

# Cultural Adaptation of the Westminster Model: Some Examples from Fiji and Samoa

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## INTRODUCTION

The Westminster system has been a very successful model of responsible government having demonstrated its relevance around the globe in a wide variety of cultural settings – national and provincial. Cultural adaptability is arguably a critical part of the explanation for the institutional success of the Westminster model. A capacity for localising is scarcely the only reason, of course. The enormous extent of the British Empire, its policy of indirect rule and its less troubled disengagement with colonisation were important elements contributing to a widespread acceptance of the Westminster model as the winds of change blew through the Empire creating a need for democratic legislatures. Nevertheless, a political seed planted in foreign soil does not flourish if it cannot adjust to its new environment and is not nourished locally. And, in some circumstances, the process of adaptation has been itself a significant challenge.

Of the 14 Island states that are members of the Pacific Islands Forum,<sup>1</sup> the Commonwealth Parliamentary Association counts 11 national parliaments (Cook Islands, Fiji, Kiribati, Nauru, Niue, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu) and one provincial parliament (Bougainville) amongst its members as Westminster-related legislatures. Of these 11, all but Nauru and Kiribati, which have added a layer of presidentialism, are recognisably traditional Westminster in their parliamentary form. Yet, even those closest to the original model have made some accommodation to adapt to their new environment either formally or through the informal continuation of customary political practices that influence the style of parliamentary representation. Although liberal electoral systems, based on full adult franchise with one vote and one value, are a norm for most of these countries, customary cultural influences are also rarely absent.<sup>2</sup>

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1 The Pacific Islands Forum (nee South Pacific Forum) is a political association of the 16 heads of government from 14 independent and self-governing Pacific Island regional states, Australia and New Zealand.

2 For a detailed examination of the tensions between liberal democracy and Pacific Island traditional elites, see: Stephanie Lawson, *Tradition Versus Democracy in the South Pacific: Fiji, Tonga and Western Samoa* (Cambridge: Cambridge University Press, 1996).

Samoa celebrates its non-liberal traditional system of democracy and has worked consistently over decades to preserve *fa'a Samoa* (Samoan custom) as a central element in its political processes. The inclusion of non-liberal elements has not so much changed the form of the Samoan parliamentary system as its practice and representational style. Similarly, until the December 2006 military coup, Fiji had also sought to incorporate non-liberal traditional elements in its parliamentary system. Indeed, the intent and effect of the three coups from May 1987 prior to the December 2006 coup was to strengthen the role of traditional forms and practices in national politics including the parliament. The post-2006 coup roadmap engineered by Fiji's Prime Minister Voreqe Bainimarama for the return to democracy has attempted to reverse this trend. His strategy involved removing ethnicity in voting and dismantling customary influences in the Parliament. Thus, he has sought to entrench more liberal elements in the political process, both electoral and parliamentary, albeit in the case of the latter with a strong corporatist (party political) accent.

This article reviews how the process of institutional transfer of the Westminster model has been, and is being, influenced by the tensions between the traditional processes and the liberal expectations in two of Australia's Pacific Island neighbours. There is a great deal of "apples and oranges" in comparing these countries, of course. Yet, the preservation of traditional political forms has been a continuing influence in both countries that produced some useful commonalities at times. And, more recently, these are providing some striking contrasts particularly with regard to the value of traditional political practices and national unity. This review deals only with some very recent organisational developments in the two countries. As far as possible, it is focused principally on institutional issues rather than on the contentious politics and motives behind institutional adaptation.<sup>3</sup>

## **SOME HISTORICAL CONTEXT – SAMOA**

The maintenance of *fa'a Samoa*, or Samoan custom, was a critical consideration in drafting the 1960 Constitution and in the 1961 plebiscite, which endorsed independence in 1962 under this constitution.<sup>4</sup> Nevertheless, the same constitution established a Westminster style parliament outside any traditional experience but which had been gradually introduced and extended during the colonial period under the New Zealand administration of Western Samoa.<sup>5</sup> The constitution blended the indigenous and the exotic politically to accommodate the aspirations of the Samoans

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3 In the interest of disclosure on this point, elements of this paper are based on the author's direct experience as a consultant with the National Council for Building a Better Fiji and author of the Candidates' Manual for Fiji's 2014 national election. The author also served as the UNDP consultant for the 2011 Legislative Needs Assessment for the Legislative Assembly of Samoa

4 For the background on Samoan independence see: James W. Davidson *Samoa mo Samoa* (Melbourne: Oxford University Press, 1967).

5 Western Samoa became a League of Nations' mandate under New Zealand following its seizure from Germany early in World War I and remained under New Zealand administration until its independence in 1962. Western Samoa changed its name formally to Samoa in 1997.

for a democracy that recognised the validity of *fa'a Samoa*. This was evident at the highest level of governance as demonstrated in the Westminster model's dual executive relationship between the Parliament and the Government. Article 42 of the Constitution of Samoa defines the Parliament as composed of two institutions – the Head of State (*Le Ao o le Malo*) and the Legislative Assembly (*Fono Aoaio Faitulafono*).<sup>6</sup> The Head of State was expected to lend traditional gravitas to the elected Parliament as it was to be held jointly by the two highest customary titles in the land.

The Legislative Assembly as established in 1962 was a unicameral legislature with 49 members elected from two electoral rolls serving three distinct constituencies. The vast majority of voters were enrolled on a register for candidates with chiefly titles (*matai*). Non-*matai* could not vote or stand for Parliament except in one case. The *matai* register served two types of constituencies – 35 single member and six dual-member electorates. The two-member constituencies were those electorates that had a population base sufficient to justify two representatives but could not be divided into single member electorates for historically based cultural reasons. The second electoral roll, the Individual Voters' Roll (IVR), provided a register for those voters whose ethnicity or other circumstance put them outside the *matai* system. Indeed, to qualify for IVR, the voter had to disavow any claims to lands or titles under the *matai* system. Both the Individual Voters' Roll constituencies were single member districts.

There is some dispute as to whether Samoa is a constitutional monarchy or a republic. The Head of State is addressed as His Highness and every Head of State since independence has been a *Tama a aiga* (one of the four paramount chiefly titles that, conventionally, have been treated as "royal"). However, the republican argument holds that the Constitution does not require that the Head of State be a "royal" thus classing Samoa as a republic. The Government of Samoa itself has settled the issue in favour of being a republic from 2007 by referring to His Highness as a "ceremonial President". Appointment to the office is by the Legislative Assembly (Art 19) for a term of five years. Unquestionably the powers of the Head of State are limited even by the general standards of Westminster constitutional monarchies, as the office appears to have few discretionary powers save those of summoning, proroguing and dissolving the Legislative Assembly and assenting or refusing assent to parliamentary bills to make them law and even these are heavily circumscribed. Section 26(2) of the Constitution has been taken to mean that a bill will be deemed passed if the Head of State has not assented to a bill within seven days.

The location and physical style of the Parliament building were also imbued with traditional political significance. The Legislative Assembly is located on the politically historic and sacred *Tiafau* area of the Mulinu'u peninsula on the western side of the capital city, Apia. The parliamentary precincts include an open field (*malae*) that serves as a sort of natural plaza for public events including ceremonies and demonstrations. This *Malae o Tiafau* has customary significance as the meeting ground of the nation.

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6 *Constitution of the Independent State of Western Samoa 1960* [http://www.pacilii.org/ws/legis/consol\\_act2008/cotisos1960438/](http://www.pacilii.org/ws/legis/consol_act2008/cotisos1960438/)

The independence parliament met in a small traditional meeting house (*fale fonu*) that stood on a corner of the *Malae o Tiafau*. In 1970, the Legislative Assembly moved into a modern building architecturally designed to resemble a *fale fonu* on the other side of the *malae*. The original building was dismantled recently to improve the use of the *Malae o Tiafau* but the ceremonially significant posts were preserved for some later commemorative purpose.

## SOME HISTORICAL CONTEXT – FIJI

Western political adaptation to Fiji culturally began very early. The British Government applied significant aspects of indirect rule to Fiji after Ratu Seru Cakobau ceded the country to Queen Victoria in 1874. Traditional elites served in administrative posts using largely traditional mechanisms to maintain British authority in the colony. The process was a two-way street as the traditional political authorities used the indirect rule system to strengthen and entrench their political power and their control of land within indigenous society. Thus the colonial experience for Fiji found both foreign administrators and indigenous chiefs benefiting from the process of cultural adaptation.<sup>7</sup>

Arguably, the colonial system fossilised perceived political status through both the recognition of titles and lands in a way that prevented further changes. The rising indigenous elites, especially those close to the colonial administration, benefited significantly. Their claims to pre-eminence were recognised while other elites lost out as their historic claims were snubbed by colonial authorities. Even less happy were late-comers from South Asia brought to Fiji to work as indentured labour in the colony's plantations. Unlike the European plantation owners or the indigenous Fijians, these had almost no access to land or to positions of influence with the system of indirect rule. Not only did this store up fuel for future social disharmony as the ethnic balance within Fiji shifted, it imposed political constraints on just how to end colonial rule in Fiji.

The issue of traditional political authority in Samoa at independence was essentially between Samoans and the international community.<sup>8</sup> However, for Fiji this was very much an internal issue since, from the late 1940s, the formerly indentured labourers, their children and grandchildren enjoyed a demographic majority over the indigenous Fijians. Communal tensions were raised by the prospect of independence with the result that independence came later to Fiji than would have been expected. The Indo-Fijian leadership favoured a liberal one vote-one value approach while the Fijian leadership wanted traditional political values and power structures recognised and retained in some measure. A compromise was reached in the late 1960s when there

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7 For a very useful introduction to these cultural interactions, see: Peter France, *The Charter of the Land: Custom and Colonization in Fiji* (Melbourne: Oxford University Press, 1969).

8 Indeed, the Samoans as a nation appeared to resent the United Nations' enforced universal suffrage. This was said to be a factor in the decision against UN membership for nearly a decade. R.A. Herr, "A Minor Ornament: The Diplomatic Decisions of Western Samoa at Independence", *Australian Outlook*, vol 29 (December 1975), pp. 300–314.

was a change in the Indo-Fijian leadership.<sup>9</sup> Some compromises on the inclusion of some traditional Fijian political elements as well as on a voting system were reached. The partially communal and partially liberal accommodations went some way politically to redressing the demographic imbalance.

Fiji's 1970 independence Constitution gave constitutional status to customary political processes when it recognised the Great Council of Chiefs (GCC or *Bose Levu Vakaturaga*). This body had served an advisory role to the Governor shortly after Cession. In the decade or so before independence, the GCC had added indigenous institutional leaders to its number who did not hold chiefly titles. The GCC became virtually a third chamber to the formally bicameral parliament through its power to appoint more than a third of the Senate and its influence on indigenous Fijian (now *iTaukei*) policy including the sensitive area of communally owned land. The 1970 Constitution also entrenched an ethnically based electoral system that reinforced the communal compromise in the 52 member House of Representatives. Three communities divided reserved seats that were not entirely proportional in terms of ethnic numbers. The majority Indo-Fijian community shared an equal number of seats with the indigenous Fijians (22 seats each) with the remaining 8 preserved for "General Electors" (Europeans, Chinese, Pacific Islanders etc.). The Senate also showed the ethnic compromise. The Prime Minister nominated 7 Senators, the Leader of the Opposition nominated 6, the GCC 8 and the island of Rotuma one.

The military coups of 1987 brought about a number of changes to further enhance *iTaukei* influence in Government through the incorporation of traditional mechanisms and processes. An attempt was made to constitutionally preserve the presidency and the prime ministership for an *iTaukei* leader and a permanent majority for *iTaukei* in the House of Representatives in a failed 1990 Constitution.<sup>10</sup> This was replaced in 1997 by one that promoted the powers of the GCC while removing the *iTaukei*-preserved majority in parliament and *iTaukei* ownership of the office of the Prime Minister. Nonetheless, under the 1997 Constitution the GCC retained the authority to appoint the President and 14 of the 32 Senators. The 1997 Constitution also further entrenched *iTaukei* ownership of the majority of land held through communal titles.<sup>11</sup>

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9 For some background on these constitutional developments see: Lawson, *Tradition Versus Democracy in the South Pacific*, chapter 2.

10 An interesting contemporary commentary with some qualified support of the 1990 Constitution by Education Minister, Meraia Taufa Vakatale, can be found at: [www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/programs-and-publications/1995-global-cultural-diversity-conference-proceedings-sydney/political-aspects-of-diversity/constitutional-change-and-political](http://www.dss.gov.au/our-responsibilities/settlement-and-multicultural-affairs/programs-policy/a-multicultural-australia/programs-and-publications/1995-global-cultural-diversity-conference-proceedings-sydney/political-aspects-of-diversity/constitutional-change-and-political)

11 A useful constitutional comparison can be found in: Jill Cottrell and Yash Ghai, *The Role Of Constitution-Building Processes In Democratization: Case Study Fiji*, International IDEA, 2004

## POST-INDEPENDENCE ADAPTATION – SAMOA

For nearly two decades after independence, Samoan politics revolved around traditional networks and political alliances. The many Samoan leaders had spoken against the creation of political parties in the pre-independence debates on the constitution. And, there was no mention in any form of political parties during the deliberations of the constitutional convention.<sup>12</sup> Pressure on *fa'a Samoa*, however, built during the 1970s. The extended families, *aiga*, using the traditional system split titles and revived old titles to secure some electoral advantage. It became clear that this process, if it continued, would undermine the chiefly system politically and *fa'a Samoa* generally. Perhaps ironically, retention and protection of the customary political roles of the *matai* became core motivations for the establishment Samoa's first party – the Human Rights Protection Party (HRPP) – in 1979. The name suggested a liberal orientation but, in fact the “human rights” were cultural; the right to retain Samoan values.

The HRPP pushed (for?) a referendum in 1990 to provide for universal suffrage, nonetheless. Its position on the referendum did not acknowledge defeat in the face of advancing liberalism. Rather it was a strategic retreat to a more defensible position. Relaxing the limitation on *matai* franchise was motivated in large part to save the *matai* system from the pressure to fully liberalise parliamentary representation. The referendum successfully extended the franchise to all adult Samoans but it maintained *matai* restrictions on the eligibility to stand for Parliament. A decade later, however, a Government commission enquiry into the electoral system found the pressures for electoral liberalism continued as it concluded:

... the sooner the people accept that the Westminster parliamentary system is alien to the *fa'asamoa*, and that we should not try and assimilate the *fa'asamoa* to this system, the sooner we shall achieve a transparent and smoother running electoral process.<sup>13</sup>

The HRPP offset the liberalisation of the national franchise significantly with the passage of the *Village Fono Act 1990*. This act legislated to protect the “custom and usage” of the village assembly (*fono*). In effect, it protected the *matai* system at the village level at the same time as universal suffrage was modifying this nationally. *Village Fono Act* confirmed or granted powers to each *fono* to exercise its traditional rule within the village under the authority of the state. The effects of this Act are such a concession of political authority to the village level of governance that one diplomat privately described Samoa as “a confederacy of 360 republics”.

The HRPP moved again on electoral reform in 2010 to eliminate all non-*matai* representation at the national level through a constitutional amendment. Non-*matai* had been eligible for election to the Legislative Assembly from the Individual Voters'

<sup>12</sup> Asofou So'o, “Reconciling liberal democracy and custom and tradition in Samoa's electoral system”, *South Pacific Futures*, ANU Development Studies Network, Bulletin No. 60, December 2002, p. 43.

<sup>13</sup> Quoted in So'o, “Reconciling liberal democracy and custom and tradition in Samoa's electoral system”, p. 44.

Roll. Under the 2010 amendment these two seats were restricted to matai candidates. There is wide spread speculation that the IVR will be abandoned in the near future and that the restriction to only *matai* candidates is a prelude to eliminating these two constituencies altogether. Given universal suffrage and the restriction to matai candidates, there appears to be little useful purpose for the IVR distinction.

Nevertheless, even with these developments to strengthen customary influences in the Samoan political processes, there may be some liberalising trends within *fa'a Samoa*. Estimates vary as to the number of recognised *matai* from more than 18,000 to around 25,000. The 2011 Samoa Bureau of Statistics reported 16,787 *matai* living in Samoa with 1,766 women holding more than one in every ten titles.<sup>14</sup> It has been suggested that the number of titles being conferred on women is increasing as women become better educated, more self-confident of their own status in society and as the Samoan community has grown more accepting of gender equality.

A non-liberalising influence unrelated to *fa'a Samoa* has been the strengthening of the role of party over the parliament. For the past decade, HRPP Governments have strengthened bans on “party-hopping” inspired, in part, by similar legislation in New Zealand. This culminated in two bills that were introduced into the Legislative Assembly in late 2009 – one to amend the Constitution and the other to amend the 1963 *Electoral Act*. Critics of these initiatives saw some irony in that the HRPP had been an enterprising beneficiary of defections from other parties in the past. Moreover, while accepting that modern Westminster systems tend to favour strong parties, critics held that a corporatist party political approach poses threats to the parliament. *Inter alia*, it weakens the liberal freedom of conscience of the MP and can even undermine the privileges of parliament by giving outside bodies (political parties) control over the actions of an MP on the floor of the parliament. Further, the office of the Speaker has been compromised unnecessarily by making the Speaker a part of the enforcement process. The Speaker has the statutory authority to initiate action to expel a Member thus embroiling the Speaker in enforcing party discipline.

Although scarcely a cultural adaptation, the Westminster model’s preference for a majority on the floor of the parliament has been embraced rather enthusiastically by recent HRPP Governments. Despite having had landslide results in the last two national elections, every parliamentary member of the HRPP that is not a Minister or Presiding Officer has been made an Associate Minister with special resources that go with the position. Essentially, the concept of a Government backbench has been negated by this tactic even though the anti-party-hopping provisions do not require such measures to ensure party cohesion.

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14 “Final Population and Housing Census 2011”, Government of Samoa, Samoa Bureau of Statistics, July 2011.

## THE CONTEMPORARY ADAPTATION – FIJI POST 2006 COUP

Parliamentary developments since the December 2006 military coup in Fiji have followed an almost polar opposite direction to the last few decades in Samoa. Indeed, much of the defence of the coup by its supporters has been that it has served a democratic purpose – removing the discriminatory influences of the customary power structures from Fijian politics. In this, the post 2006 developments have not only repudiated the traditional elements included in the 1970 independence constitution but also the measures taken following the 1987 coups which strengthened these customary influences.

Prime Minister Bainimarama declared his September 2014 Fijian election as the culmination of a revolution to deliver Fiji's "first genuine democracy".<sup>15</sup> He portrayed the post 2006 coup Government of Fiji as a watershed between "old" politics and "new", non-racial, more liberally based politics. Certainly, a principal underlying tension throughout the electoral campaign was the Government's belief that its main opponent, the Social Democratic Liberal Party (SODELPA), belied the "liberal" in its name. Rather, SODELPA was mobilising the "old" customary political networks of *iTaukei* power in its attempt to defeat it and to overturn the liberalised order the Bainimarama Government had pursued under the 2008 *Peoples Charter for Peace Progress and Change* and expressed through a new Constitution.<sup>16</sup>

The 2013 Constitution along with some earlier decrees with significant constitutional effects have sought to remove both ethnic and customary influences from the Parliament and, indeed, from the politics of Fiji. A unicameral Parliament elected in September 2014 is composed of 50 elected Members and a non-elected Speaker who serve four-year terms. There is no Senate and the GCC was formally abolished in 2012. The Constitution establishes a strongly liberal electoral system by opting for the open list system of proportional representation. These liberal values are expressed directly through Sec 53(1) stating "each voter has one vote, with each vote being of equal value..." Ethnic and racial discrimination is proscribed by its Bill of Rights and underscored by provisions in both party and electoral decrees. For example, the Political Party (Registration, Conduct, Funding and Disclosures) Decree of 2013 requires any association attempting to register as a political party to demonstrate its bona fides as non-discriminatory and not to "advocate hatred that constitutes ethnic or religious incitement or vilification of others or any other communal antagonism".

The one area where the Constitution could not avoid recognising traditional custom and practice was in the area of land ownership. Although a source of political contention as to its value, Sec 29(1) of the Constitution provides: "The ownership of all *iTaukei* land shall remain with the customary owners of that land and *iTaukei* land shall not

15 Rear Admiral J. V. Bainimarama, Speech at the 69th Session of the United Nations General Assembly, 27 September 2014. Accessed at: [http://www.un.org/en/ga/69/meetings/gadebate/pdf/FJ\\_en.pdf](http://www.un.org/en/ga/69/meetings/gadebate/pdf/FJ_en.pdf)

16 The 2013 Constitution of the Republic of Fiji can be accessed at: <http://www.fiji.gov.fj/getattachment/8e981ca2-1757-4e27-88e0-f87e3b3b844e/Click-here-to-download-the-Fiji-Constitution.aspx>

be permanently alienated, whether by sale, grant, transfer or exchange, except to the State ... ". This contentious area also illustrated another noteworthy Bainimarama Government reform. Indeed, cutting through the Gordian knot of finding a common name for all citizens has been proudly proclaimed as one of its most significant reform achievements. Although naturally controversial, the Bainimarama Government promulgated a decree in 2011 to call all citizens "Fijian". The word "*iTaukei*" (owner of the land) is used now officially to describe both the indigenous people and the language of Fiji.

The 2013 Constitution preserves the Westminster model of responsible Government by providing that only a Member of Parliament can be appointed a Minister with the possible exception of the Attorney General. The Attorney General may be appointed from outside the Parliament if the Prime Minister deems there is no suitable person available from amongst the elected Members. A non-elected Attorney General would sit in the Parliament but would not be eligible to vote. Once the Parliament elects the Prime Minister, the PM appoints the ministers to serve as a Cabinet, which doubles also as the executive council. There is no role for the President in the appointment process save administering the oath of office. Consequently, ministers are subordinates of the PM, not equals. Indeed, the Constitution makes ministers accountable individually to Parliament but not individually responsible. The Parliament does not have the power under the Constitution to remove an individual minister by a want of confidence motion. The Speaker is appointed from outside the membership of the Parliament, to limit the partisan influence of internal election. Nevertheless, the individual must be qualified to have stood stand as a candidate for the Parliament. Significantly, the Leader of the Opposition is made an office in the Parliament by the Constitution rather than leaving this to standing orders.

As is the case in Samoa, a strong party corporatist approach is evident in the operation of the Fijian Parliament. The extent and nature of this constitutionally entrenched party discipline serves to undermine some of the liberal aspects of the electoral system. Arguably, party discipline can override constituency influence in Parliament even to the point of breaching the privileges for most Westminster parliaments. Following constituency interests at the expense of party directions can be a career ending decision. A Member may be expelled from the Parliament if the MP:

votes or abstains from voting in Parliament contrary to any direction issued by the political party . . . without obtaining the prior permission of the political party  
[Sec 63 (1)(h)]

Other provisions of this section take party control of a Member even further as the seat can be lost if the MP resigns from the party or is expelled from the party. Thus the membership of the Parliament can be determined outside the electoral process by unelected party officials if these officials impose party discipline over MPs. However, it is uncertain how to interpret the qualification that expulsion from the party should "not relate to any action taken by the member in his or her capacity as a member of a committee of Parliament." Presumably the parliamentary leadership can expel a

Member for an action within the Parliament but the party machinery is restricted to organisational matters outside the Parliament.

Individual ministerial responsibility appears to be another area where the Constitution supports a party corporatist approach over individual obligation and accountability. The Constitution provides that “Cabinet members are accountable individually and collectively to Parliament, for the exercise of their powers and the performance of their functions” [Sec 91(1)]. However, while accountability might be individual, Sec 95(3) suggests that responsibility may not be. Ministers continue in office unless removed by the Prime Minister, ceasing to be a Member of Parliament, or by resigning. While in the event, perhaps, not much different in practice from other Westminster parliaments, the absence of a specific reference to the role of the parliament seems an unusual oversight. On the other hand, a successful motion of no confidence in the Prime Minister deems every other Minister to have resigned. As is the case in Papua New Guinea, any motion against a PM must be constructive; e.g. propose the name of an alternative.

Chapter 8 of the Constitution requires the enactment by statute of a “code of conduct” for all public officers established under the Constitution. Members of Parliament are so listed. The Constitution also established an independent authority, the Accountability and Transparency Commission, which is to oversee compliance with this code of conduct once enacted. The Commission will have the power to investigate breaches of the code. Even more, however, the Commission will have the power to enforce this code “through criminal and disciplinary proceedings, and provide for the removal from office of those officers who are found to be in breach of the code of conduct”. Again, it appears that an outside body unelected agency will have control over MPs that, in this case, would be more normally the responsibility of Members through a privileges committee.

## **SOME CONCLUDING THOUGHTS**

This comparison of parliamentary apples and oranges is not intended to make any deep argument about the strength of customary practices in the Pacific Islands or the flexibility of the Westminster model in accommodating cultural adaptation. The two countries involved in this evaluation are indeed apples and oranges in terms of their comparability. Samoa has a high degree of social homogeneity with substantial internal support for the retention of customary political norms. Stability within Samoa is grounded in a well-established sense of national identity. This has been buttressed by the opportunity for significant flows of emigration, which has provided an outlet of several generations standing for those who find the village structure confining. Thus, the search for a majority in Parliament has not been especially contentious in principle or in practice.

On the other hand, the liberal electoral underpinnings of Westminster democracy have proved more problematic but, perhaps, more for outsiders than for Samoans or at

least those Samoans living in Samoa. The retention of *fa'a Samoa* has been repeatedly supported within Samoa with only incremental changes over time. In practice, mutual adaptation between Westminster and *fa'a Samoa* has proved to be fairly benign and only moderately contentious thus far. In light of the electoral review's finding in 2001 that there is a fundamental disjuncture between *fa'a Samoa* and the liberal elements of the electoral system, however, the future will always be uncertain. Particularly important in this regard will be the potential influence of Samoans living abroad. The Samoan diaspora's loss of a franchise in Samoan elections has been long regarded as a limiting factor on liberal change within Samoa.

Clearly Fiji's circumstances have been substantially different. Deep ethnic divisions have been a tragically critical influence on Fiji's adoption and adaptation of the Westminster model. The implicit philosophical preference of the Westminster model for stable Government based on majority control of the floor of the Parliament challenged the model's relevance for Fiji from before independence. Indigenous customary political forms had been a central part of the administration of colonial Fiji but *iTaukei* were not in a majority as independence approached. Treating the Indo-Fijian majority as a minority in the post-independence Parliament produced constant political tension and strife in the decades after 1970. It would be impossible to treat the past half-century of parliamentary development in Fiji without acknowledging that the struggle to implement the Westminster model had played a grim role in this fractured and fractious political narrative. Whether a liberal electoral system would have set the post-independence Parliament of Fiji on a different path cannot be known. Nor, for the moment, can it be known if the Bainimarama Government's attempt to reduce the former accommodations to *iTaukei* political processes in favour of more liberal arrangements will succeed in binding the nation's wounds.

The September 2014 election has successfully produced a new Fijian Parliament, which is an important first step. Nevertheless, there are some elements in the 2013 Constitution that appear likely to challenge the Westminster expectation of the supremacy of parliament. The unexpectedly high level of dependence on political parties as mechanisms for accountability may undermine aspects of the liberal voting system as well some of the traditional privileges of parliament. The entrenchment of the Constitution requiring three quarters of the Parliament and three quarters vote in a subsequent referendum is such that few believe it can be amended. Arguably, too much was detailed in the Constitution that might have been left to statutory implementation. Given this inflexibility, it seems likely that adaptation and reform will be a continuing source of political contention in Fiji. While a role for customary political structures and norms will be an issue in some *iTaukei* quarters notwithstanding the 2014 election result, one can only hope that Fiji will find a way to accept that debate without the racial rancour of the past.