

The Power of Norms: Gender Equality Reforms in the Parliaments of Fiji and Samoa

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Abstract

Parliaments are increasingly defined as “gendered institutions,” with rules, norms, and practices that are often stubbornly resistant to gender equality initiatives. The gender sensitive parliaments’ global agenda has made substantial progress in both drawing attention to the gendered nature of parliaments and in spearheading gender equality reform. While a positive trend, there remains a significant disconnect between the (global) normative framework that sets out this agenda and the realization of gender equality in national (local) parliaments. In this article, we build on previous work that begins to unpack and test the process of global norm localization through “contextualization” and “contestation.” We select new sites to test these processes—Fiji and Samoa—where specific gender equality reforms have been implemented in the past 10 years, one a gender mainstreaming mandate for parliamentary committees and the other a parliamentary gender quota. The Pacific Islands region presents an important cultural context worthy of exploration: Parliaments are not only overwhelmingly male-dominated, but many are also derivative of hegemonic masculinist cultures evident in the Westminster tradition, albeit hybridized with local political traditions. We compare and contrast the process by which these reforms were developed and implemented in each country and examine the extent to which they can be considered effective mechanisms for addressing gender inequalities. We find that the extent to which these reforms are sustainable and transformative depends on local contexts, local actors, and locally derived solutions. Specifically, the culturally relevant process of contesting the gender quota in Samoa constitutionally, electorally, and through the courts has localised and thereby legitimised this globally endorsed reform. By contrast, gender mainstreaming in Fiji’s parliamentary committees has been little more than a “tick-a-box” exercise, having had limited engagement from the political elite under a relatively autocratic regime.

Keywords

Fiji; gender equality reform; gender-sensitive parliaments; localisation; Samoa

1. Introduction

As researchers and practitioners in support of gender sensitive parliaments (GSPs), we have been interested in the relationship between international norms and the process by which these norms are localised within, and, thereby, transform individual parliaments. In a previous work (Palmieri & Baker, 2022), we argued that a range of international resolutions, research reports, and plans of action developed over successive decades related to GSPs now constitute a robust normative framework. This global framework sets out key principles by which parliaments can become model institutions for the advancement of gender equality. They can: institute gender balance across membership and leadership positions, mainstream gender across all outputs and processes, commit to institutional responsibility for gender equality advocacy, and ensure the workplace is underpinned by a zero tolerance of sexism, harassment, and violence against women and other marginalised groups. A second, but no less critical, element to our argument was that these global norms need to be “localised” if parliaments are to systematically address gender equality. Just as GSPs are defined by their active reorientation of processes and outputs to achieve gender equality (Childs & Palmieri, 2023, p. 177), localisation requires active construction “through discourse, framing, grafting and cultural selection of foreign ideas by local actors” (Acharya, 2004, p. 245). Our previous work highlighted two specific processes by which localisation (or the active construction of a global norm within local institutions) occurs: norm contextualisation—that is, embedding the norm within the cultures and practices of the local institution—and norm contestation—which may take the form of outright objection to, or critical engagement with, the global norm, or something in between (Wiener, 2018, p. 22). In the absence of norm localisation, such reforms can instead be perceived as a form of “genderwashing,” or a move simply designed to enhance a regime’s democratic credentials and perceptions of democratic legitimacy (see Bjarnegård & Zetterberg, 2022).

In this article, we examine the extent to which gender equality reforms recognised as international good practice and implemented in the parliaments of Fiji and Samoa can be considered effective mechanisms to address local gender inequalities. Among the suite of measures that can be taken to gender sensitise a parliament, GSP advocates have argued that the parliament as a whole should: (a) take responsibility for the pursuit of gender equality by ensuring there is gender diversity across all of its bodies and leadership positions, and (b) implement a gender mainstreaming approach that normalises the use of gender analysis frameworks and expertise (Palmieri, 2018). Both gender balance and gender mainstreaming are well-established, commonly articulated normative ideals in the international community. The term “gender balance” was first enshrined in the Beijing Platform for Action in 1995 which urged governments to take measures “to integrate women in elective and non-elective public positions in the same proportion and at the same levels as men” (United Nations Specialised Conferences, 1995, p. 95). While gender mainstreaming was also first established in the Platform for Action, the United Nations Economic and Social Council agreed conclusions provided further definition as a “process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels” (UN Economic and Social Council, 1997, p. 1). Since the mid-1990s, these concepts have guided policymaking and development programs, not to mention a plethora of toolkits and resources, focused on achieving gender equality (Acosta et al., 2019). As we show below, Pacific states have been a part of international debates on gender-balanced parliamentary reform and parliamentary gender mainstreaming, even if these ideas have not as yet been widely adopted in the region.

2. Gender Sensitive Parliamentary Reform in the Pacific Context

Little of the global research on GSPs has critically considered the gender sensitivity of Pacific parliaments or the processes involved in contextualising GSP norms and practices within Pacific democratic cultures. This is despite the mobilisation of feminist civil society organisations in each country to push for such reforms and the investment of resources from international development agencies such as the United Nations Development Program (UNDP) towards gender sensitive parliamentary strengthening in this region. And yet, in 2013, the Samoan constitution was amended to include a parliamentary gender quota and in 2014 the Fiji parliament's standing orders were amended to include a gender mainstreaming provision. These represent significant GSP achievements in a region well known to be resistant to gender equality in politics (see Baker, 2018, 2019).

The parliaments of Samoa and Fiji, however, can be seen to be at the forefront of gender equality innovation. They were among the first Pacific Islands countries to ratify the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in September 1992 and August 1995 respectively. Samoa ratified the Convention without reservations, while the two reservations initially made by Fiji (to articles 5(a) relating to the elimination of prejudices, customary and all other practices, and article 9 on nationality) were withdrawn five years later in 2000. While Papua New Guinea ratified CEDAW earlier than Fiji in January 1995, and Vanuatu followed shortly after Fiji in September 1995, it would take another 10 years for most of the other countries in the region to ratify the convention, and there still remain three notable non-ratifiers: Tonga, Niue, and Palau. Moreover, of the independent states in the region, Fiji and Samoa have also historically had a higher proportion of women elected to parliament than the regional average (8.8%, as of late 2023). Fiji hit a high of 19% women before the 2022 election while Samoa reached its highest proportion following its 2021 election, at 11.3%. These two countries remain the only ones in the region to institute, respectively, a gender mainstreaming mandate in parliament and a parliamentary gender quota.

Importantly, these reforms have been implemented in parliaments underpinned by an inherent tension—between Western and local understandings of democracy and governance. While this tension is perhaps characteristic of many post-colonial parliaments, there are also unique Pacific elements at play, well-illustrated in the story behind the buildings that have housed these parliaments. In March 2012, Samoa's government announced that the country's original parliament house, the Fale Fono, would be demolished. Built-in 1916, the Fale Fono had hosted sittings of the Legislative Assembly before and after independence in 1962, but was replaced by a new building, the Maota Fono, in the early 1970s (which was subsequently replaced by a new, more climate-resilient parliament building in 2019). In ordering the demolition, Prime Minister Tuilaepa Sa'ilele Malielegaoi suggested the building was a hazard and an eyesore, and the space could be better used for outdoor events on parliament's grounds ("Samoa's old Parliament," 2012). Yet others, including members of the opposition, mourned the loss of the Fale Fono as an important historical site: "This building signified the struggle we went through as a nation, it is the foundation of our independence, we shed blood and tears in this building to get where we are today" ("Samoan government demolishes," 2012).

Fiji's seat of parliament was first built in 1937 under the British colonial administration. Unlike Samoa's Fale Fono, which was built in the style of a traditional meeting house, Fiji's first parliament was designed in a typical art deco style by the chief colonial architect and did not incorporate any specifically Fijian design elements (Halter et al., 2018). Upon its opening in May 1939, it was used as the Legislative Council of Fiji, eventually becoming the Parliament of Fiji at independence in 1970. In 1987, the first of four coup d'états resulted in

the building being disused for extended periods. A new parliamentary complex was opened in Veiuoto in 1992, this time built in a traditional Fijian house design that included masi cloths, wooden furnishings, and open-air corridors (Halter et al., 2018). This building became the scene of another coup in 2000, during which the prime minister and other parliamentarians were held hostage for 56 days. Eventually, another coup in 2006 would result in the suspension of parliament for eight years. The introduction of a new constitution in 2013 shepherded the election of a government under Josaia Voreqe Bainimarama that returned parliament to the art deco “government buildings.”

The demolition of Samoa’s Fale Fono, while controversial, is a reminder that the Legislative Assembly—currently comprised of 53 members—is above all a young parliament; less tethered to historical precedent than other parliaments in the Westminster tradition. Instead, it is relatively dynamic and able to innovate. In its first 50 years, the legislative assembly consistently tinkered with key tenets of its democratic system, including suffrage and term length. Initially, voting rights were restricted to *matai* title holders only. In 1990, following a referendum, suffrage was expanded to all adults over the age of 21. In 1991, the government extended the parliamentary term from three to five years, with immediate effect. These changes were enabled by the remarkable political stability engineered by the Human Rights Protection Party (HRPP). From the 1980s to 2021, the HRPP had a near-monopoly on Samoan politics, consistently re-elected with two-thirds majorities or higher, which enabled the party to change the constitution essentially at will (Iati, 2013). In the far less stable but still patriarchal parliamentary context of Fiji, the reversion to a Westminster-inspired building perhaps signals a perception among some political elders of the relative safety in foreign parliamentary traditions, particularly insofar as they were seen to minimise the challenge of divisive internal ethnic politics (see Herr, 2015). Fiji’s tumultuous post-independence political history has seen four coups, four constitutions, and very few peaceful transfers of power. Under the current electoral regime based on the 2013 constitution, the parliament, composed of 51 members, is elected by a single-electorate open-list proportional representation system.

3. Research Design and Methods

The balancing act between local and Western democratic norms described in the previous section is not just a backdrop to our research problem—it is foundational. Gender sensitive norms, when institutionalized legitimately, have the power to bring long-lasting change for gender equality, but we suggest that the process of legitimizing those norms depends entirely on the amenability of local institutional cultures. Our question then is how are international norms localised in male-dominated parliaments and where there is an ongoing struggle between Western interpretations of democracy and local norms of traditional governance, including on the appropriate role of women in politics? This research differs from our previous work (see Palmieri & Baker, 2022) on two specific counts: (a) we take a comparative perspective rather than a single case study; and (b) we consider two different gender sensitive reforms rather than one (previously, family-friendly reforms in the Parliament of New Zealand). There is of course a significant limitation to our current approach—we are clearly not comparing like for like, nor are we able to dedicate the same level of in-depth analysis to each case. We consider, however, that there is still merit in our comparative approach given our primary concern in the role of context on the acceptance (or not) of a norm rather than the reforms themselves.

We reapply our methodology of practice tracing derived from the work of Pouliot (2015), using publicly available sources, including news articles and blogs, transcripts of speeches, and scholarly commentary to

describe retrospectively the practices involved in implementing and sustaining the reforms. Some of the research presented in this article also draws on interviews undertaken as part of a larger project (see Palmieri & Nailumu, in press). In Pouliot's (2015, p. 258) words, practices "are both particular (as contextually embedded) and general (as patterns of actions)." As such, we can use practice tracing to generate both specific and wider insights from in-depth case study research.

While we have both played practitioner roles in the gender sensitive parliamentary arena (both as parliamentary staffers and as consultants), this research has predominantly been undertaken from the position of academics. Mindful of this positionality, we begin our analysis by considering the rule changes implemented from both their international normative perspective and their cultural and institutional contexts. While we took an open approach to operationalizing the concept of contextualization, we were broadly interested in three factors: (a) the language used to establish the reform; (b) the local appetite for international gender sensitive norms; and (c) the male leaders' involvement in the establishment of the reforms. We then describe processes we consider to be norm contestation. We looked for evidence of critical engagement with, or even objection to, the reform in each country. We find that in Samoa, the gender quota has emerged as a stronger, although still disputed, element of the country's parliamentary process as a consequence of significant local contestation. In Fiji's more authoritarian parliamentary environment, where contestation was effectively outlawed for over a decade, gender mainstreaming remains part of the standing orders but is implemented with limited motivation and effectiveness.

4. Towards Norm Localisation: Understanding Reforms in Context

We now describe how gender balance and gender mainstreaming reforms were implemented in Samoa and Fiji respectively to understand the relevant institutional and cultural contexts.

4.1. Reforms to Achieve Gender Balanced Parliamentary Representation in Samoa

Women have historically been under-represented in Samoan politics. The first woman parliamentarian, Leaupepe Taulapapa Faimaala Phillips, was elected in 1970. As of January 2024, 19 women have been elected or appointed to the Samoan parliament, excluding those who were unseated in post-election court challenges. Yet within the Pacific Islands region, with its generally low levels of women's political representation, Samoa is something of an outlier. The longest-serving woman MP in the region, Fiamē Naomi Mata'afa, is Samoan; since 2016, she has also served as Samoa's first woman deputy prime minister and, since 2021, its first woman prime minister.

Samoa society is based around the system of *fa'amatai*. Under this system, each extended family is led by a *matai*, who is chosen by consensus. The *matai* have leadership responsibilities within their family, village, and wider community. Only *matai* are eligible to sit on the village council (*fono*). At the national level, parliamentary candidates are required to have a *matai* title from the constituency they wish to represent.

While in theory women and men have mostly equal rights to *matai* titles, in practice titles are most often bestowed upon men. One noted trend is that of eligible women ceding potential titles to male relatives, a process that is often engaged willingly but does reflect norms of leadership in Samoan communities (Meleisea et al., 2015; Motusaga, 2021). As per the 2021 census, just 8.9% of Samoan residents with *matai* titles were

women (Samoa Bureau of Statistics, 2022). When women do hold *matai* titles, they are less likely than their male counterparts to participate in village government, either because of formal bans or informal barriers (Meleisea et al., 2015).

In 2013, Samoa became the first country in the Pacific Islands region to introduce a parliamentary gender quota. The implementation of this quota was very much driven from within the cabinet: long-serving HRPP Prime Minister Tuilaepa was a key proponent, and the quota legislation was swiftly passed despite some concerns raised by the opposition and backbench government politicians (Baker, 2019). On its face, Samoa's gender quota reform is evidence of innovation, this time towards the goal of creating a more gender-equal institution, in a young parliament.

In September 2011, Tuilaepa announced his intention to implement a parliamentary gender quota. This came as a surprise to many, given his previous public statements opposing such a move. In January 2012, a constitutional amendment was introduced for debate in parliament. This proposed amendment set a minimum level of women's representation at "10%...which for the avoidance of doubt is presently five" (Government of Samoa, 2013). Should fewer women be elected in any general election, the amendment mandated the creation of additional seats for women to meet this threshold. These seats would be occupied by the highest-polling (percentage-wise) unsuccessful women candidates in that election (Baker, 2019). While a UN technical advisor was sent to Samoa to assist with the development of the quota, the relatively unusual design of the quota suggests a local design. This is emphasised by the target of 10% representation—significantly below the 30% target set by the Millennium Development Goals, but a more realistic and acceptable figure in a context defined by consistently low levels of women's representation.

Opposition MPs, and even some members of the HRPP, initially expressed their opposition to the idea. Arguments against the quota were generally based on ideas of fairness and merit. Other criticism of the quota proposal centred around the perception that it was a foreign-led agenda. This idea was exemplified by a common rumour circulating at the time, that then-United Nations Secretary-General Ban Ki-Moon had personally persuaded Tuilaepa to adopt a gender quota. While this was never confirmed, Tuilaepa's public statements did suggest international norms had some influence, with repeated references to UN human rights mandates and to the "embarrassment" of persistently low levels of women's political representation (see Baker, 2019).

Despite the controversy, in June 2013, the parliament overwhelmingly voted in favour of the amendment at its third reading, and it was passed into law. The government's ability to push through the gender quota law was due to its two-thirds majority in parliament and the significant political capital of Tuilaepa who had been prime minister since 1998. This political dominance was maintained through policies designed to weaken opposition movements and limit media freedom (see Ilati, 2013). In this context, and given the comments above, the quota reform process could arguably be considered a move designed to improve Samoa's international reputation for democracy rather than substantively increase women's access to decision-making. Nevertheless, the move to establish a minimum level of women's representation in parliament—at a relatively low 10%, but still higher than any previous Samoan parliament—was significant.

During the period in which the gender quota legislation was debated in parliament, there were two women MPs, both HRPP members: Fiaame (who was also a cabinet minister) and Gatoloaifaana Amataga

Alesana-Gidlow. Neither played an active role in drafting or defending the legislation (Baker, 2019). This could be seen as an example of the practice of “implicit feminism” in allowing men to take the lead in advocating gender equality initiatives (see Spark et al., 2021). Indeed, the prime minister was overwhelmingly viewed as the key proponent of the quota and it was his support for the proposal that was seen as the key factor guaranteeing its success (Baker, 2019). Outside the country, Fiame was called on to promote the Samoan quota, and her comments point to an implicit feminism strategy. At a regional conference on temporary special measures (TSMs) organized by the UNDP in 2015, she explained: “we decided that we needed to provide a floor, not a ceiling,” and further advised her regional peers that “you have to have a leadership that has the political will to [introduce a TSM]. We need to target the leadership—they need to say, ‘this is the job and this is the action we need to take’” (UNDP, 2015, pp. 14–15).

4.2. The Fijian Parliamentary Mandate for Gender Mainstreaming

The Parliament of Fiji has had some of the Pacific region’s highest representation of women and indeed, often appeared higher than Samoa in the Inter-Parliamentary Union’s international rankings (see Figure 1). In 2018, the parliament reached its highest proportion of women at just under 20% without a gender quota in place. This milestone, however, was followed by a steep drop in the subsequent 2022 election when only six women candidates were successful, taking up 10.9% of parliamentary seats (Kant & Baker, 2023). Gender quotas have not been implemented in Fiji, although they had been promised by various political parties before the 2006 election (Nicholl, 2007, p. 161).

Instead, the gender equality reform established in Fiji, related to the operation of the parliament, was reinstated after eight years of suspension. In 2013, Fiji’s fourth (and latest) constitution since independence

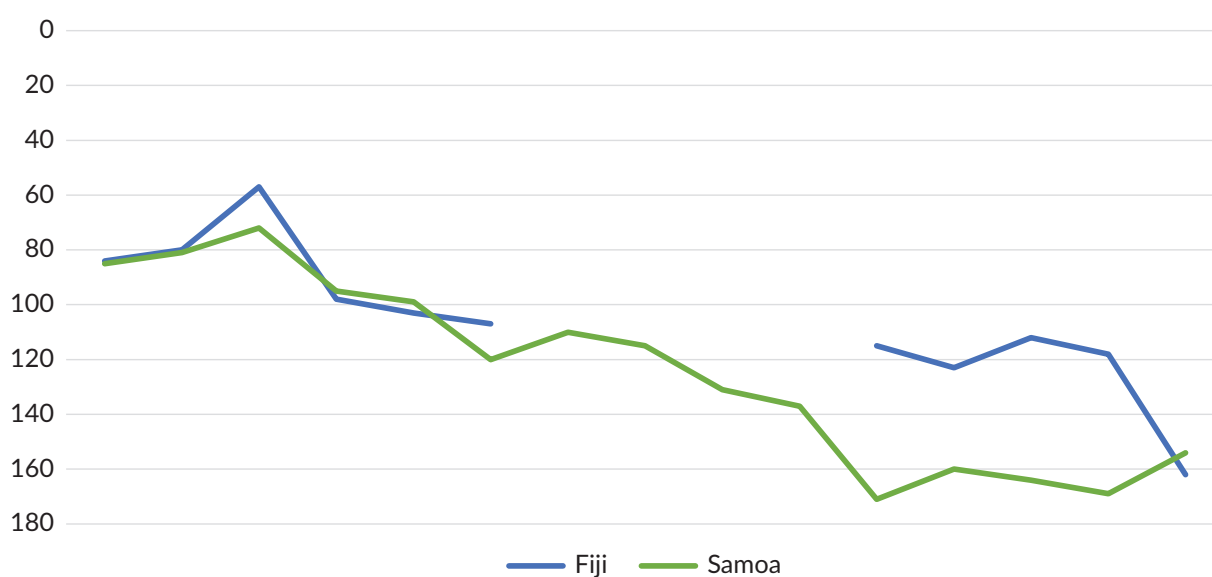


Figure 1. Falling international rankings of women in national parliaments, 1996–2024. Notes: The higher the global ranking number (y axis), the lower the country is ranked over time (x axis); The Fiji Parliament was suspended from 2006 to 2014; Data reflects the international ranking at the beginning of the plotted year, except in 1996 where it reflects the ranking at end of that year. Source: IPU (2024).

introduced an open-list proportional representation system. The new electoral system, coupled with restrictions on citizens' rights to freedom of speech and opposition, resulted in the landslide election of Fiji First, the party of 2006 coup leader and former "interim prime minister" Bainimarama. The opposition—the Social Democratic Liberal Party and the National Federation Party—was described as "virtually smothered by Fiji First's parliamentary hegemony" (Ratuva & Lawson, 2016, p. 9).

It is in this context that new rules of procedure were prepared for the parliament. The UNDP Pacific Office based in the country's capital, Suva, was asked to provide technical assistance in the lead-up to the re-establishment of the parliament, including revisions of its standing orders. The UNDP contracted an international consultant (a male former member of a sub-national assembly in the Global North) with considerable experience in global parliamentary support to begin consultations on a new set of standing orders. In reviewing the rules, the consultant referred to good practice guides in gender mainstreaming prepared by the Inter-Parliamentary Union (2011, 2012) and consulted with international gender and politics experts working for UN Women (Palmieri & Nailumu, in press).

This consultant was personally committed to the idea that gender mainstreaming should be the responsibility of all parliamentary committees—in line with the model established in the Parliament of Sweden—rather than requiring one body to do all the gender mainstreaming work (Palmieri & Nailumu, in press). This being the case, the consultant drafted the following order as part of his review of the rules:

110 (2) Where a committee conducts an activity listed in clause (1), the committee shall ensure that full consideration will be given to the principle of gender equality so as to ensure all matters are considered with regard to the impact and benefit on both men and women equally. (Parliament of Fiji, 1994, p. 39)

In practice, the new provision made it mandatory for Fiji's six standing committees to "balance the interests of men and women in the scrutiny of bills and reports" (Commonwealth Parliamentary Association, 2017, p. 303). Committees tabling a report that considered a bill were required to include a paragraph on issues related to gender. Committees scrutinising annual reports were encouraged to request sex-disaggregated data from government ministries and consider the differential benefits of government programs for men and women.

Rewriting the standing orders for a parliament that has been suspended for eight years is of course a political process. It is important to note that not all the amendments proposed by the UNDP's consultant to the standing orders were endorsed by the political leadership in Fiji, specifically, by the then Prime Minister Bainimarama and Attorney General Aiyaz Sayed-Khaiyum. Not unexpectedly, some proposals were rejected; the government had previously rejected an entire draft of the constitution prepared by the Constitution Commission in 2012 (Citizens' Constitutional Forum, 2016, p. 10). The gender mainstreaming amendment, however, was approved, and to date has not been changed in any way. In this sense, the standing order 110(2) represents a rare parliamentary mandate—in the Global South, but also the Global North—to support gender mainstreaming in the work of committees.

It also represents a nod by Fijian political leaders to international normative frameworks of good democratic practice, and a desire to be seen as reaffirming those democratic values to the international community. The 2006 military coup had seen Fiji suspended from regional and international fora such as the Commonwealth, the Inter-Parliamentary Union, and the Pacific Islands Forum, organisations known to

espouse values of democracy and human rights, including gender equality. Fiji's position—both in the region and internationally—was considered “strengthened by its return to democratic rule” (Stewart, 2016, p. 231). On his election, Bainimarama publicly claimed an interest in joining these communities:

....I will be travelling to New York in the coming days to attend the United Nations General Assembly. There, I will tell the world what we have just accomplished in Fiji....Because I promised the nation of Fiji and the international community that I would take Fiji to the first genuine democracy in our history and I have kept that promise. (Morris, 2014)

While not a drafter of the standing order, the newly appointed female Speaker Dr Jiko Luveni became one of its strongest advocates. Dr Luveni was the first woman in Fiji to graduate as a dentist and had been appointed minister for health, then minister for social welfare, women, and poverty alleviation in Bainimarama's interim government, before successfully running for election in 2014. Like Fiame in Samoa, Dr Luveni would also be called on to defend her parliament's gender mainstreaming mandate. Speaking at the launch of the toolkit that was developed to support the work-in-practice of the standing order, Dr Luveni noted:

In Fiji, I am glad to say that we are at the forefront of efforts to mainstream gender in the works of Parliament. We are one of, if not the only, Parliament in the world that has Standing Orders that makes it mandatory for Standing Committees to consider the issue of gender in their work and reflect it in their reports. (Luveni, 2016)

5. Contested Norms in Samoa and Fiji?

In line with the work of Acharya (2004) and Wiener (2018), we argue that a second requirement of norm localisation involves a form of contestation (as either an objection to or critical engagement with) the norm (see Palmieri & Baker, 2022). We now consider the extent to which both Samoa's gender quota and Fiji's gender mainstreaming requirement have been subject to contestation. Interestingly, since their adoption, realignment elections in both countries (2021 in Samoa and 2022 in Fiji) have resulted in significantly different political environments.

5.1. Contestation of the Samoan Gender Quota

The 2021 election presented a dramatic break with continuity for Samoan politics. In the previous election, the HRPP had dominated, with their endorsed or affiliated candidates winning 94% of the seats. In the lead-up to the 2021 election, however, splits within the party emerged over various issues, including controversial changes to the status of the Land & Titles Court, an institution that dealt with customary matters relating to land tenure and *matai* titles. In September 2020, Fiame—then deputy prime minister—resigned from cabinet in protest over these changes. In early 2021, she announced she was joining the newly formed opposition party Fa'atuatua i le Atua Samoa ua Tasi (FAST), accepting their invitation to become the party's leader. The rise of FAST as a political force fundamentally changed the dynamics of Samoa's politics.

This election put the parliamentary gender quota firmly into the spotlight. The 9 April poll had seen five women elected, including Fiame who ran unopposed, which led many to assume that the constitutional threshold had been met. But it delivered a deadlocked result, with the HRPP and FAST winning 25 seats each, and one seat

won by an independent (Alofaituli, 2022). As each party entered negotiations with the sole independent MP, two rumours began to gain currency: first, that FAST had the upper hand in the negotiations, and second, that the appointment of a sixth woman MP might be imminent. The second rumour was based on a reading of the quota provision which emphasised the threshold as 10%. Since parliament had increased in size since the constitutional amendment was adopted—from 49 to 51 seats—five women MPs no longer constituted 10% of the parliament.

On the evening of 20 April, the head of state issued a warrant of election appointing Ali'imalemanu Alofa Tuuau, a former HRPP member who had lost her seat to a FAST candidate, to parliament as the highest-polling unsuccessful woman election candidate. The next day, FAST publicly secured the support of the sole independent MP, meaning parliament was again deadlocked, this time with each side claiming 26 seats. On 4 May, the head of state issued the writs for a second general election. Both the appointment of a sixth woman MP and the calling of a second election were challenged in court by FAST.

As a series of tense and protracted court battles waged, the constitutional crisis deepened. Debates were often centred around competing interpretations of the gender quota legislation. The HRPP mobilised supporters to demand a more expansive interpretation of the quota provision, through social media posts and a women's empowerment march in Apia. FAST criticised this interpretation, calling the appointment of a sixth woman MP "a clear side step and a misuse of the law and the constitution" (Jackson, 2021). Yet FAST also presented itself as supportive of women's political rights, emphasising the importance of Fiamē's leadership (see Baker & Corbett, 2023; Baker & Palmieri, 2023).

Ultimately, a court of appeal ruling in July 2021 paved the way for FAST to form the government—and for Fiamē to become Samoa's first woman prime minister. Even as the constitutional crisis was resolved, however, questions remain over the future of the parliamentary gender quota. The final court of appeal judgement cited issues with the drafting of the quota amendment, noting "mixed messages, confusion and an ambiguity of ideas" in the legislation that contributed to the constitutional crisis (*Electoral Commissioner & Anor v. Faatuatua i le Atua Samoa ua Tasi & Anor*, 2021, p. 3). A Commission of Inquiry into the 2021 election recommended reviewing the provision; it was claimed that the majority of submissions to the inquiry did not support the quota provisions (Keresoma, 2023). After the report was tabled, a parliamentary committee initially proposed removing the quota but later moderated their position to amend it with clearer wording ("Samoa Parliament agrees," 2023).

5.2. Contestation of Gender Mainstreaming in Fiji

Somewhat similarly in Fiji, the December 2022 election resulted in the ousting of the Bainimarama administration after 16 years in power. In its place, a new party, the People's Alliance Party, led by another "coup leader turned civilian prime minister," Sitiveni Rabuka, formed a governing coalition with a narrowly-held majority (Fraenkel, 2023). With its election slogan of "let the love shine"—a euphemism for greater transparency and accountability—the Rabuka government came into power with great expectations (Kant & Baker, 2023). For a start, civil society expected to be able to make a stronger contribution to policy-making through parliamentary processes following years of executive-legislative interactions being "biased in favour of the executive" (Kant, 2022).

These expectations reflect the extreme difficulties faced by civil society actors in engaging with the autocratic Bainimarama administration. Any form of government critique, including the expression of opposition from important institutions of civil society was suppressed under the 2013 constitution. Civil society organisations were heavily monitored and repressed (Regan et al., 2023). In this context, it was not common practice for women’s and feminist organisations to make parliamentary submissions that would present committees with the kind of information and research required to consider adequately, let alone reduce, gender inequalities in specific inquiries. While most committee reports prepared to include a section on “gender,” the analysis typically reported whether organisations related to the topic of inquiry employed an equal number of men and women (Palmieri & Nailumu, in press). Committees have not assessed (and/or have been reluctant to assess) the differential impact on men and women of all legislation, policies and programs in line with the international understanding of gender mainstreaming. The political make-up of parliamentary committees in Fiji has also meant that government members—not only as chairs but as numerically dominant—always controlled the agenda and the discussion. These government members closely followed the direction of the prime minister and the attorney-general. In this sense, it would be fair to characterise the Bainimarama regime’s approach to gender equality as merely “genderwashing” (Bjarnegård & Zetterberg, 2022)—accepting an international consultant’s proposal for gender mainstreaming in parliament could be seen as little more than an attempt to divert the international community’s gaze from broader human rights abuses and limited democratic freedoms. Indeed, this reform was referenced in the Fiji government’s reply to the CEDAW Committee following its appearance in 2018 as an example of a “gender impact assessment” (Committee on the Elimination of Discrimination Against Women, 2018, p. 4).

To some extent, there has been some internal contestation of the workability of the standing order. In 2016, the UNDP’s dedicated parliamentary strengthening project in Fiji sought to expand the skills of MPs and parliamentary staff in undertaking gender analyses. A parliamentary officer from the Global North was seconded to work as a clerk to the parliamentary committees for five months. The secondment intended to support a more detailed understanding of the Fiji parliamentary system, as well as the political and social context, in the development of a toolkit.

Yet even with a relatively strong toolkit, gender analysis of key legislation could be considered ineffective. A good example is electoral legislation passed in the lead-up to the 2022 election. In response to a High Court ruling, the Bainimarama administration introduced changes to the Electoral (Registration of Voters) Act 2012 requiring the names registered on the electoral roll to match that on an individual’s birth certificate. Women’s rights organisations argued that these amendments had gender discriminatory consequences: married women were likely to be disenfranchised. Rather than presenting these arguments to the parliament, however, seven women filed a constitutional challenge on the grounds of sex, gender, and marital status discrimination, but also in light of the likely violation of privacy for 100,000 Fijian women (see Kant, 2022).

The provision requiring committees to consider the principle of gender equality has remained in the standing orders following the 2022 election and the establishment of a new parliament. This parliament, however, has arguably taken a more diluted approach to its implementation. Rather than having a separate section relating to gender equality, parliamentary reports since 2022 have tended to present an analysis of the relevance of the sustainable development goals.

6. Conclusion: Implications for Norm Localisation

There are useful lessons to be heeded from the introduction of these gender equality reforms in Samoa and Fiji—not just for the region, but globally. In the process of contextualization, we note three important findings. First, the wording of the reform is instructive. The “10%” law is uniquely Samoan, drafted by Samoans. It was determined that the quota would represent “a floor,” rather than a ceiling, and represented no threat to the *matai* system. Conversely, standing order 110(2) is an internationally phrased reform, drafted by an international consultant, without any attempt at “grafting” onto the Fijian parliamentary (or political) system.

Second, international reputation matters. In the case of Fiji, the reform came into effect as Bainimarama was trying to reassert himself as a good international citizen who abided—at least rhetorically—by internationally recognized democratic values. The Samoan reform was also influenced by international norms, with the government acknowledging its low ranking on global league tables of women in politics as part of the impetus for quota adoption. In both these cases we can see a form of “genderwashing” (Bjarnegård & Zetterberg, 2022), with autocratic male leaders instituting gender reforms to bolster democratic legitimacy.

Third, male leaders’ involvement in reform establishment is vital. Women leaders in both Samoa and Fiji recognised the cultural value of male leaders taking responsibility for the reforms. This is not, however, to deny the critical role women played either behind the scenes or subsequently in the promotion or socialization of the reforms, nationally, regionally, and internationally.

On the process of contestation, we note that in Samoa, there has been a very public contestation both electorally and through the courts, with calls for clearer wording of the reform provision. As noted above (Section 5.1), following a commission of inquiry into the 2021 election, a parliamentary committee proposed removing the quota altogether. A survey carried out shortly before the 2021 election, however, found 78% support for the statement “There should be temporary special measures to increase women’s representation in parliament” (Leach et al., 2022). In Fiji, given public contestation was outlawed during the 16 years of the former administration, it is not surprising that the norm has not been localised. While the Samoan reform has improved the specific gender inequality it intended to reverse (the under-representation of women in parliament), the same cannot be said of the gender mainstreaming mandate in Fiji. The lesson in Fiji rather is that there is a world of difference between a public commitment to an international norm and the local cultural acceptance of that norm.

What then of these reforms’ effectiveness in reducing gender equality? Samoa’s gender quota legislation sets a modest minimum level of women’s representation at 10% of parliamentary seats. While it has been used to bolster the number of women in politics, it has also been used by political actors to seek to maintain power (and to prevent the appointment of a woman prime minister). In the case of the Samoan parliament, the gender quota demonstrates that newer institutions can be more amenable to gender equality reforms, yet it is only seen as acceptable insofar as the (masculinised) structures of political power remain unchanged. Despite the implementation of the quota, other established aspects of Samoa’s political system that might disadvantage aspiring women candidates remain unchanged. One notable barrier to greater women’s representation is the *matai*-only eligibility rule. This substantially restricts the number of potential women candidates: just 3% of women aged 21 and over residing in Samoa hold at least one *matai* title, compared to 28% of men (Samoa Bureau of Statistics, 2022). Public opinion on the rule is divided: A 2021 survey

reported that 50% of respondents approved the *matai*-only eligibility, with 49% disapproving. Notably, male respondents reported a higher degree of support for *matai*-only eligibility than women did (Leach et al., 2022). Yet there seems to be little interest among political actors to change candidature requirements.

From an international perspective, Fiji's standing order 110(2) meets the highest normative standard in terms of a gender equality parliamentary reform. It has been institutionalised in so far as it remains a provision of the rules of parliament; it requires that the responsibility for mainstreaming is shared across all parliamentary committees rather than making it the work of one gender-focused committee; and it requires attention to the principle of gender equality in the oversight of bills, petitions, and government departments' annual reports. Yet its (in)effectiveness in improving gender equality outcomes in Fiji is—at least in part—related to broader practices of parliamentary democracy, including an open and accountable relationship between parliament and civil society organisations. Parliament's choice of gender organisations and experts to partner with, and the degree to which parliament engages those organisations, is political. Seeking submissions from, and then including the research and expertise of, civil society organisations is part of the democratic process. There is still room for improvement in this regard in Fiji.

Global normative frameworks are essential to the gender equality project. They set much-needed aspirational targets for all peoples and governments in eliminating all forms of gender-based discrimination. Yet their local translation cannot be taken for granted. Processes of contextualisation and contestation make these global aspirations relevant and tangible outcomes. In this article, our underlying motivation has been to demonstrate the futility of a one-size-fits-all approach to that translation process. By contrasting the adoption and implementation of gender equality parliamentary reforms in Samoa and Fiji, we have shown that there is a need to support parliaments in navigating their own bespoke culturally sensitive paths towards norm localisation.

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