ten official government sponsored hui were held to discuss the proposed legislation on ownership of the foreshore and seabed. This was universally viewed by Maori as being rushed and inadequate. In the event this time constrained “consultation” has been followed by a further twelve months of disagreement with no clear mechanism for dealing with this and the prospect of a further drawn out political battle in Parliament and through the courts.

Finally the multi-faceted functions of customary hui and talanoa need to be taken into account when considering their use – leaders do not just have a special role in these fora; their position itself is tested, confirmed or challenged during the process.

This suggests that there are other ways of testing opinion over who has the mandate to speak on behalf of a community (village or tribal group) than through elections.

## **4.2 Customary Pacific talk and aspects of deliberation.**

In considering how these customary forms of talk might relate to current concepts of deliberation we have set out a brief framework of how the issues were named, framed, discussed (or deliberated) and how action was taken.

In general these forms of talk, as used in a customary manner, are free-flowing and flexible – within the boundaries established by the culture concerned. When used in a formal setting there is a tendency to set out custom in terms of more specific rules and to concentrate on ensuring that the discussions follows these rules rather than necessarily adhering to the “spirit” of the discussion.

In each of the customary uses of hui and talanoa described below there was a well-established and accepted process that could be called upon to help the community deal with emerging issues. In these cases the deliberative nature of the discussions was taken for granted allowing the focus to be placed on the

substantive issue. The initiating group controlled the process and, to a considerable degree, the outcome.

When these forms of discussion were used by formal agencies, they were utilised to deal with situations where two types of issues were bothering people. Issues of process and the substantive issue to be discussed. Overall the importance of having a forum within which dialogue could take place took precedent over the need to deal with a substantive concern. However, in the case of the foreshore and seabed hui the expectations were too high. Rather than accepting that it would be a success to open a dialogue between two groups who had different views on a major issue and who also found it difficult to talk openly with each other (or more accurately who found it difficult to listen to each other), the Government wanted a decision on the proposed legislation. In contrast, the participants in the Fiji government talanoa have acknowledged that bringing people with wide differences together to talk with each other has a value in itself. A traditional Pacific saying states that it is better to talk, talk, talk than to fight, fight, fight. This piece of advice passed down through generations is highlighted in our Fijian example of deliberation but unfortunately not within our study of contemporary hui.

Appendix A compares schematically the way in which the issue was named, framed and deliberated and the action that was taken as a result in each of the cases considered in this paper.



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# **Appendix A : Process & issues**

## **A.1 Iwi Fisheries hui**

### **Who named the issue, how was it named?**

A local iwi raised the issues in internal discussions expressing concern over relations between iwi as well as with government.

### **Who framed the issue and how was it framed?**

The issues were clarified in a collective discussion among iwi representatives.

### **How was the issue deliberated?**

Through regular monthly meetings in the form of hui to which the initiating iwi invited relevant people such as their Member of Parliament and representatives from the Ministry of Fisheries.

### **How did or do groups act on the common ground following deliberation?**

Iwi returned to, and act within, their own networks to meet commitments made at the hui.

Ministry of Fisheries representatives report to their organisation in the usual government agency manner. They report back regularly at the hui on what progress is being achieved.

## **A.2 Foreshore and seabed hui**

### **Who named the issue, how was it named?**

The issue was named (in limited terms) by the government.

There was considerable interaction between iwi, Maori MPs and key leaders in government.

### **Who framed the issue and how was it framed?**

The issues to be discussed in the hui were carefully framed by government to limit the extent of the deliberations.

### **How was the issue deliberated?**

Maori took advantage of the customary process within hui to extend the discussion beyond the Government imposed terms of reference.

### **How did or do groups act on the common ground following deliberation?**

Although common ground was reached among Maori who participated in the hui, no such common ground was reached with the government.

Maori acted on their common ground by organising a hikoi (march) from throughout the country to Wellington culminating in a gathering of around 20,000 in Parliament grounds. An indication of the failure to reach common ground with government was the refusal of the Prime Minister, although present in Parliament, to meet with a deputation from the hikoi sending the Deputy Prime Minister in her place.

A further expression of the common ground reached among Maori and their alienation from the current government was the resignation of a Maori Minister from Parliament and her re-election as leader of the newly formed Maori Party.

## **A.3 Traditional talanoa**

### **Who named the issue, how was it named?**

Members of the village through informal discussion identify a general issue of concern. In many Polynesian languages the term talanoa refers to free-flowing conversation between people or groups. It is through this meaning that talanoa has become the common term used for processes of deliberation.

### **Who framed the issue and how was it framed?**

The general issue is explored by all concerned male members of the village under the guidance of the village chief (or community leader) bringing focus onto the key aspects of the issue without restriction on the breadth of discussion.

### **How was the issue deliberated?**

The discussion is wide ranging, without limitation on time, repetition or diversion from the main point of concern.

### **How did or do groups act on the common ground following deliberation?**

Traditionally the Village Chief draws the discussion together and announces a decision and course of action, but a decision is never forced. If common ground is not met during the first meeting then the group will meet again.

## **A.4 Government talanoa**

### **Who named the issue, how was it named?**

In 1993 the leaders of the Pacific met in Honolulu to discuss development issues. During this meeting the leaders approached Sitiveni Halapua, from the University of Hawai'i, and asked him to find a process consistent with Pacific cultures that would help find a positive direction for the future of development in the region. They felt a holistic approach was needed due to differences over issues of gender, environment, culture, economy, politics and religion.

### **Who framed the issue and how was it framed?**

In considering how to deal with an issue where people held differing and often opposing views and opinions it became apparent that the most urgent issue was not how to resolve development issues but the need for a process that would enable dialogue.

Halapua could not find a holistic, open process in western literature, so he turned to Pacific traditions and came up with the idea of talanoa which he introduced to modern political arenas in the Pacific.

### **How was the issue deliberated?**

Sitiveni Halapua acted as facilitator of these talanoa sessions which followed a framework which incorporates traditional aspects. However the discussions have not been limited to within those customary boundaries. The influence of politics and political leaders has often led to the rules being bent in favour of their own interests.

### **How did or do groups act on the common ground following deliberation?**

Within the modern context of talanoa, common ground is often made during the process but does not often continue afterwards. The Fijian government has used these talanoa sessions as a way to show to the public that Indigenous and Indian Fijians can live harmoniously. The main consensus to come out of "modern" talanoa, within Fiji, is that the opposing political parties need to keep talking and interacting with one another in situations where open dialogue is encouraged.