

## 'Aia Tatau and Afioga Tutasi: 'Aiga versus Tama a 'Aiga

*Manipulation of Old and New Practices: An MP for Falelatai and Samatau in Samoa's 2001 Elections*

The Samoan general elections held on 2 March 2001 returned the Human Rights Protection Party (HRPP) to office and Tuilaepa Sailele Malielegaoi to his second term as prime minister. The HRPP, which has governed Samoa since 1982, won 28 of the 49 parliamentary seats. These are the bare facts that satisfy the international community as to Samoa's liberal democratic credentials, but a close examination of the way elections occur in Samoa reveals that a much less liberal, less democratic and more traditional politics is at work than such election results might suggest.

The independent state of (Western) Samoa was constituted in 1962. It embraced two systems of authority. One system was regulated by 'aia tatau (human rights) and the other by *aganu'u ma agai'fanua fa'a Samoa* (Samoan custom). In simple terms, one system is urban and champions the right of the individual, while the other is rural and is based on the ancient right of family groups of *fa'alubeaga*. Most of us Samoans live within these extreme two limits. The two systems of authority are known and well documented in the region. They incorporate basic contradictions and Samoan academics have asserted that the rural-based value system is outdated and should be replaced because this is the root cause of confusion.<sup>1</sup> Some proclaim that the problem may be linked to the fact that Samoans are living in two worlds. This breeds a kind of moral confusion. These two sets of principles can be selectively invoked to justify almost any action. Here I trace this process in the 2001 elections in the village constituency of Falelatai and Samatau, a constituency where I grew up and which I regard as my place of birth. My present study concerns the contest and transformation of village authority between these two systems of authorities in the Falelatai/Samatau election. The focus is Falelatai. At a broader level, my subject is the modern transformation of authority systems in Samoa.

As a kin-based society, Samoan 'aiga-based hierarchies frame responses to modern innovations. The *matai* and 'aiga provide the foci of hereditary hierarchy. Political aspirations are expressed in terms of service to families and the enhancement of 'aiga and village ties. Blood ties, dynastic marriages, religion, personal ability and relative wealth, success in education and the professions and even the common law are manipulated to maintain the village authority system of *faiga nu'u fa'a Samoa*. These elements are the cultural foundations of power shifts in Samoan society.

Falelatai is located just over 60 km southwest from Apia and 21 km south from Faleolo airport. From the airport, Falelatai is a 35-minute bus ride along the main northwest road skirting the western half of Upolu. Approximately 2 km west of Faleolo is Mulifanua wharf, the docking port for inter-island ferries plying the Apolima Strait between Upolu and Savai'i to Salelologa wharf. From Mulifanua, the buses turn south through the villages of Sagafili, Samea, Fuailolo'o, Lalovi and Satuimalufilufi, followed by the resettled island/village communities of Apolima Uta and Manono Uta. Manono and Apolima islets sit placidly on the right as the bus passes by. At Cape Tulivae, the bus makes another left turn facing east along the main south road. Within minutes, Sualo, the first *pitonu'u* (sub-village) of Samatau<sup>2</sup> appears unannounced. Village signposts appear during major annual events such as the Teuila Festival in September and normally remain over the Christmas and New Year

<sup>1</sup> Unasa L. F. Va'a 'Local government in Samoa and the search for balance', in E. Huffer and A. So'o (eds), *Governance in Samoa, Pulega i Samoa* (Suva and Canberra 2000), 159; M. Meleisea, 'Governance, development and leadership in Polynesia, a micro-study from Samoa', in *ibid.*, 193.

<sup>2</sup> It combines with Falelatai to form an electoral constituency of Falelatai/Samatau.

holiday period. But the corrosive effect of sun, sea, rain, stray animals and vehicles ensure no permanence.

The first inkling of arrival in Falelatai is the sight of a weatherboard and corrugated iron roof government hospital, which once had a signpost in its rocky front yard. Emblazoned across it was 'Falelatai and Samatau District Hospital'. It is situated at Si'ufaga, the first of Falelatai's eight<sup>3</sup> *pitonu'u*. A small room next to the main entrance of the hospital building houses the Post Office and the only telephone line for the district. A hundred metres further, the road passes between the Congregational Christian Church (EFKS) building and the pastor's residence. The buildings face each other and are separated by the road. Twenty metres further stands the Catholic Church building. Both church buildings dominate everything in sight. Since the mid-1980s, the telephone line has been re-wired from the hospital first to the front yard of the Si'ufaga pastor's residence and later moved inside his house with virtually every call and caller monitored by his household on behalf of the Post Office Department. The drive through the remaining *pitonu'u* to the last, Sama'ilauago (Sama'i), takes 10–15 minutes from where the bus makes a three-point U-turn and returns to Apia. Sama'i lies at the bottom of a high ridge overlooking Falelatai to the west and its neighbouring village of Falese'ela to the east; the two are separated by a distance of just 2 km. In recent times, government attempts to join Sama'i and Falese'ela through a stretch of road over the hill have been frustrated by frequent torrential rain and landslides.<sup>4</sup>

Oral and genealogical traditions claim the place name of Falelatai came from a southwestern migration out of Fiji. All accounts concur that the legendary Samoan cognates, Latai and Se'ela, were children of To'o and Maga who originated from Fiji. According to traditions recorded by the Rev. George Turner in 1884, Latai and Se'ela were children of a Fijian couple.<sup>5</sup> One hundred years later, a descendant of the Fasavalu family in Falevai, Sio, related that the two were *tautai* (master fishermen or navigators) for the Tuifiti, who had come to Samoa in search of the Tuifiti's son. They decided to stay and Latai became the ancestor of Falelatai and Se'ela that of the neighbouring village Falese'ela.<sup>6</sup> However, a version from Falese'ela asserts a contrary view that Se'ela was barren and did not have any children.<sup>7</sup>

By Samoan standards, Falelatai is a large village. The latest available census (1991) puts the population at 2,117, the lowest over three censuses, with 2,382 for 1986 and 2,446 for 1981. The decline suggests continuing outward migration, mainly to Apia and overseas, experienced since the early 1950s. Falelatai is the home-base of a major national lineage, *le Falefitu o le 'Aiga Taua'ana* (seven houses or clans) called the Taua'ana. It is also the home of a *tama'aiga matai*, Tuimaleali'ifano, which has been the paramount *matai* since the early 19th century. Falelatai was propelled from obscurity to the world of print by John B. Stair, the Matanofu-based London Missionary Society (LMS) printer when he recorded a century-old massacre in his 1897 *Old Samoa*. A *malaga* (visiting party) from Upolu was at Fagasa, Tutuila, at the time the French explorer, La Pérouse appeared in 1787. A French watering party was sent ashore and a bloody encounter ensued between the two visiting parties. Over 10 Frenchmen were killed. The Upolu party, claimed Stair, was from Falelatai.<sup>8</sup>

<sup>3</sup> Sometimes nine if one counts Levi and Sagogo as separate *pitonu'u*.

<sup>4</sup> Falese'ela-bound traffic use the cross-island road at the Leulumoega turn-off.

<sup>5</sup> George Turner, *Samoa a Hundred Years Ago and Long Before* (London 1884), 248–9.

<sup>6</sup> Peseta S. Gatoloaifaana, *Sio Tapasa o folauga i aso afa: Compass of sailing in storm* (Apia 1984), 84. Cf. Written statement by the *Falefa* of 'Aiga Taua'ana dated 18 Feb. 1949 for LC 1006 court dispute over the conferring of honours on Salu and 'Auva'aiepeau. The *gafa* submitted by the *Falefa* begins with Latai 'marrying' Sinamoelala, p. 2.

<sup>7</sup> Pers. comm., Tusa, 17 Feb. 2001.

<sup>8</sup> Stair's informant was Lavasi'i. In *The Cyclopaedia of Samoa* (1908), 2, the Rev. George Turner contradicts Stair. Turner claims the Upolu visitors were from his mission station of Manono. It is likely that the Upolu visitors were either from both or had connections to both villages. Yet another version states Salani. Pers. comm. Leota Leulua'iali'i I'itu'au Ale, 10 Feb. 2001.

Contemporary Falelatai is divided into two distinct polities, an *ali'i*-oriented polity for noblemen or titular *matai*s and a *tulafale*-oriented polity for orators and heralds. Of the eight *pitonu'u*, only one, Pata, is *tulafale*-oriented. The rest are *ali'i*-oriented. The eight *pitonu'u* are connected by genealogy and titles and on occasions unite for village and district issues. But to a large degree, each *pitonu'u* is an autonomous polity. The seven *ali'i*-oriented polities are divided in two. One is centred in Matautu and the other is centred in Si'ufaga. The *tulafale*-oriented polity is centred in Pata. In addition to its own descent group of Sa Nanai, the Matautu *fono* encapsulates six *pitonu'u*; namely, Sama'ilauago, the residential site of the Sa Lupematasila (Sila) descent group, Falevai for Sa Fasavalu and the constituent titleholders of Salu and Auva'aipeau, Matanofo for the *tama'aiga* title and the constituent titles of Leavaise'eta and Asi, Levi for the orator family of Tuivaiti, Sagogo for Sa Anae and Nefunefu (aka Puna) for Sa Misa. The Si'ufaga-centred polity comprises the *Faletolu* (house of three); Fa'alava'au in Matagimalie, Lealaitagomoa (aka Tagomoa) in Tausunu and Taefu in Tupatupa. In between Si'ufaga and Matautu lies Pata, the largest *pitonu'u* and intoned by its *fa'alupega*, *Galū e fa ma Falelatai* (the four waves and the house of Latai). The four waves refer to four orators.<sup>9</sup> In 1985, the Methodist church published its version of *Tusi Fa'alupega*<sup>10</sup> and specified the 'four' *Galū* as Tuisau'a, Sa'ula, Tologata, Ti'eti'e and Va'atu'itu'i.<sup>11</sup> In the not too distant past, Pata was the prominent polity over Falelatai. As an indication of this prominence, Pata's original name was Falelatai and its orator group is called Falelatai.

### Afoga Tutasi

Falelatai is an example of an ultra-conservative village with a reputation of being fiercely independent and living by its customs and traditions. The village council is known for maintaining a firm stance once its mind has been made up. Once village council decisions are made, they are intoned censoriously as the *afoga tutasi* (council decree). They are deemed irreversible and any attempt to undermine council authority results in banishment. Two forms of banishment are recognised. In the first form, detractors are cut off from participation in local governance but are allowed to remain on their land and in their house. The second form is more serious and is commonly known as *ati ma le lau*, meaning family dislocation from the village. Anything left standing is slashed and burnt.<sup>12</sup> Associated with this form is the deletion from memory of any form of existence, past, present or future. While unyielding in the defence of customary authority as prescribed and constituted by their *fa'alupega*, Falelataians also pride themselves on their ability to adapt to modern conditions.

The two candidates that contested the seat in 2001 were the current sitting member Misa Telefoni Retzlaff and Tuimaleali'ifano Va'aletō'a Eti.<sup>13</sup> Retzlaff holds the Misa title of the Sa Misa clan and Eti holds the Tuimaleali'ifano title of the Sa Tuimaleali'ifano clan. Eti was appointed to the Tuimaleali'ifano title after a court case in 1977 and Retzlaff was appointed to the Misa title in the mid-1980s. For the benefit of brevity, I shall refer to the candidates by their fathers' surnames, Retzlaff and Eti.

Eti's election campaign funds were raised in various ways. The main one was by granting *matai* titles. This increased his potential vote and attracted campaign funds. Between August

<sup>9</sup> It has swollen to five to include To'omaga.

<sup>10</sup> The Methodist Church, *O le Tusi Fa'alupega o Samoa Atoa* [coll. and comp. the Tusi Fa'alupega Committee] (Apia 1985), 42–4. The publication was allegedly criticised for digressing from the Congregational Christian Church published version. The Methodist publication was selling well in the mid-1980s.

<sup>11</sup> The 'four' are supported by titles called *tua-galū*, literally back-waves. Pers. comm. Laumatiamanu Loi Tolo, 12 July 1985.

<sup>12</sup> G.B. Milner, *Samoan Dictionary: Samoan-English, English-Samoan* (London 1966), 26: 'pull up (by the roots)'. It is referred to in other places as *soloa ma le aufufue*.

<sup>13</sup> Eti publicly indicated his intention to run when he resigned from membership of the Council of Deputies; *Samoa Post*, 8 Jan. 2001.

and November 2000, he conferred about 50 *matai* titles. Many more were conferred during the Christmas holiday period, homecomings and reunions. The most recent title installation ceremony saw seven titles conferred with a cash donation of \$51,500 to Eti. Many were conferred for as little as a cup of tea and a few dollars. There is no reason to believe that this wholesale sale of titles is likely to end with completion of elections. Creating *matai* has become a favourite pass-time of out-of-pocket *matai*, and is the most effective means of extortion from relatives.

When titles are conferred, certain conditions must be met. Customary practices require that the title must be conferred in the village to which the title belongs and that proper procedures are followed such as the presence of other village chiefs. Most of these titles were conferred in Eti's home in Moto'otua, and not in Matanofo, the seat of the Tuimaleali'ifano title. Another condition is the endorsement of the ceremony by the *pulenu'u* (village mayor) as the last checking mechanism for custom to be observed before the Land and Titles Court registers them. In many cases, the *pulenu'u* endorsed these installations in Moto'otua instead of Matanofo. Included in these ceremonies was Eti's wife.<sup>14</sup> Often many are not registered and funds kept for other purposes. Many of those registered came from all over Samoa, including Samatau, which forms part of the Falelatai/Samatau constituency, Satuilulufilufi, Malie, Afega and some as far as Sa'anapu.

Eti's first and obvious source of income was from the taxpayer who was paying for his salary, car, house and other benefits as one of the three members of the Council of Deputies. Apart from appearances in the social cocktail circuit and at church services for dead relatives, what official work members actually do to justify taxpayers' money is questionable (apart from deputising during the absence of the head of state). Despite the understanding that members should not engage in paid employment, Eti and his wife run a law practice and operate a travel agency and consultancy in the Ioane Viliamu building belonging to the EFKS.

Office space was paid for members of the EFKS. While Eti has offered his services free of charge to the church, little work is done in practice. Close to the election period, he applied to the EFKS Financial Committee for \$30,000. His application was granted and he was given \$50,000. In addition, the committee agreed to grant him an allowance of \$10,000 per year for services rendered to the church. Because he failed to attend to the church's legal matters, the committee has decided to retain another lawyer for a set fee.<sup>15</sup>

Another source of funds was through Eti's role as an *a'oa'o fesoasoani* or lay preacher. From October 2000 to January 2001, the parish pastor went on leave. For three months, the work was delegated to three lay preachers for each of the three months, Nanai for October, Tuivaiti Isala for November and Eti for December and part of January. Whenever a life crisis was celebrated, which was often for a large parish such as Matautu, it was mandatory for the parish pastor to receive a *sua* (presentation) in cash and food. Eti was a double beneficiary of these spoils. He received two *suas*, one as the paramount titleholder and two as the acting *faiife'au*. It goes without saying that as an acting pastor his local profile as a parliamentary candidate for the election was enormously enhanced.

There were also huge donations from overseas relatives. As well as forming committees, family members returned to Samoa with cash donations to the campaign committee. Relatives came from Hawai'i and American Samoa, all heavily obligated through the *matai* titles they had obtained for themselves and for their children.

Why did Eti want to stand for parliament? When he was asked this question at a funeral feast in Matanofo,<sup>16</sup> he answered that the prestige of the family title had eroded. He was ashamed to see the family name unacknowledged in any public form. He told family

<sup>14</sup> The title of Lilomaiava was conferred on his wife Maria Leinafo Jessop at his personal suggestion. Apart from being Eti's spouse, her blood connection to the family remains unclear. She holds the Fa'amausili title from Malie.

<sup>15</sup> Rev. Oka Fau'olo, pers. comm., 6 Mar. 2001. The lawyer retained was Ms Katoline Sapolu Lussick.

<sup>16</sup> Pers. comm., 29 Dec. 2001.

members that he wanted to lift the family's image. There were public portraits and monuments for other *tama'aiga*, Malietoa, Tupua Tamasese, Mata'afa and even Malietoa's sister To'oa Salamasina, but none for Tuimaleali'ifano. His favourite argument was that former holders of the Tuimaleali'ifano title were not represented among portraits in government offices. Besides, he was reported to have said, 'a Tuimaleali'ifano has never been in Parliament'.

Another reason Eti gave for running was that Retzlaff was not a *suli* or a descendant of Falelatai. The allegation about blood ties is not totally true. While Retzlaff does not have blood ties to the Misa clan and thus to the 'Aiga Taua'ana lineage, he has blood ties to the Tuimaleali'ifano family through the Ta'isi title, a title held by Olaf F. Nelson in the 1920s. Retzlaff was also under pressure from Eti at a personal level. Retzlaff was ready to hand in the towel and, in response, the village constituency of Safune in Savai'i went to Retzlaff offering their seat for him to run in. When the 'Aiga Taua'ana heard of this offer, they told Retzlaff not to go because they wanted him to run again from Falelatai and Samatau.

When Eti decided to run, he claimed to have approached the 'Aiga Taua'ana three times. On the first two meetings, the 'Aiga Taua'ana persistently advised him against it. They registered their disgust on the basis of the performance of another *tama'aiga* in parliament, saying they could not bear hearing their title being subjected to the infantile level of debate that one often hears. They also quoted as precedent the example of the *tama'aiga* Tuimaleali'ifano Suatipatipa II. When he indicated his wish to run in the 1960s, they advised him against it. He was appointed as the first member of the Council of Deputies and deputised for the head of state. He fulfilled the functions of that office with distinction and was recognised at the time of his death in 1974. The 'Aiga Taua'ana thought that was the end of the matter. Their argument was based on the history and prestige of the title. They argued that its dignity would be undermined by parliamentary and party politics. They did not wish to hear derogatory remarks made in the heat of parliamentary debates against their *tama*. This was a popular argument voiced by many people both in and outside the village. The 'Aiga Taua'ana also argued that Eti had a good chance of being the next Head of State: he is the senior member of the Council of Deputies. If he ran against the sitting candidate, he would fall out of favour with the majority party. Even were Eti to win, at best he would be a backbencher as an Independent. Instead of having two people in government, the constituency would lose the services of a senior cabinet minister and have no one in the Council of Deputies.

Eti would not give up and called a third meeting. At this meeting in August 2000, Eti declared that the 'Aiga Taua'ana said to *tatala le avanoa* — to open up the opportunity for anyone to run.<sup>17</sup> At face value, this could be taken that the village chiefs had opened the right for anyone to exercise their constitutional right to stand and vote. But it could also be interpreted as a diplomatic way of saying to Eti that the 'Aiga Taua'ana had not changed its position.<sup>18</sup> According to Fa'alava'au Vili, when they counselled against it the third time, he pleaded with them to allow him and Retzlaff to run together. When he would not listen, 'Aiga Taua'ana eventually replied, '*ia fai la le mea lena e te mana'o iai*' (then do as you please). Yet, the word went out that the 'Aiga Taua'ana had opened the way for anyone to stand. The 'Aiga Taua'ana broadcast their decision that the *afoga tutasi* of the 'Aiga Taua'ana had chosen Retzlaff Telefoni as their sponsored candidate for the election. This was a direct challenge to Eti's charge that the 'Aiga Taua'ana had opened the nomination to anyone wishing to run. When the *afoga tutasi* was broadcast, it was not about Retzlaff, but about the integrity of chiefly authority.

However, Eti would not listen. He created counter-arguments against the 'Aiga Taua'ana. In one of these re-created arguments, he dug deep into sensitive issues which form part of custom and history. He was encroaching on dangerous ground but it was

<sup>17</sup> According to Eti and his wife, that agreement is recorded on tape. Pers. comm., 29 Dec. 2000.

<sup>18</sup> I thank Lau Asofou So'o for this insight. Pers. comm., 8 Jan. 2001.

also an ingenious strategy of reviving old conflicts for political purposes. It was risky but it was a desperate means for a man in a desperate position. These delicate situations normally arise during disputes over the title. They concern that very sensitive issue in every Samoan family, the *pule* or authority or right to appoint a titleholder, and inevitably lead to acrimonious exchanges. Such an issue has caused a longstanding rift between the Sa Tuimaleali'ifano and 'Aiga Taua'ana. Eti had no qualms in resurrecting this issue for his personal political ambition. In order to enhance his support from within his extended family, he reminded them that the Tuimaleali'ifano title is the only *tama'aiga* title whose appointment remains in the control of *suli* or descendants. While this is confirmed by court decisions, the 'Aiga Taua'ana has always asserted in past disputes that without their support the title is nothing. The roots of this tension lie in its history, and Eti had invoked this longstanding tension as an election strategy to stir the feelings of the Tuimaleali'ifano family against the 'Aiga Taua'ana. In doing this, Eti was playing with political dynamite.

What was the advice of the Sa Tuimaleali'ifano family for their chief? Senior members of the family openly stated that they had advised Eti against standing if his aim was to become the next Head of State. They quoted his public track record during his term as a Public Trustee. The Auditor's Report of 1993 and 1994 listed the names of those who owed money to the public trust account.<sup>19</sup> When parliament asked for the publication of the list of debtors compiled by the Chief Controller and Auditor, at the top were Eti and his wife followed by another *tama'aiga* and his wife. When the list came before the then prime minister, Tofilau Eti Alesana, he stopped its publication.

In addition to Eti's questionable campaign tactics, there was speculation within and outside Falelatai on the advisory role of his wife, Fa'amausili Malia Leinafo Jessop. Jessop had held various government posts including that of planner with the Public Works Department, Administrative Assistant with the University of the South Pacific's Alafua campus, and Directorship of the Lands, Survey and Environment Department. When Eti was appointed as a member of the Council of Deputies in July 1993, her continued appointment as director of a government department was criticised because of her husband's position. When Eti was a Public Trustee, he and Jessop were implicated in the Fugalei land deal (Fugalei land is located within Apia adjacent to the present site of the market). In facilitating the illegal land transfers, Eti and his wife obtained pieces of land as kickbacks.<sup>20</sup> Despite this criticism within HRPP caucus, Jessop was retained. When the HRPP was returned to power in 1996, Jessop's contract was not renewed. After a series of job applications, she was appointed as a secretary of a cabinet committee to consider policy reforms in line with World Bank guidelines. She did not last and resigned after differences with committee members.

On Tuesday 27 December 2000 and over the next few days, the 'Aiga Taua'ana announced its preferred candidate on Radio 2AP and television. It referred to its charter that once it had decided, it would not accommodate any other decision. *O le fa'avae o le 'Aiga Taua'ana e tasi lava, e le fa'aluaina e se tagata* (The decision of the 'Aiga Taua'ana is final, it cannot be appealed by anyone). The specific implication of this announcement was that the 'Aiga would take action against anyone defying their decision. It was a direct challenge to Eti.

Eti's campaign committee comprised men and women from Matanofu, the seat of the Tuimaleali'ifano title. That raised the threat of banishment. How significant was the 'Aiga Taua'ana's decision in terms of the 1990 Village Fono Act? If the case went to court, which side would hold the *pule*, the village council or the *tama'aiga*? In terms of the 1990 Village

<sup>19</sup> According to one estimate, the couple owe \$400,000 to the Public Trust.

<sup>20</sup> Others alleged to have been involved in these kickbacks included former Public Works Minister Le'afa Vitale, and Lands and Survey and Environment Minister Fa'aso'otauloa Pati.

Fono Act, the village council clearly held the *pule*. The village council had the majority, with seven clans<sup>21</sup> against one, possibly two,<sup>22</sup> clans for Eti.

The regular media broadcasts of the *afioga tutasi* led to growing tension between the 'Aiga Taua'ana and Eti's group in Matanofo and Moto'otua. The threat of banishment was patently clear. In order to minimise the tension, Eti decided to take the two *pitonu'u* which his immediate family live in, Matanofo and Falevai, out of the *faiganu'u*. Once out of the *faiganu'u* (village governance), the first committee member to leave the committee was Salu Lafi. When Salu Lafi left, he was asked to explain why. He received four *'ave'ai* (messages) asking for his attendance. These can be quite intimidating for the individual concerned. It is a show of force. But Salu held his ground. Immediately, an order was despatched for his family to leave Falevai. Instead of leaving Falelatai, Salu went to the chairman of the *falefa* (house of four), Misa Esau, and his *itu tino* (body part) from Nanai Faitala, which comprises the larger Sa Nanai clan. After hearing of Salu's banishment, these families rallied around Salu and reinstated him and his family to Falevai. Furthermore, most of the Sa Fasavalu clan changed their support to Retzlaff.

After the election, the village decision was executed. On the second week of March 2001, Eti and Matanofo were banished. '*Se 'I fai ni ai o le fa'ai; uga a le nu'u.*' Justice in modern Samoan logic is subservient to the maintenance of ancestral authority. The ancestors are appeased.

The contest in Falelatai and Samatau was between two authority systems, one of chiefs (*afioga tutasi*) and the other of fundamental individual freedoms. The prize was the position of Member of Parliament. Eti stood on the basis of human rights and lost. His rival and sitting member, Retzlaff, stood for the supremacy of *afioga tutasi* and won. The rules of engagement were *'aia tatau* or individual rights. This paper shows the contest of wills between two systems of authority, that of individual rights as urged by a *tama'aiga* and *aganu'u* (customs common to all villages) or that of custom as represented by 'Aiga and *Falelatai*. According to Fa'alava'au Taefu Vili, the current chairperson of the *faletolu* in Si'ufaga, the election was a test of the *afioga tutasi* of the 'Aiga Taua'ana. If Retzlaff had lost, the *afioga tutasi* would be *pipilo*, ineffective. The only thing the village council could do to uphold their honour was to banish Eti and his *'aiga*. But now that Retzlaff has been returned as an MP, their *afioga tutasi* remains intact.

In the end, Retzlaff and Eti were not what mattered. For the 'Aiga Taua'ana, what mattered most was the present and future state of their authority. The *afioga tutasi* of the 'Aiga Taua'ana was put to the test and found intact. Through the democratic process, the *afioga tutasi* was respected. But it was also undermined by the paramount titleholder, the same chief whom the *afioga tutasi* was invented to protect. This threat poses the biggest problem to the 'Aiga Taua'ana. Once the *afioga tutasi* was upheld, the next stage was what to do about Eti as the paramount titleholder. He had rejected the position on the Council of Deputies, rejected the advice of his family in Matanofo, the 'Aiga Taua'ana, and had lost the election. In monetary terms, his loss was considerable. He and his wife together owed the ANZ Bank close to \$200,000. He also owed an insurance company something like \$45,000. There was still the outstanding debt to the Public Trust Office. It was also common knowledge that the couple had run up huge debts with major stores in Apia. In addition to private financial institutions, Eti also obtained money from the church, namely, the Congregational Christian Church or EFKS. He was granted a loan of \$50,000, and despite his promise to conduct legal work for the church in return for free office space in the Ioane Viliamu building, he was acquiring a reputation for non-performance such that

<sup>21</sup> Sa 'Anae, Sa Misa, Sa Nanai, Sa Sila, Sa Fa'alava'au, Sa Taefu and Sa Lealaitagomoa.

<sup>22</sup> Sa Tuimaleali'ifano and Sa Fasavalu.

the church had to retain another lawyer on a more permanent basis. In the meantime, Eti was to be retained on a fee of \$10,000 per annum.<sup>23</sup> In addition to fees from church headquarters, Eti was also taking funds from the church account of the Matautu EFKS. At a church service I attended on 18 February in Matautu, it was recorded that the *Mafutaga a Tina* (Mothers' Church Fellowship) had collected \$8,160 for part payment of the \$600,000 loan for the church hall. This was handed over to Eti and his wife as treasurers for banking. When I checked with the bank two weeks later, I was informed that no such payment had been made.<sup>24</sup>

What next? According to Fa'alava'au and Misa Esau, the *afioga tutasi* has been chipped away ever since Eti was appointed to the title by the court. They fear he will continue to chip and even take away the *mamalu* of the *afioga tutasi*. In this loss, Fa'alava'au Vili was convinced that Eti was going to find ways of undermining the *afioga tutasi* of the 'Aiga Taua'ana. He was going to exploit the parliamentary and governmental and other legal means to do this. He would not rest until this was done. Because of his loss, he would not relax until he avenged his defeat.

Two weeks after the elections, the 'Aiga Taua'ana made good their intention on their *tama'aiga*. On Thursday 15 March, before the *patele* (or wooden gong) for the evening curfew was sounded, across every village *malae* or assembly ground of Falelatai, the authoritarian voices of male heralds boomed the *afioga tutasi* decree of the village council. Every able-bodied *matai* (titleholder) and *taulele'a* (non-*matai*) were required at the Matautu *malae* at the crack of dawn on the following day. No absenteeism would be tolerated except for illness. Women and children were excused. On the morning of Friday 16 March, except for a small group of dissenters in Pata, the village male population numbering close to 600 assembled in Matautu. As the Matautu school began their lessons, the village procession marched on to the residence in Matanofu. They were received with a deafening silence. Except for members of the extended family, Eti and his immediate family were absent in Moto'otua. The village spokesperson, Sila Fa'amanu, slowly but assuredly intoned the protocol for banishment. *Tulouna le Maota ma le Suafa Tuimaleali'ifano* — With due respect to the residence and title Tuimaleali'ifano. *O 'oe Va'aleto'a Eti, ua fa'ate'a* — You Va'aleto'a Eti, you are banished!

*Tula'I ese nei mai le afioga o 'Aiga. Alu i sou itu taulagi e fai ai lona faitalia. Ae o le aso lava, e le silia. O fea o I ai le fautua pua'aelo lea na fautuaina le tama'aiga. E sa, pau a lea na o 'Aiga [Taua'ana] e pulea le latou tama. E fautua e 'Aiga [Taua'ana] le latou tama. O fea se taimi, o fea se tausaga e toe tafa ai le tofa a 'Aiga [Taua'ana], e fa'apena ona toe felogoga'i.*

Get out from the residence of the descent lineage of 'Aiga [Taua'ana]. Go somewhere else and please yourself, from today, no later. Where is the swine who counseled the *tama'aiga*? It is *tapu*, only 'Aiga [Taua'ana] can counsel their *tama*. As to what time, in a year or whenever the 'Aiga Taua'ana so deem appropriate, we shall decide further.<sup>25</sup>

No reply was expected and none came.

The procession then proceeded to banish other villagers on the grounds that they had allegedly voted for Eti.<sup>26</sup> They included Sila Sealitu the head of the Sa Sila clan and Nanai Likisone a senior clan chief of Sa Nanai, and co-titleholders, Nanai Elia, Nanai Manila and his wife Kali and Anae Faletiu.

It could have been worse. While Eti and the Matanofu family were barred from village governance, they were not barred from Matanofu and church services. In practice, Eti (except his wife and mother) and most of the Matanofu clan (except 'Asi Nusi and his family) abstained from attending church services. Whether by choice or by decree, his wife no

<sup>23</sup> Pers. comm., Rev. Oka Fau'olo, 6 Mar. 2001.

<sup>24</sup> Australia and New Zealand Bank, Samoa.

<sup>25</sup> When the procession returned to Matautu, they encountered Eti and his wife in separate cars driving to Matanofu. The cars made way for the procession but the procession waved them through without incident.

<sup>26</sup> At this point, the spokesperson changed to one of the Fa'alava'au co-titleholders from Si'ufaga. Many of the banished were the immediate relatives of Sila Fa'amanu.



longer sits in the reserved seat for the *tama'aiga* in church. Back in Moto'otua, Eti continued to live in state-provided quarters without state office and eked a living from his EFKS-sponsored practice and consultancy.

A series of setbacks quickly followed involving financial deals. The debts on his personal loans quickly mounted and the banks began instituting legal proceedings against him and his wife. The first property identified for mortgage sale was the Fugalei property gained from political kickbacks. As the former parish treasurer, Eti was also heavily implicated in allegations of missing church funds collected for the repayment of the loan for the church hall. After the elections, it was discovered that \$100,000 was still owing to the ANZ Bank. Despite Eti's assurance to the contrary, it was revealed that \$73,000 was still owing and another \$27,000 remained outstanding from a church loan. Others who colluded with Eti on these financial transactions were senior clan chiefs Misa Ai'i, Nanai Faitala and Sila Seali'itu.<sup>27</sup> Before the church parish, the *faije'au* and senior clan chiefs in a prayer sought God's forgiveness for their misdeeds, and once again the Matautu parishioners were asked to fork out for the deficit. At the time of writing, each parish *matai* was levied \$1,000 for the outstanding debt, most of which was raised from church organised bingos and competitive dancing.

Finding a suitable successor is likely to be a long process and to be conducted through the legal machinery of government and the judiciary, something that Eti has become used to. He has become proficient in using the machinery of government to undermine the *afoga tutasi*.

In Samoa, 90% of people live either partially or wholly under the authority of a gerontocracy of titled family heads, *matai*. Through the *fono* (village council), often in partnership with the Land and Titles Court, the church and other government agencies, the authority of the *matai* is legitimated. How to deal with the contradictions inherent in this duality (between the old and new system) in the constitution has never been considered a priority. Many had silently cherished the hope that the two competing systems would somehow blend by osmosis or divine intervention. This has not been the case and the result is political, economic, social and cultural ambivalence. Within a tradition of oral history is nurtured a cesspool of cultural inconsistencies, breeding inefficiencies, abuse and corruption. In the wake of these longstanding contradictions, ideologies and practices, tension between individualism and collective entities such as *'aiga* and village councils often breaks out in brutal form. The outcome is a morally confused and dysfunctional society.

MORGAN TUIMALEALI'IFANO

<sup>27</sup> Pers. comm., Nanai Taulia, 1 July 2001. At the latter stage of repayment, the total outstanding was \$175,000. The parish community decided to distribute the repayment as follows: \$80,000 by the *matai*, \$75,000 by the women's group, and \$20,000 among the non-titled villagers.

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