

King Tupou VI hits it off with Tonga's Prime Minister Eke

by Lopeti Senituli

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Tonga's Prime Minister 'Aisake Valu Eke appoints Crown Prince Tupouto'a 'Ulukalala as the Foreign Minister, 28 January 2025

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There is growing evidence that King Tupou VI has found a kindred spirit in **Prime Minister Dr 'Aisake Valu Eke** and that they are hitting it off. This is in clear contrast to the working relations between the King and the past three Prime Ministers, especially his immediate predecessor, **Siaosi 'Ofakivahafolau Sovaleni**, also known by his chiefly title Hon. Hu'akavameiliku, and the late Samuela 'Akilisi Pohiva.

Hu'akavameiliku had resigned from his role as Prime Minister at the beginning of his fourth year in office in December 2024 as the Legislative Assembly was scheduled to discuss and vote on a vote of no-confidence that Prime Minister Eke and colleagues had cobbled together with a formidable team of supporters, including seven of the nine eligible Noble's Representatives, three of whom were members of Hu'akavameiliku's Cabinet.

Hu'akavameiliku got a whiff of the tectonic shift in the allegiance of his Cabinet colleagues and, suspicious of King Tupou VI's connivance, said in his resignation speech, "I had thought that this country had been granted freedom, but it is obvious that there are still limitations placed on that freedom. ... So, let me be the sacrificial lamb so that your vote can be held in total freedom." He was alluding to the constitutional amendments that had been adopted by the parliament in 2010 which had become law and allowed for a more democratic government to be elected in November that year.

The amended constitution provided for a parliament of 26 elected members (17 People's Representatives and 9 Noble's Representatives). These 26 then elect a Prime Minister from their ranks, whom they recommend to the King for appointment. The Prime Minister nominates 11 Cabinet Ministers from among the remaining 25 elected members, and the King appoints them. The size of Cabinet was limited to 12, including the Prime Minister, who was also constitutionally permitted to select up to four Cabinet ministers from outside of the parliament should he deem it necessary, potentially boosting the effective membership of parliament to 30.

So, Hu'akavameiliku's lament, that he thought that he had been granted "freedom", must be seen in the context of his interpretation, correct or otherwise, of the relevant clauses of the Constitution granting him permission to nominate 11 elected members and four unelected members to his Cabinet and have the King appoint them as a matter of course. One must recall that among the three non-elected members he had nominated for the Cabinet in January 2022 was the Minister for Foreign Affairs, Fekita 'Utoikamanu, the country's former Ambassador to the United Nations, whom the King had duly appointed as a matter of course.

Then at the end of 2023, the secretary to the King's Privy Council leaked to the media his letter to the Acting Prime Minister Samiu Kuita Vaipulu, saying that the King had withdrawn his confidence and trust in 'Utoikamanu as Minister for Foreign Affairs. The letter also revealed that the King had also withdrawn his confidence and trust in the then Prime Minister Hu'akavameiliku as Minister of His Majesty's Armed Forces (Defence). So, the King had deliberately aimed a warning shot across the bow of Hu'akavameiliku's Cabinet, to remind him that he still retained some residue of the executive powers granted by the constitution and legislation of the country.

According to clause 51(1) of the 2010 Constitution, the "executive authority" of the Kingdom is vested in the Cabinet, which shall be collectively responsible to the Legislative Assembly for the executive functions of the Government. However, clause 51(7) clarifies that the term "executive authority" in sub-clause (1) excludes all powers vested in the King or the King in Council, whether by this Constitution, or any Act of the Legislative Assembly, or any subordinate legislation or any Royal Prerogatives. That is very considerable residue of executive power, which should never be disregarded.

In August 2017, the King had dissolved parliament in accordance with his constitutional prerogative under clause 38 which allows him to do so at his pleasure and command that new representatives of the nobles and people be elected. This came out of the blue and 'Akilisi Pohiva was neither given reasons by the Palace Office nor a chance to respond. He refused advice to seek a judicial review, preferring instead to face the ballot at the end of the third year of his first four-year term as Prime Minister.

He won again and was returned as Prime Minister in January 2018. But he was never invited back to the Palace Office, as had been the practice in his first term and for his predecessors under clause 50A(3) of the Constitution which states that "the Prime Minister shall regularly, and as required, report to the King upon matters that have arisen within the government and upon the state of the country". He died in office in September 2019, a sad and disappointed Prime Minister.

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When the King **withdrew his confidence and trust** in Fekita 'Utoikamanu as Minister of Foreign Affairs and Hu'akavameiliku as Minister for His Majesty's Armed Forces at the end of 2023, there were reports that Hu'akavameiliku sought an opportunity for dialogue under clause 50A(3), but **his pleas were ignored**.

Now, things have clearly changed. The indications are that the King wants dialogue, and has been in regular dialogue, with Prime Minister Eke since December 2024. Just this week, the Prime Minister sought and was granted an adjournment of parliament in the midst of his oral presentation of his first 2025/2026 Appropriation Bill, in order to report to the King.

In January this year, the whole country waited with bated breath for the public announcement of Prime Minister Eke's new Cabinet. When it was finally announced, not a single elected Noble's Representative was in it. The coconut wireless reported that King Tupou VI had vetoed the three that were nominated. If that turns out to be true, it would be the first time that has happened in Tongan history and would be a harbinger of the growing rapport between the King and the Prime Minister. The "Constitutional Monarchy under His Majesty King Tupou VI" (as it is described in clause 30 of the Constitution) would have entered a new era of governance.

But there could be a dog in the manger yet. Rumour has it that the nine elected Nobles are not impressed with being unrepresented in Prime Minister Eke's Cabinet, and that they, or at least some of them, could switch allegiance and, following the resumption of parliamentary debate on 16 June, vote against the government's 2025/2026 Appropriation Bill.

It should be remarked that one particular noble does currently serve in the Cabinet. Crown Prince Tupouto'a 'Ulukalala now serves as Minister for Foreign Affairs and Minister for His Majesty's Armed Forces. The inclusion of a future King in two key roles is certain to have an influence on the dynamics of the new government.

With national elections due in November of this year, it remains to be seen whether Eke's rapport with the King will help or hinder his prospects of keeping the top job.

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