

Village Authority & Governance in Samoa: The case of *O le Afioga Tutasi a le Aiga Taua'ana, Falelatai*

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Past lessons, present stories, future lives**

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Few forces are more intense than tribal memory and grievance. Like Hamlet's father's ghost, the past wants revenge.² Tracing the footprints of tomorrow calls to mind a saying by Winston Churchill, "The farther back you can look, the farther forward you are likely to see".³

Tracing tomorrow's footprints is a challenge. It is even more challenging for Pacific Islanders who have to do it within a culture that is still largely oral. Samoa has been progressing in "leaps and bounds", first by reclaiming its name in 1997 and then making, in 2009, a successful switch from driving on the right side of the road to the left. Samoa then began implementing plans for a time change on 29 December 2011, moving the International Date Line to the east of the country.⁴ It is gratifying to note more changes are in the pipeline; there is debate regarding incorporating additional Roman letters to the existing alphabet introduced in the nineteenth century and a common Pacific currency. The changes and proposed changes are far sighted and augur well for Samoa.

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² *Times*, January 3, 1993:22-25.

³ Quoted by Matt McGrath in BBC, 'Analysis on Climate Change', accessed on 31 Jan. 2007.

⁴ Aumua Ming Leung Wai, 'We don't need to change our clocks' *Samoa Observer*, 5 July 2011.

Access to home, livelihood, education and place of worship are fundamental rights. These rights have been at odds with *faiganu'u* (village council) rights to banish. My questions are can the *faiganu'u* be reviewed to minimize if not eliminate the tension with fundamental rights? Will the *mamalu* (integrity) of *faiganu'u* erode or enhance if the *ali'i ma faipule* cease terrorizing Samoans with decrees of banishment? Are the *ali'i ma faipule* not passing the buck instead of grappling with modern realities of developing 330 villages experiencing the relentless onslaught of economic globalization? What are the alternatives?

Perhaps no other issue stirs so much feeling as the wholesale banishment of individuals and families from their homes. Almost everyone, from children to senior citizens have been traumatized by threats of, and actual, banishment. Head of state Tui Atua⁵ and de-facto head of state Tuimaleali'ifano⁶ have not been spared these humiliations. The effects on personal self esteem and self confidence are devastating. Banishment is a regular feature in the media in Samoa.

While I do not have precise figures, I believe the banishment has dire consequences for Samoa's future footprints. To be sure, some villagers are reinstated and return, but many do not. Banishment has led many families to find alternative accommodation. Many are unable to afford freehold property and many live in settlements such as Vaitele, which are bursting at the seams. Many eventually move out of Samoa. Again, I do not have precise figures, but discussions with families and colleagues suggests many of our families move out because of

⁵ Oceanic Anthropology Discussion Group [mailto:ASAONET@LISTSERV.UIC.EDU], Tuesday, 31 August 2010 3:36 PM. Subject: Re: Conflict involving Samoa's Head of State's banishment over Maota of Mulinu'u & Sepolataemo.

⁶ A. Morgan Tuimaleali'ifano, 2001. '*Aia Tatau ma Afioga Tutasi*: 'Aiga versus Tama a 'Aiga, manipulation of old and new practices, an MP for Falelatai and Samatau in Samoa's 2001 Elections: Human Rights versus Village lineage, *The Journal of Pacific History*, Vol. 36, No. 3, OUP, Melbourne, pp. 317-325.

banishment and even when they are reinstated long term security in their ancestral home is not guaranteed.

Overseas-based colleagues will, I think, agree that the status of Pacific Islanders and Samoans is grim. In New Zealand, it has been evident for some time that Pacific Islanders and Maori communities share common economic challenges, if not always the same opportunities – Pacific Islanders are excluded under the Waitangi Treaty. The figures are discouraging. In census reports of the past 50 years, the national statistics for both the Samoan and Maori communities in housing, education, health, employment and income levels, justice and domestic issues cascade around the same regions. Fa'alava'au Juliet Boon-Nanai reports nearly 60 percent of Pacific Islanders were twice as likely to live in rental accommodation compared to 29 percent of New Zealand's total population.⁷ I have not checked the breakdown of welfare benefits by ethnicity, but there is anecdotal evidence of a growing number of Samoans unashamedly living and remitting on the dole.

In Samoa there are at least three forms of banishment.

- *Tua ma le faiganu'u* (non-participation in village governance). Here, the individual may continue residence in the village but without participation in village governance.
- *Tua ma le nu'u* (behind the village), implying banishment from the village.
- *Mu le foaga, soloa ma le 'aufuefue* or *ati ma le lau*, (immediate departure of family, property is appropriated, slashed and burned), the most serious kind.⁸ Associated with this form of banishment is erasure of identity and material existence from memory.

⁷ 'The Land of Milk and Honey? Reviewing the Housing status of Samoans in New Zealand', abstract of presentation at Samoa Conference II, National University of Samoa, 2011, July 4-8, p. 27.

⁸ Milner 1966:26. 1. pull up (by the roots). Similar meanings are also conveyed in other villages through the phrases *soloa ma le aufuefue* and *mu o le foaga*. The latter is used in Salamumu. Pers. comm. Le'aula Aneteru, 12 June 1999.

The period of banishment is unspecified in all cases. Apart from the *fa'ate'a* (banishment), there is also *fa'asalaga* (penalties paid for by cash or in kind). This adds insult to injury, as members seeking reinstatement are required to feed the village council and provide gifts in cash and in kind.

Censorious oration of decisions – *afioaga tutasi*

Decisions of *afioaga tutasi* are delivered in strong language and in a tone bordering on intimidation. Below is an example of the words used in the banishment of the current Tama-a-'Aiga Tuimaleali'ifano titleholder after he stood and lost the 2001 elections against the *fautuaga* (advisor of 'Aiga Taua'ana and Falelatai).

Tulouna le Maota ma le Suafa Tuimaleali'ifano A o 'oe Va'aleto'a Eti, ua fa'ate'a! Tula'l ese nei mai le afioaga o 'Aiga. Alu i sou itu taulagi e fai ai lou faitalia. Ae o le asō 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.

"With due respect to the residence and title Tuimaleali'ifano, you, Va'aleto'a Eti, you have been banished! Get out from the residence of the political family [Tau'ana]. Go somewhere else and please yourself, from today, no later. Where is the stinking swine who counseled the Tama'aiga? It is forbidden, only 'Aiga [Tau'ana] can counsel their tama. As to what time, in a year or whenever the 'Aiga Tau'ana so deem appropriate, we shall determine further."⁹

⁹ See Tuimaleali'ifano 2001. Words to similar effect would've been used for the banishment of Tui Atua Tupua Tamasese Efi from Lufilufi in 2010 over the incidence regarding the Maota Mulinu'u ma Sepolataemo.

Falelatai

According to legend, the village district of Falelatai is of Fijian origin.¹⁰ Located in A'ana, south-western Upolu, Falelatai comprises about 10 sub-villages.¹¹ The precise population is unknown, but it has been declining due to external migration.

The village district of Falelatai is known to the public because Prime Minister Tuila'epa recently awarded it the National Beautification prize.¹² But behind this physical beauty lies an ugly past. If there was one, the award for the village with the highest number of banishments relative to population would easily go to Falelatai. In 1987, Meleisea documented a horrifying case that occurred in the mid-1980s¹³ in which a respected and courageous *matai*, Nanai Likisone, was roped, tied and dragged from his house, trussed up pig-style and left next to a lighted *umu* - earth oven. This humiliation followed another humiliation. Local entrepreneur Tuivaeti Tariu's family home in Levi was torched, his livelihood destroyed and he was exiled by a banishment order. The public outcry following this incident was a major factor in the creation of the 1990 *Village Fono Act* by Tofilau Eti Alesana's Human Rights Protection government.¹⁴

It did not discourage banishments. Others that followed included two *faife'au* (pastors) of Ekalesia Fa'apotopotoga Kerisiano o Samoa (EFKS), Keilani Tagoa'I and Uale Taimalelagi, Tama-a-Aiga, and current Member of Council of Deputies, Tuimaleali'ifano Va'aletoa Eti, clan heads of Sa Misa and Sa Nanai, and before the March 2011 elections, former Member of Parliament and Deputy Prime Minister Misa Telefoni Retzlaff.

¹⁰ Latai founded Falelatai and Se'ela founded neighbouring village Faleose'ela.

¹¹ From east to west, the sub-villages are Sama'ilauago, Falevai, Matamatanonofo, Levi, Sagogo, Matautu, Puna, Fusi, Pata and Si'ufaga. Many of these names are names of maota and laoa, the residential sites of titular and orator/attendant leaders.

¹² *Samoa Observer*, 6 April 2011.

¹³ Meleisea 1987:214-220.

¹⁴ The Act permitted Village Councils to enforce their decisions via monetary penalties and banishment but not capital offences.

Falelatai is an example of an ultra-conservative village with a reputation of being fiercely independent and regulated by Samoan custom, or perhaps more correctly, its interpretation of custom. It treats foreign ideas, fashion, technology and foreigners, including overseas based people from Falelatai with suspicion.

In 1839, Falelatai hosted Samoa's first printing press in Peritania, Matamatanonofo. Under 24 year old printer J. B. Stair, the first missionary Tract was printed, which was titled "O le Sulu Samoa" (The Light of Samoa).¹⁵ With the transfer of the *lotu* from Matamatanonofo to Matautu, Matautu acquired a new *fa'alupega* and honorifics - *ole malae o le filemu* (the *malae* of peace). Falelatai and its neighbour Samatau form an electoral constituency. Although of equal status in national and state affairs, in custom they are as different as chalk and cheese. Both *alii* and *tulafale* types of *matai* are found in each polity. In political orientation, Falelatai is *alii* oriented and Samatau is *tulafale* oriented. At all levels of Samoan politics, this political distinction determines individual village attitudes and behaviour.¹⁶

Afioga Tutasi a Falelatai - Village governance

As in many of the other 330 villages in Samoa, Falelatai villagers exercise authority on day to day matters through the *fono* (village council) and govern according to their understandings of *fa'avae* (principles of ancient customs). In Falelatai, once village council decisions are made, they are intoned censoriously as the *afioga tutasi* (council decree implying they stand unassailable). This custom is encapsulated in an old saying "*E mafai e le tagata ona alo the pulufana, ae le mafai ona alo le afioga tutasi*" (One can run from a bullet but not from the afioga tutasi). This

¹⁵ See Tuimaleali'ifano 2006:47.

¹⁶ The distinctive differences between villages is contained in Shore's *Sala'ilua, A Samoan Mystery* (1982). In a personal communication from A'e'au Leavaise'eta Peniamina, a holder of an *alii* title, he notes that in Falealupo, the village his A'e'au title belongs, power lies with orators. They are referred to as "*o le fa'autaga ma le moe ile to'afa o le tapuaiga*-the collective decision of the four that wait and listen." A'e'au continues, "*alii*' titleholder remain passive when major decisions are delivered. Abuse of this power is common, of course." Pers. Comm. 23 July 1999.

means that individual villagers can run but the village council will take revenge on anyone and anything that the villager leaves behind. These include remaining family members and property. *Afioga tutasi* are deemed irreversible and punishments range from monetary fines to banishment. The decision is conveyed through a village council delegation and immediate obedience is expected. If challenged, the consequences are incarceration, torching of property and sometimes death.

Another feature about decision-making regarding any form of *afioga tutasi* is that while the process of decision-making bears the mark of consultation among clan heads, once a consensus is reached obedience is expected. The subject of the decision has no right of appeal. Whether the decision is right or wrong, the decision cannot be challenged.

Church organizations in Falelatai

The single most important factor reinforcing traditional authority in Samoa is perhaps the church. In the case of Falelatai, the key churches are the Protestant Congregational Christian Church (CCC) and to a lesser extent the Catholic Church. The CCC churches are located in Matautu, Pata and Si'ufaga. Regular village-wide gatherings rally around church activities, such as preparation for the *fonotele* (annual general meetings) and fundraising.

The case of Aiga Taua'ana vs Misa Gaga'e

The Aiga Taua'ana (falefa of Matautu) vs Misa Gaga'e case took place in March 2011 and concerned a banishment dispute between the *falefa* of Aiga Taua'ana based in Matautu¹⁷ and one of its members, Misa Gaga'e.

¹⁷ As opposed to the faletolu (Alaitagomoa, Fa'alava'au, and Taefu) based in Si'ufaga, Falelatai.

In March 2011, Misa Gaga'e and family were the subject of an *afioga tutasi*. He and his family were banished. Normally, individuals would run to Mulinu' to seek the protection of an interim order allowing the Land and Titles Court to intervene. Misa Gaga'e did a courageous thing. Instead of running for cover, he stayed. The Aiga Taua'ana did a remarkable thing too. Instead of taking the law into its own hands by unleashing the 'aumaga, it took its decision to court.

The case had four phases: 1. A banishment order was issued to Misa Gaga'e. 2. Misa refused to accept the banishment order and accepted the inevitable consequences, 3. Before unleashing 'aumaga to enforce the decision, the council referred its decision to court, and 4. The court rejected the decision. This case demonstrates how custom can be created and re-created. What was Misa Gaga'e's offence?

Mafua'aga o le Afioga Tutasi ia Misa Gaga'e: Offence invoking the decree

On the evening of Sunday 20 February 2011, the collective *faletua* (wives) of Sa Misa clan met to discuss their finances. Their chair, Talalelei Misa, was the wife of the Sa Misa clan head, Misa Paepaetele. At the meeting she announced her resignation and said she was returning to her family village. No reason was given but the most likely cause was a difference of opinion between her and one of her stepchildren. This domestic affair had apparently flared up that same morning.¹⁸ After several attempts to dissuade her from resigning, the *faletua* of Sa Misa accepted her resignation and nominated Fofoga, the wife of Misa Gaga'e, as their new chair. The *faletua* then adjourned. Two days later, on Tuesday 22 February, they reconvened and were surprised to see Talalelei back at the *matuatala* in the chairperson's position and immediately began berating her for this turn of events.

¹⁸ Words used by Fofoga Misa Gaga'e, *ona o se latou va ma alo matutua o Misa Paepaetele* – on account of relationships between her and older children of Misa Paepaetele (i.e. her step children). In an earlier statement in response to questions by the Judges, Talalelei admitted having quarreled with one of her children over the way 'her' child was treated. The assumptions here are, 1, the child she quarrelled with was one of her stepchild and the child over which they argued was presumably Talalelei, her child from Misa Paepaetele.

The upshot of this was that a meeting was called by the village council chairman on Saturday 26 February. The council chair was Anae Laumei,¹⁹ a head of Sa Anae clan and also a Deputy President of the Land and Titles Court. The meeting was apparently called to resolve the row among the *faletua* of Sa Misas. Misa Gaga'e was instructed by his clan head not to attend but his wife, Fofoga, was asked to attend.

At the council meeting, the only person that spoke was the chair, Anae Laumei.²⁰ He claimed that Fofoga had uttered the following statements²¹:

- Misa is the king of the village.
- Misa's children are Anae and Nanai.
- Misa should be first in everything.

Furthermore, he claimed that these words were uttered by Fofoga under her husband's influence.²²

Despite being in attendance at the meeting, Fofoga was not asked to respond to his allegation. None of the other three clan heads (Nanai Taulia, Misa Paepaetele and Sila Talatonu) spoke. The Council decided that an *afioga tutasi* be issued banishing Misa Gaga'e and his family on that same day. The terms of Misa Gaga'e's banishment were stated by Anae Toni in these terms:

- *La ta le 4 l le afiafi, ia se'e ese ma le maota.* By 4.00pm of this day, you should not be seen in the village.

¹⁹ Aka Misa Pita.

²⁰ Submission by Misa Gaga'e, 18 March 2011, p. 5. Anae was also known as Misa Pita before he was titled Anae.

²¹ *Ibid.* And Se'ela, the wife of Misa Galo.

²² Submission by 'Aiga Tauoa;ana (sic), undated, p. 3.

- *E iai se taimi e tafa ai le finagalo o aiga, ona toe logo atu lea l se aso.* When a time comes, when *aiga* has satisfied itself of the punishment, you will be informed of the day and time for your return.

Despite the *afioga tutasi*, Misa Gaga'e resolved to stay put.

Misa's resolve must have been strengthened by a meeting of Sa Misa clan scheduled for 14 March. The main agenda item was to scrutinize the clan head's handling of the row among the *faletua* of Sa Misa. Under examination, the clan head responded that the alleged offending words arose out of an exchange of words between his wife, Talalelei, and Nana, the wife of the Council Chair.²³ The clan members were dissatisfied and unanimously stripped him of his role as clan head.²⁴

In the meantime, the Council Chair had dispatched a second delegation to push Misa Gaga'e out. He courageously stood his ground. Before dispatching the *aumaga* to enforce the banishment order, the council took an interesting action. Perhaps, influenced by internal tensions within the Sa Misa clan, the council referred their decision to the Land and Titles Court on 14 March instead of proceeding with the *afioga tutasi*. On 18 March, the court convened to hear the village council's petition and Misa Gaga'e's response.

Court hearing and outcome

Before proceedings got under way, the leading spokesman for the Aiga Taua'ana changed. Nanai Taulia replaced Anae Laumei on the ground of Anae's conflict of interest as council chair and deputy president of the Land and Titles Court. The line of questioning taken by Judge Va'aelua Rimoni Va'aelua is particularly instructive in eliciting the nature of *afioga tutasi*.

²³ Anae Laumei.

²⁴ Mis Paepaetele's due to his 'fale'ula'ua'l tala' or story telling. Misa Lamoni was appointed as replacement.

Examination of Nanai Taulia, head of Sa Nanai clan and spokesman of Aiga Taua'ana

Va'aelua Rimoni: *O le a le uiga o le afioga tutasi?* What is the meaning of *afioga tutasi*?

Nanai Taulia: *O le uiga o le fa'ai'uga ua tutasi iai ali'l matutua. O le fa'ai'l ga lea ua ta'u o le afioga tutasi e tu loa le to'oto'o ma le fa'ai'uga, ia usita'ia loa.* The *afioga tutasi* is a consensus reached by the clan heads. Once a consensus is reached, their decision must be respected and obeyed.

VR: *E tusa pe sa'o pe sese le fa'ai'uga?* Even if it is right or wrong?

NT: *O le na lava, e tusa lava pe sa'o pe sese.* Yes, that is correct, whether right or wrong.

VR: *I lou lava talitonuga, pe sa'o pe sese le afioga tutasi, o se mea amiotonu lea mea?* In your considered opinion, even if the *afioga tutasi* is right or wrong, is this act, just?

NT: *I lo'u lava talitonuga, e leai. E le amiotonu.* In my individual belief, no. It is not just.

VR: *E le amoitonu?* It is not just?

NT: *Leai, e le amiotonu.* No. It is not just.

Cross examination of Misa Gaga'e.

VR: *Ana e usita'ia le fa'ai'uga, pe mata e le mafai ona toe fa'aa'e mai oe I se taimi?* Assuming you had obeyed the *afioga tutasi*, could you not be reinstated at some point?

MG: *E mafai ona o'u usita'ia. Ae o le mea ua o'u le usita'ia ai, ua o'u iloa lava, e le toe fa'aa'ea a'u I se taimi vave pe a tu pea Anae Laumei I le tofi ta'ita'ifono. Oute manatu o le 10 tausaga e o'o I le fa'avavau e le toe fa'aa'ea maia o a'u. O lea ua o'u malie ai lava, a o'u maliu lava I lo'u fale, ua o'u malie ai lava, 'aua ua tele mea ua faia e le ta'ita'ifono e fa'asaga ia te a'u ma lo'u aiga.* I could have obeyed. But I knew that as long as Anae Laumei remains the chair of the council, my banishment would be for 10 or more years. This is why I remained. I was quiet willing to die in my house because the council chair had done a lot of things against me and my family.

AV: *Ae a pe ana fa'apea, e fa'ate'a loa 'oe, ona e aumaia loa lea o le mata'upu I le fa'amasinoga?* How about obeying the banishment decision and then lodging a petition against the council in court?

MG: *E le mafaia ona o'u aumaia lo'u nu'u I le fa'amasinoga. O a'u o le Falelatai 'auuliuli, ou te le mafaia ona faia lea mea ona ou te alofa I lo'u nu'u. Ana le aumaia e le nu'u le mataupu, e leai lenei fa'amasinoga. O le mea moni e ta'u atu, ele mafaia ona aumaia lo'u nu'u pele e fa'amaasiasi I le fa'amasinoga.* I cannot bear bringing my village to court. I am a true Falelatai citizen and if the council had not raised this matter, there would be no case. Honestly, I tell you. I cannot bear shaming my village before the court.

The court's decision on Friday 25 March 2011

The court took only one week to reach a verdict. It did three things:

1. Reaffirmed the value of the *Village Fono Act* of 1990.
2. Citing Paragraph 19, the court emphasized the importance of the village council system of governance, stating that the law depends on their support and cooperation. At the same time, the court stated it could not ignore individual rights.²⁵
3. The court stated that it finds it difficult to accept the opinion of the Aiga Taua'ana and Falelatai that the *afioga tutasi* should be followed, whether right or wrong, and that no one can respond but must leave.²⁶
 - a. The evidence for this was found in the response by Nanai Taulia, the head of the Sa Nanai clan. When asked whether the *afioga tutasi* was just whether it was right or wrong. His response was, "No. it is not just".²⁷

²⁵ '...e fa'atauaina lave e le Fa'amasinoga le Pulega mamalu a Ali'l ma Faipule Peita'i e le mafai fo'i ona fa'agaloina I le va'ai a le tulafono le aia tatau ma le sa'olotoga o tagata ta'ito'atasi.' Paragraph 19, p.5.

²⁶ ' E talia gata e le fa'amasinoga le mau a le Aiga Tauoa'ana ma Falelatai, e fa'apea, 'o le afioa tutasi pe sese pe sa'o, e leai se tali ae alu gugu.' ParaGRAPH 21, p. 6.

²⁷ Na fesiligia le itu [Tagi] ile amiotonu o le afioga tutasi I le sa'o po'o le sese 'aua ne'i fesiligia. O le tali mai a Nanai Taulia le ta'ita'I, e le amiotonu.' Paragraph 21. P.6.

b. The court said it was of the opinion that the decision against Misa Gaga'e and his wife was harsh and inappropriate.²⁸

c. The court rejected the petition by the 'Aiga Taua'ana and Falelatai.²⁹

Neither party expected such an outcome, yet the outcome was a win-win situation. Misa Gaga'e survived and 'Aiga Taua'ana was spared another humiliation and costly litigation. The court's decision opened the way to future challenges based on fundamental rights and it will be the court who determines the custom in balancing collective right of the *nu'u* and human rights of individual villagers under the constitution.

From the available evidence,³⁰ it seems simplistic to apportion the cause of banishment to a set of offending words. No evidence was produced of anyone uttering the offending words. Furthermore, the court did not accept attempts by Aiga Taua'ana to attribute these alleged words as those of Fofoga and Misa Gaga'e. However, Anae Laumei's attempt to incriminate Misa Gaga'e with these words point to deeper issues embedded in a power struggle within the village council and particularly within the Sa Anae clan.

Future patterns

Tomorrow's footprints can be discerned by looking back. The attempt to attribute offensive words to Misa Gaga'e masks deeper agendas of historical clan feuds.

The background to this feud were articulated in "Talofa e 'aiga, Ua 'ai e lago le tofa", an article in *Governance in Samoa* edited by Elise Huffer and Asofou So'o This article referred to a feuding pattern between two rival factions within the *falefa* of the 'Aiga Taua'ana. On one side there are

²⁸ Paragraph 22.

²⁹ Court decision LC11644 dated 25 March 2011.

³⁰ Submissions by Aiga Tauoa'ana (sic) and Misa Gaga'e, and Court judgment of LC11644 and listening to cross examinations on 18 March 2011.

the clans of Sa Anae and Sa Sila and on the other are the clans of Sa Nanai and Sa Misa. As we fold back these genealogies, it becomes more possible to trace more precisely that the root of the power struggle lies somewhere within the Sa Anae clan; its two *itupaepae* (branches) have been at loggerhead since the 1970s. These are the branches of 'Anae Seiuli on one hand and the branch of 'Anae Ti'otala on the other.³¹

These feuds became public after the court's appointment of the Tama-a-'Aiga Tuimaleali'ifano title in 1977. Between 1977 and 1985, the village council was united in rejecting the court's decision.³² But from 1985, largely for political reasons, two clan heads, Misa and Nanai decided to accept the court's appointment. Consequently, two *faiga nu'u* (sub-villages) emerged, one led by Anae Taeoali'I and Sila Fa'amalaga, who continued their opposition, and the other by Nanai Faitala and Misa Ai'I.³³

Consequences of longstanding divisions on successive generations

The consequences of family and village divisions can be summarized as follows:

- Despite its beautiful façade, the bleeding of Falelatai's best and brightest will continue unabated.³⁴
- Clan feuds imply passing the bile on to successive generations of Matautu with psychological consequences on confidence and ability to secure long term village development.

³¹ The 'Anae Ti'otala branch is represented by descendants of 'Anae Taeoali'I; these are mainly his children, Ipu Polotaivao Fosi, Misa Pita aka 'Anae Laumei and Salu Liugalua.

³² The court appointee was forbidden to enter the village and senior matai 'Asi Lavilavi I and 'Asi Pauani of Sa Tuimaleali'ifano were banished.

³³ Pers. Comm.. Judge Elvis Patea noted in reading the submissions and judgment, the absence of a *fautuaga* or advice from Falelatai's paramount titleholder.

³⁴ Tama-a-Aiga's and Member of Council of Deputies residence in Matanofo is over-sighted by prison inmates. Out of hundreds of matai titles created by Tuimaleali'ifano Va'aletola Eti and his wife Fa'amausili Malia Jessop, most of them as a fundraising gimmicks at their various homes, offices and overseas visits, less than five reside in Matanofo. Pers. Comm.. Fetaia'I 'Asi Nusi and Telesia 'Asi Lavilavi II, 17 March 2011.

- Associated with the brain drain is the continuing dearth of any form of modern development.
 - A longstanding legal case between Tuimaleali'ifano and the Anae Taeoali'i family regarding the purported sale of Faga'iofu. The Kneubuhl-Pritchard-Haleck family of American Samoa have apparently got the title of Faga'iofu but the Anae Taeoali'i family have put a caveat on it.
 - The multi-million dollar business development by the family of Anae Taeoali'i is an example of a potential village development relocated in freehold land outside of Falelatai due to insecurity of tenure caused by potential banishments.³⁵

Conclusion

Falelatai's physical beauty belies an ugly past, a past that cries out for justice. Similar stories of internecine clan feuds stretching back to the nineteenth century strain the Land and Titles Court. Without exposing these internal feuds and their efforts tell their stories as attempts to seek justice, we can expect little changes to Samoans figuring at the wrong end of social and economic statistics.

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³⁵ Anecdotal evidence from business people in Samoa suggests that no matter goes wrong, one should never complain too much. The risk is that the little Napoleons in government bureaucracy will network to frustrate projects and make things disappear. Pers. Comm.. Toluma'anave Jim Gilchrist, 30 June 2011.