

The Controversial Use of the Gender Quota in the 2021 Samoan General Election: A Personal Perspective – Part 2

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In Brief 2021/17

*Dr Mema Motusaga writes with experience as an advocate for women's equality in all spaces. Her doctoral thesis, *Women in Decision Making in Samoa*, includes a detailed discussion of the introduction of temporary special measures that resulted in the introduction of a gender quota. This personal perspective does not necessarily reflect the views of her employer.*

The 2021 general election in Samoa was followed by a series of controversial events, including the use of the gender quota as a strategy for the incumbent government to hold onto power. The first In Brief of this two-part series describes the events and gives an explanation of Samoan gender norms. This part discusses the introduction of the gender quota and comments on the attempted use of this temporary special measure (TSM) as a strategy to decide the government. As a Samoan woman who was born and raised with a strong cultural background and who has lived in Samoa most of her life, I have found this situation very uncomfortable.

Samoa was the first independent Pacific Island country to ratify the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) in 1992, a pivotal moment for the country in progressing women's participation in leadership and decision-making. Since then, Samoa has continued to lead the region in promoting gender equality by enacting the necessary legislation to give CEDAW domestic effect, including the introduction of the [Constitutional Amendment Act 2013](#), which established a quota system for representation of women in parliament. This quota, considered a TSM, requires 10 per cent of the seats in the legislative assembly to be reserved for women.¹ Despite significant international advocacy, Samoa remains the only independent Pacific Island country to have legislated such a quota.² The quota was introduced because the representation of women in the Samoan parliament had never exceeded 10 per cent. Sadly, the 10 per cent quota is now the subject of political controversy.

Samoa politics has made history globally in terms of having the same party rule the political arena for almost 40 years. The 2021 general election's initial result was historic, as it saw what

might have been a momentous change in Samoa's politics, with a high possibility of a change of government — and, most remarkably, a female prime minister. As discussed in Part 1, Fiamē Naomi Mata'afa has been sworn in as the first female Prime Minister of the Independent State of Samoa and the second female prime minister in the Pacific region. However, her prime ministership is being contested, with legal actions being taken regarding whether the swearing-in was constitutional.

The attempted use of the TSM clause as a deciding factor in establishing government, in my opinion, makes a mockery of the objective of the Constitutional Amendment Act 2013. My PhD fieldwork revealed that in the lead up to establishing the amendment, there was strong outcry from men who opposed its introduction (Motusaga 2016). The use of the *feagaiga* concept (sister and brother covenant relationship) explained in Part 1 of this In Brief, where the sister is to be respected in all aspects, was misused as an argument against the quota. Constitutional Amendment Act 2013 consultations revealed that (some) men understood their role in the covenantal relationship as serving, treating and safeguarding their sisters with high regard, especially in terms of the language used in their presence. Because these men considered politics a male-dominated space in which discussions are often heated and the language used can be rude and disrespectful, they argued that the presence of women would change the tone of political debate; that male politicians would be restricted in the way they expressed themselves. In the men's words, it would take away 'the fun of the game'. Other men referenced the role of the sister *faamaepaepa* (to sit pretty and wait to be served) as another reason to limit women's participation in politics.

These arguments clearly show some misunderstanding or misinterpretation of the Samoan concept of equality based on its practical application and demonstration over the years, particularly where Samoan men have been given their family's chiefly title by their sisters as an *act of respect*. With this cultural understanding, resistance to the introduction of the quota can be seen as an excuse on the part of those who fear the loss of their political privilege (some men) to limit the political voice of

Samoa women. The amendment was eventually drafted and passed in parliament.

Its first use was during the 2016 general election, where women won only four seats in their own right. A fifth woman needed to be appointed to reach 10 per cent. In the 2021 election — where five women won seats in their own right — the use of the quota is perverse. The quota clause clarifies ‘for the avoidance of doubt’ that the number of women required ‘is presently five’.

Increasing the number of women in the political arena is equally as important as having established the gender equality measure in the first place. Fairness and justice in achieving an outcome are crucial and must be pursued vigilantly. Given that a woman was the first *Tafaifa* (monarch — queen) in Samoan history, and that Samoa has led the advancement of gender equality in the Blue Pacific, I am confident that a Samoan woman can become prime minister.

I view the invocation of the TSM clause as not taking into account the Samoan context where women are treated with utmost respect and not to be used as weapons or an excuse to cover for some systematic ambiguities. Such action, in my opinion, is an insult to the prominent women leaders, past and present, who have fought the hardest battles to get Samoa to its current status in terms of sustainable development, including in the fight for gender equality. I am positive that the objective of our leaders and our women champions who initiated the Constitutional Amendment Act 2013 was not to use such measures as a barrier to further disadvantage Samoan women from reaching the highest position in politics. Further, the use of the TSM in this way devalues the hard work of those at the Electoral Commission, including advocacy campaigns and voter education about the importance of women’s participation in leadership. Indeed, this is a bittersweet moment for the development partners who have invested in these campaigns. Growing up in Samoa, learning and witnessing the value of our Samoan women and understanding our place within our culture and society as a whole made me believe that one day a Samoan woman would eventually become prime minister.

In striving for gender equality, especially through increasing the number of women leaders in politics, it is important to carefully consider the *processes* of achieving our goal, so that we do not sabotage our own efforts. I feel it is very important to reflect back on the essence of the *va tausí* and *va nonofo* in the context of the *feagaiga* concept. It is also crucially important to watch our actions carefully so we ‘don’t hurt our own eyes with our own fingers’, as translated in the Samoan saying *Seu le manu ae tagai i le galu, leaga o si o ta lima lava e paia ai si o ta mata*.

Date of publication: 1/06/2021

Author notes

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References

Motusaga, M. 2016 [Women in Decision Making in Samoa](#). PhD thesis, Department of Philosophy, Victoria University, Australia.

Endnotes

1. The amendment provides for the inclusion of Article 44 (1A) of the constitution, which states: ‘Subject to this Article, women Members of the Legislative Assembly shall: (a) consist of a minimum of 10% of the Members of the Legislative Assembly specified under clause (1) which for the avoidance of doubt is presently 5’. At the time this amendment was made, the total number of seats was 50, which made the five women’s seats 10 per cent of the total. An extra seat was added in 2016 to meet the 10 per cent threshold at that election.
2. Gender quotas are used in the French Pacific territories and at the sub-national level in the Autonomous Region of Bougainville and in two local councils in Vanuatu.

