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**CONFLICTING POWER PARADIGMS IN SAMOA'S
“TRADITIONAL DEMOCRACY”**

FROM TENSION TO A PROCESS OF HARMONISATION?

A thesis presented in partial fulfilment of the
Requirements for the degree of

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Political Science

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New Zealand

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ABSTRACT

This research argues that the tension evident between western democracy and Samoa's traditional leadership of *Fa'amatai* has led to a power struggle due to the inability of the government to offer thorough civic education through dialectical exchange, proper consultation, discussion and information sharing with village council leaders and their members. It also argues that *Fa'amatai* are being disadvantaged as the government and the democratic system is able to manipulate cultural practices and protocols to suit their political needs, whereas village councils are not recognized or acknowledged by the democratic system (particularly the courts), despite cultural guidelines and village laws providing stability for communities and the country. In addition, it claims that, despite western academics' arguments that Samoa's traditional system is a barrier to a fully-fledged democracy, Samoa's *Fa'amatai* in theory and practice in fact proves to be more democratic than the democratic status quo. Furthermore, this study suggests that both systems can be harmonized through the process of 'Architectonics', whereby the excellence of democracy depends on the excellence of *Fa'amatai* and vice versa. In doing so, it reveals that Samoa's political status is that of a "traditional democracy", a blend of democratic and Samoan traditional intricacies which need each other to ensure their relevancy, legitimacy and longevity within Samoan society.

This study makes a contribution to the field of Pacific politics. In particular- it speaks to the democratisation paradigm that continues to occupy the thinking of many scholars and the work of many national, regional and international agencies. The study concerns the state of Samoa's democracy and its relevance in traditional society (and vice versa) and investigates how it could be improved - potentially resolving some of the contradictions and barriers to a democratic model that is Samoan, sustainable and equitable. Moreover, the choice of using Samoa as a case study may also perhaps inform the processes of other neighbouring Pacific countries similarly

experiencing a tension between the western notion and system of democracy and that of traditional leadership within local Society.

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*“Afio o lau afioga Tonumaïpe'a, o le Tapa'au o le Alataua
Susū lo outou matua o Tau'ili'ili ma la outou Aiga Samoeleoi
Maliu mai Nofoapule
Maliu mai oulua Tama igoa, Ta'atiti ma Tua'iaufa'i faapea le Fale'auga
Ae tainane le mamalu i le Alataua.”*

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Dedication

This thesis is dedicated to all the *Fono a Matai* throughout Samoa- in particular to the *Fono a Matai* of Neiafu, Savaii. It is my hope that this research may contribute in one way or another to the sustainability, relevancy, preservation and longevity of the *Fa'amatai* traditional system in Samoa.

Last, but definitely not the least- I dedicate this study to my beloved grandparents- Lafaitale La'alaa and Palepoi Savaiinaea who always believed in me and whose presence I continue to long for. You are forever in my heart!

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GLOSSARY

<i>Ālofa</i>	Love
<i>Aoga faifeau</i>	Sunday school
<i>Atua</i>	God
<i>Atunu'u</i>	Country
<i>Fa'aāloālo</i>	Respect
<i>Fa'afotutupu</i>	The ceremony of conferring a <i>Matai</i> title upon a Matai
<i>Fa'ailoa</i>	To make known
<i>Fa'alavelave</i>	Family and Village Matters
<i>Fa'amāgālo</i>	Forgiveness
<i>Fa'amatai</i>	Samoan Traditional System of Authority
<i>Fa'asalaga</i>	Punishment
<i>Fa'asamoa</i>	Samoan Way
<i>Fa'asinomaga</i>	Heritage
<i>Fa'ate'a ma le nu'u</i>	Village Banishment
<i>Fa'atōfāla'iga</i>	Samoan cultural methodology, the sharing of knowledge
<i>Fa'atu'iese</i>	Defiance
<i>Fa'atulima</i>	Greetings
<i>Fa'avae</i>	Foundation
<i>Fa'alupega</i>	Honorifics

<i>Fa'outaga</i>	Wisdom
<i>Faiā</i>	Relationships
<i>Faiga nu'u</i>	Village affairs
<i>Fala</i>	Mat
<i>Feagaiga</i>	Covenant
<i>Fefa'asoa'i</i>	Sharing
<i>Fetausia'i</i>	Caring
<i>Fetufaa'i</i>	Reciprocity
<i>Filemu</i>	Peace
<i>Fofōla</i>	Roll out
<i>Fofola le fala</i>	Roll out the mat
<i>Fono</i>	Meeting
<i>Fono a matai</i>	Village council
<i>Gafa</i>	Genealogy
<i>Gatoaitetele</i>	Prominent title of Tuamasaga District
<i>Īfoga</i>	Restoration
<i>Ilāmutu</i>	Spirits
<i>Itūmalo</i>	Districts
<i>I'ugafono</i>	Meeting outcomes
<i>Lāuga</i>	Oratory
<i>Leleiga</i>	Reconciliation
<i>Lumāmea</i>	Chamber.
<i>Malaia</i>	Curse
<i>Mala aumatua</i>	Familial curse
<i>Mala aunuuu</i>	Village communal curse

<i>Māliliega</i>	Agreement
<i>Mana</i>	Power
<i>Manā’omea</i>	Greed
<i>Matai Alii</i>	High Chief
<i>Matai Tulafale</i>	Chief
<i>Matūpalapala</i>	Gift
<i>Mau</i>	Message
<i>Measina</i>	Treasure
<i>Moe</i>	Sleep
<i>Moe</i>	Understanding
<i>Moe le Toa</i>	Postpone
<i>Nafa</i>	Chore
<i>Nafanua</i>	Female warrior goddess
<i>Neiafu</i>	Village
<i>Pa pe’a</i>	Bat sanctuary
<i>Pālagi</i>	White man
<i>Pule</i>	Authority
<i>Pule Fa’amalumalu</i>	Protective authority
<i>Pule Fa’asoasoa</i>	Distributive authority
<i>Pule Fa’avae</i>	Constitutive authority
<i>Pule Faitalia</i>	Freedom
<i>Pule nu’u</i>	Village mayor
<i>Pulepule tutū</i>	Dictatorship
<i>Saogalēmū</i>	Safety
<i>Soālaupule</i>	Consensus

<i>Suafa matai</i>	Chiefly title
<i>Tafā'ifa</i>	Holder of the four prominent titles
<i>Talatalaga</i>	Dialogue
<i>Tama'ta'i</i>	<i>Woman/Women/Female</i>
<i>Tapu</i>	Taboo
<i>Tapuafanua</i>	Sacred boundaries of the land
<i>Tāupou</i>	Daughter of a Chief
<i>Tautua</i>	Service
<i>To'oto'o o le faifeau</i>	Minister's time to speak
<i>Tōfā</i>	Wisdom
<i>Tōfā loloto</i>	Comprehensive knowledge
<i>Tōfā Malamalama</i>	Philosophy of Knowledge
<i>Tūafafine</i>	Sister
<i>Tui Ātua</i>	Prominent Title of Atua District
<i>Tui Ā'ana</i>	Prominent Title of Ā'ana District
<i>Tupu</i>	King
<i>Ulu o Āiga</i>	Family Leaders
<i>Vā</i>	Space
<i>Vā Tapuia</i>	Sacred Space
<i>Vaetamasoalii</i>	Prominent Title of Safata District
<i>Vā fealoa'i</i>	Mutual respect between two or more people
<i>Vāifafo</i>	External relations
<i>Vāifale</i>	Internal relations

*“E folasia manatu i Lumāmea
aua lona Soālaupuleina.”*

“E māu ē Fa’alele, māu ē Māitau”

“E tū manu ae le tū logologo”

“Ua tāfēfēa pulu i vai, tofi o Āiga ua leai”

“E āfua mai i mauga manuia o Nu’u”

“E ese le Aganu’u, ese le Agaifanua”

“E Fa’avae I le Atua Samoa”

*“E le alo Tamala le Filifiliga ma le
Sa’iliga Tōfā a Ali’i ma Faipule”*

*“E le falala fua le niu, e falala
ona o le savili”*

During Fono, concerns and pending decisions are brought to the table in what is known as "Lumāmea", or Chamber

While one expresses and discloses, there is one who is observing”. In this case, trouble does not tend to brew with the expression, but with the content of what is being expressed

When a message needs to be delivered, it is guaranteed it will be delivered regardless of time and place

Identities have been stripped bare

From mountains we receive blessings for the village

Culture and village norms are different One can be well versed and skilled in Samoan culture, but not necessarily in local affairs

Samoa is founded on God

The deliberations regarding an election candidate will not be done lightly

The coconut tree doesn’t sway on its own, but sways by the wind

“E le pō pea se Nu’u”

The village council will not live in darkness forever

***“E mamalu le Fa’akerisioano
i le Aganu’u, e mamalu foi le
Aganu’u i le Fa’akerisiano”***

There is honour and respect in Christianity because of the Samoan culture and vice versa

“Ia tala faasolo aua ua silimea le seuga”

Packing up the research tools as this particular search for knowledge comes to an end

“E sui faiga ae tumau fa’avae

We change the way we practise albeit foundations remain intact

“E togi le moa ae uu le afa”

They want to, but also have reservations

“Faamanusina le Tōfā”

(Tuvao, Manu, Logo)

Literally, *Fa’amanusina* means to announce or make known

“Faiga fa’avae a le nu’u”.

Cultural aspect of the village’s Constitutive Authority

“Fale o Matai”

House of Chiefs. Fale o Matai is a place not only where leaders are nurtured and made through a process of learning and doing, also where village histories, oral traditions and folklore are learned

“Fofola le Fala”

(Fa’aavanoa, Fa’aulufale,

Rolling out the Mat to create space for a discussion.

Fa’anofofale)

<i>“Lafolia i fogāva’a tele”</i>	Cast it in the open for dialogue and discussion.
<i>“Malie le Tōfā”</i> <i>(Tōfāmamao, Tōfāloloto, Tōfāmanino, Tōfāmalamalama)</i>	Stage of satisfaction or agreement
<i>“Malu mai ala”</i>	A shield or shelter. the phrase was coined by the minister of the Methodist church in Neiafu. In Samoan terms, the phrase is used in the context of providing gifts. Thus when an individual is preparing an “O’o” or “Malu mai Ala
<i>“Mamao”</i>	which means “far” or ahead likened to a vision or strategic plan of what a company
<i>“Moe Manatunatu”</i>	Sleep that involves optimistic thinking and dialogue with their ancestors and God, asking for courage and guidance to lead their family (Aiono, 1992).
<i>“Na tofia e le Atua Samoa ina ia Pulea e Matai”</i>	God created Samoa to be ruled by <i>Matai</i>
<i>“Saofa’iga a Matai”</i>	The seating arrangement of the chiefs
<i>“Se’i lua’i lou le ulu taumamao”</i>	Let us do the difficult task first
<i>“Sei fa’ailo le fogatia seu”</i>	Let the subject be known
<i>“Sei laga upu popo”</i>	To retell old stories
<i>“Soālaupule le Tōfā”</i> <i>(Fetala’i, Fetu’una’i, Lauliuliu, Fefulia’i)</i>	Consensus

<i>“Sōloa le aufuefue ma Ati ma le Lau”</i>	The destruction of all family property belonging to the offender. The offender’s nuclear and extended families are given an order to leave the village within a very limited time frame
<i>“Sōloa le Aufuefue”</i>	The destruction of all family property belonging to the offender
<i>“Sufi le Tōfā” (Fa’ama’ite, Fa’asufi)</i>	Invitation to Participate
<i>“Tali i Lagi se Ao o lou Malo”</i>	Nafanua, prophesized that he (Malietoa) await a head of his malo (government) from the heavens
<i>“Tatala le Tōfā” (Fa’aali, Fa’asoa, Tufa, Sasa’a)</i>	Expression of Knowledge.
<i>“O le Tautua Aitaumalele”</i>	The service of those who contribute regularly to family and village affairs but reside outside of the village. In this case either they stay in the city or overseas. Their service is economically rather than physically
<i>“O le Tautua Nofotuāvae”</i>	Someone who serves his Āiga every day in the village
<i>“O le tautua osi Āiga”</i>	The matai’s effort to contribute a few times a year for family Fa’alavelave
<i>“Ia talanoa I fogafala”</i>	To continue the dialectical exchange exchange

“E Tautua Tuavae”

Someone who serves his Āiga every day in the village, who participates in ‘Ava ceremonies and village council meetings

“O le Tōfā ma le Moe”

The wisdom of the Matai and their ability to foresee the future. It also includes the wisdom to make good and fair decisions

“Ua a’e I fanua faiva o tausala”

To conclude the successful dialectical discourse

“Ūia ala o mea”

Do what is culturally right, which is to talk to the village councils and go through village and cultural protocol in order to reach a consensus

“Lauliuliu ma Teuteu”

To thoroughly assess and mediate

CHAPTER ONE

INTRODUCTION

“Sei fa’ailo le fogatia seu”

“Let the subject be known”

1.1 Introduction

This research argues that there is tension between western democracy and Samoa’s traditional leadership of *Fa’amatai* that prevents genuine and responsive political processes from developing. There is a power struggle between democratic practices and the influence of Samoa’s traditional leaders, the *Fa’amatai*, and this is due to the government failing to offer thorough civic education in consultation with village council leaders. The process of ‘Architectonics’ whereby the excellence of democracy depends on the excellence of *Fa’amatai*, and vice versa, offers up a solution to this struggle. Samoa’s political status needs to be recognised as one of a “traditional democracy”, a blend of democratic and Samoan traditional intricacies which need each other to ensure their relevancy, legitimacy and longevity within Samoan society.

1.2 Democratisation in comparative and personal perspective

The democratisation paradigm continues to be a topic of discussion in the political arena. It occupies the thinking of many scholars interested in the study of political science. It is also a point of debate and scrutiny within national, regional and international agencies (Dahl, 2015). In fact, it is important for anyone interested in democratic values such as freedom and human rights. In an international context, democratisation can be viewed as perhaps the best system of government, one that allows citizens of a country to enjoy rights and freedoms (Dahl, 2015). It is a system that promises development and the alleviation of poverty to countries where political affairs are either in jeopardy or when a country is in the process of decolonisation (Knack, 2004).

The desirability of democracy has been evident, for example, in some sub-Saharan African states where there has been a dramatic move towards democratization. This has been made possible by civil society having the courage to vote out unpopular leaders accused of corruption. Although the removal of unpopular governments is not without violence, it highlights that there was perhaps always a place for a democratic system of government in sub-Saharan Africa (Hearn, 2000).

However, fledgling democracies do not often last, for example, Nigeria held free and fair elections in 2011. This made headlines around the world as a lesson for other African states about the benefits of the process of democratization and achieving a state of democracy. Yet, despite the landmark result, the election of a president from a minority group did not result in any fundamental changes to the Nigerian political system (Hearn, 2000). This is arguably a result of the country not yet ready operationally to deal with the changes a democratic system demands. Similar questions about suitability and implementation of democratic practices have arisen in the Pacific.

Within the region, the most recent country to attempt to establish a democratic system is Tonga. Prior to 2010 Tonga had been ruled by an absolute monarchy (Koloamatangi, 1999). The

election in 2010 was certainly not the first election in the Kingdom, but it did mark Tonga's first democratically elected parliament through universal suffrage (Koloamatangi, 1999). However, the democratic transition was not complete, as the government made some decisions that the people of Tonga thought to be radical and irrational. For example, Akilisi Pohiva and his elected parliament had ratified the United Nations Convention on the Elimination of Discrimination against Women (CEDAW) with little support from the public. From a western perspective, Tonga's ratification of the Convention was a significant leap forward in the country's transition to democracy recognizing the rights of women. However, from a Tongan perspective, the Prime Minister's actions moved against Tongan culture, as allowing Tongan women ownership rights to land and property are not common in Tongan custom.

In addition, there were also fears of this convention resulting in same sex marriage and abortion, two issues which are opposed in local culture and religion (Radio New Zealand, July 2015). Moreover, since 2010, Tonga's democracy has improved very little, despite efforts by democrats, advocates, journalists and academics. Halapua, a Tongan academic, stated that although the former Prime Minister Akilisi Pohiva is responsible, the biggest hurdle for Tonga is the power which is still wielded by the country's monarchy (Tonga Broadcasting Commission, 2017).

I have mentioned Nigeria and Tonga on purpose as examples of different countries around the world that have experienced democratisation. In the case of Nigeria, researchers and the media claim that the change of leadership did not help to iron out the troubles in the nation's democratic transition (Hearn, 2000). In Tonga, it is apparent that new and radical changes introduced into certain areas were not favourable with the locals. These are examples that show how the transition to democracy has never been smooth. This was recently highlighted when the King of Tonga, King Tupou VI dissolved parliament in 2017 after the Speaker of the House requested royal intervention from the King (Tonga Broadcasting Commission, 2017).

It is evident from these cases that democracy is certainly not a “one size fits all” system of government. In fact, it shows that regardless of a country’s values, principles and system change, different political circumstances, social environments and cultural contexts mean that different countries undertake democratic government in different ways. Yet this is not often well recognised in the literature, and the literature does not often accurately reflect local lived realities of these political systems. This is certainly the case for discussions and debates about the nature of political life in Samoa, hence the positionality of the researcher is important for understanding the way in which research about democracy in Samoa is produced.

1.2.1 Researcher’s Reflexivity and Positionality

“It is important to note here that a researcher’s positionality not only shapes their own research, but influences their interpretation, understanding and ultimately their belief in the ‘truthfulness’ of other’s research that they read or are exposed to. Open and honest disclosure and exposition of positionality should show where and how the researcher believes that they have influenced their research, the reader should then be able to make an informed judgement as to the researcher’s influence on the research process and how ‘truthful’ they feel the research is” (Holmes, 2014).

As with any research, there are various views from different perspectives. An American philosopher named Hilary Putnam argued that there cannot be a God’s eye view in the field of research and philosophy, meaning there is not one true objective account. He added that in research, “any view is a view from some perspective”, that research is moulded by both social and theoretical location as well as the lens of the observer (Putnam, 1992). Anselm Strauss has also argued that a researcher’s technical knowledge, personal experiences and research background should not be overlooked, despite caution from academic critics who regard these personal features as representing a problem of bias (Strauss, 1987). Strauss suggests that buying into this approach

of attempting to distance oneself from personal perspectives bury quality and valuable data that must be brought to light. For Strauss, in seeking to find reality, mining the researcher's experience is crucial as such experience is itself a potential source of gold (Strauss, 1987).

In locating my position as a researcher on this topic, it is important to know that I was born in Neiafu, a village on the West of the big island of Savaii and raised by my Mother and my grandparents. My early school years consisted of a mixture of attending the main primary school in the city (Apia) and in Melbourne, Australia, riding on my mother's shoulders as she pursued her postgraduate studies at University. I attended Samoa College for high school and for tertiary education, again it was a mixture of the National University of Samoa, The University of the South Pacific in Fiji and New Zealand Universities. The opportunities and experiences I have been exposed to throughout my personal and educational journeys play an integral role in the moulding and scaffolding of the worldviews explored and analysed throughout this piece.

Being immersed in more than one culture encourages the use of more than one lens to observe and see not only the research problem itself but also to understand the parameters of the field of Political Science (McNabb, 2004). As Political Science researchers there are times when we tend to ignore and/or are advised to disregard personal experiences, cultural values and personal postulates and biases we have for our fields of study (Holmes, 2014). More recent theoretical discussions suggest, however, that this attempt to distance oneself in the pursuit of objectivity can impair the ability to gauge greater understanding of a studied topic and can hinder meaningful relationships with co-researchers (McNabb, 2004). Furthermore, the inattention given to these principles can threaten the theoretical, empirical and ethical validity and credibility of a study (Brannick & Coghlin, 2010).

I conducted this research in the village of Neiafu, where I was born. This could be perceived by readers as a limitation and raise concerns of subjective biases in the study. However, I believe my values and understanding of cultural protocol enabled both an unprecedented research

participant turn-out and a more accurate understanding of the discussions that followed due to my fluency in both English and Samoan and the ability to discuss Samoan concepts in -depth. Language was indeed a significant advantage in conducting this research.

Brannick & Coghlin argue that insider research is significant as those with a connection to what is researched are immersed in the local environment and have the ability (through their personal connection and familiarity) to generate contextually embedded knowledge from experience (2010). In addition, insider research or an insider inquiry enables the researcher to follow local protocols and procedures in the correct or culturally appropriate way as identified by the society (Bartunek & Louis, 1996). Thus, the approach to this research is one which belongs to the Hermeneutic tradition, which understands reality by interpreting the meanings held by a certain group (Brannick & Coghlan, 2010). Herein, the researcher is not the person “conducting the study” but an active and engaged participant or co-researcher whose analytical and critical perspective of the culture is integral to the research (Coghlan & Brannick, 2005). In this case, empirical evidence will reveal key concepts and themes which will inform the theory (Evered & Louis, 1981).

For this research, a proper cultural process was completed before conducting the research, and the research would not have taken place without the authorisation from the Neiafu Village council.

My understanding of culture and social context enabled me to conduct the study as a researcher in which myself and the participants were all “co-researchers” as opposed to “a well-educated person coming to study us” situation, which is often the norm with studies involving custom and tradition (Kaplan, 2004). Such studies which involves “outside” researchers are problematic in the way that researchers are not immersed in the “inside” world where relationships to the community/people studied is detached and neutral, as they only see themselves as “observers” and “onlookers” (Brannigan & Coghlin, 2010). The impact of this, is the creation by

the outside researcher of categories of knowledge based on their personal experience that are not the true nature or depiction of what or who is being studied (Holian, 1999).

In light of the outsider research discussed above, the practice of “critical subjectivity” I believe is crucial as it refers to researchers not suppressing their primary experience or being overwhelmed by it, rather it should be considered significant to elevate it to consciousness and use it as part of the process of inquiry (Reason, 1994). Indeed, Berg and Smith (1988) argue that the unequivocal incorporation of identity and experience in your research will gain theoretical and philosophical support by the readers (Berg & Smith, 1988).

Throughout the thesis, my personal knowledge and experience of Western and cultural perspectives will be highlighted and is used as a system of checks against each other to ensure there is a balance of western and cultural aspects of the research including, methodology and theory (Heron & Reason, 1997). This duality of my personal understanding of local and Western perspectives is then also reinforced in the theoretical framework with a combination of Western and Cultural theories to guide the study. Moreover, in the methodology, I adopt a Western research method which is coupled with a Samoan cultural process in order to enable the collection of in-depth qualitative data. Finally, my experience, interests and personal postulates relating to the Research Problem enables an informed comparative analysis as well as enabling an attempt to harmonize both the democratic and traditional system of *Fa'amatai*.

Thus, my lived experiences add value to this project – and the following sections describe some of those experiences to help inform the reader further as to important influences on my personal engagement with this topic.

1.2.2 A Lived Experience: Recognising the Existence of Dual Systems

I was born into a very traditional and conservative village, where I grew up observing my grandfather and the head of my family attend village meetings where decisions were made for the

best interests of the whole village. I remember my grandparents telling me a true story about a chief from the village of Neiafu who had lived for a number of years in New Zealand before returning to Samoa. Upon his return, this person, who will be referred to as X, decided to announce over the national radio his claims to land and one of the chiefly titles in the village. Although his claim was justified as he was an heir to the particular family title, the manner of his declaration was inappropriate as it challenged the authority of the village council. Furthermore, his announcement was considered as being in total disrespect and an act of complete defiance against the Neiafu village *Fono* (council) and their traditional authority.

According to my grandfather, when X arrived in Neiafu, the untitled men of the village captured and tied him, and he was dragged to the village meeting place. At the *Malae Fono* (Meeting Place), other men had prepared an earth oven where X was to be placed on as punishment for disrespecting Neiafu's constitutive authority. None of the village *Matai* could persuade the head of the village council to reconsider the decision and only the pleas of the church minister, who was seen as the representative of God's authority, could spare the life of X.

Although this was the first and last occurrence of such actions and punishment in Neiafu, village people still talk about it as if it was yesterday. I am always reminded of this story whenever I return to my village. It reminds me of the need to respect the village laws and importantly the people who make the rules, informed by their cultural knowledge and wisdom gained throughout their years of service. They are seen by the local people as experts in what is best for their environment and the context in which they live in.

I also remember my grandparents talk about the different tenets of the village chiefly system within Neiafu. In particular- they discussed how solid the structure of the institution was, and that its purpose was to serve the best interests of the whole village, so that there is stability and harmony both internally and externally.

However, it is very important to note that it was not until I was in intermediate school that I realized that the chiefly system was not the only system operating in Samoa. In Apia, unlike Neiafu, there was a Prime Minister (PM) who was the leader of the country, and that although the PM was a chief himself, the structure of the system in which he led was not that of a *Fa'amatai*.

While starting my undergraduate degree in Political Science, the topic of democracy interested me. It was fascinating because its principle of individual rights seemed to clash with the collective rights of the chiefly system, I grew up in. A number of events intensified my interest and curiosity in democracy and the traditional system of *Fa'amatai*. One of these events included my reflection on my experience in electoral processes both in Samoa and in New Zealand in the same year. The other event was my encounter with Stephanie Lawson's research on democracy and custom in the South Pacific, using Tonga, Fiji and Samoa as case studies. This will be discussed in depth in the Literature Review in Chapter 2.

1.2.3 A Lived Experience: Reflections on Elections

In any representative democracy, voters, citizens of a country who are eligible to vote are given the freedom to cast their votes for the representative they see and believe will best serve their interests. The candidates' roles are to campaign through debates, presentations, speeches and meetings for what they will provide for their constituencies. This allows the voters to make well informed decisions during the election. Being eligible to vote in Samoa's elections in 2006 was the first time for me to make this political decision.

The experience was surreal. Elections for my constituency along with others were held at a primary school facility in Apia. We were able to cast our vote in Apia although our constituency was in Savaii, another island. Amidst the campaigners, eligible voters, particularly old people stood in the scorching sun for hours before they entered the room and re-emerged, showing off their black mark on their fingernail, evidence that one had officially voted. Not only was it to

mark their vote, but it was also to ensure they did not attempt to vote under a different name for another district particularly as voters had connections to titles from different villages.

Upon reflecting on the 2006 elections, there were no debates between candidates contesting our constituency seat, nor were there any elsewhere. There was an absence of presentations, speeches or meeting for candidates to convince voters as to why they should vote for them. Campaigning for the candidates included buying food for the voters, giving them money and a promise of doing their best for the village and district.

For the convenience of the Savai'i people residing in Apia, such ballot booths were set up in the urban areas. In the rural villages, voting booths were situated either in local schools, pastors' homes and church halls. This allowed for someone from Neiafu like myself who was residing in Apia to vote for who I wanted. The only difference would have been that in Apia there was freedom to talk about politics and ask the person next to you who their preferred candidate was. Meanwhile in villages, discussions were perhaps not as open in case there would be repercussions of voting for someone else who the village council did not fully support.

This may be because some village councils may have already stated and made clear who the village's preferred candidate was. The *Matai* in the campaign committee may have already advised their family members of who to vote for. A village council may have already warned its village people of the consequences if the voters were found to have voted for someone other than the preferred candidate. So, despite universal suffrage, some people did not have the freedom to make their choice, being either heavily influenced or given an ultimatum. Hence elections and the freedom to vote for ones' preferred candidate presented a stark contrast to how voters in other democracies like New Zealand make decisions.

In the same year as Samoa's elections I was also able to vote in the New Zealand elections. Unlike Samoa's campaigns which mainly started in the month of the election, political parties in New Zealand had already started campaigning months before. The candidates vying for the local

electorate seat held meetings in people's homes, debated on certain issues related to the electorate, as well as presentations and speeches at local schools and community gatherings. There were flyers, newsletters and a clear map of the priorities for each candidate their political parties and, importantly, how they would keep their promises when in office. Campaigning material was continuously delivered in the post, and brochures were distributed at markets and shopping centres. However, there was never an offer of goods, voters were not given money or food prior or post voting. There was no black ink on the fingernail, because there was no way that someone else could vote twice or on behalf of someone else; the New Zealand electoral system would not allow for such occurrences.

Two weeks prior to the actual voting day, people were able to cast their special vote, if they had plans of travelling during voting, or were scheduled to work. New Zealand citizens who resided and worked outside of the country were able to vote from overseas. The voting behaviour was such a contrast to that of voters in Samoa earlier in the same year. New Zealand voters were confident about the candidates and political parties for whom they voted. There were no cultural or familial pressures on who their preferred candidate should be and there was no reluctance in openly talking about voting, for the main reason being that voting is a freedom of choice.

This means there were no repercussions for people who did not vote for a specific candidate; hence there was an absence of fear in voting. In New Zealand, voters made two choices: a vote for the candidate and a vote for the political party. One could choose to vote for a candidate of one party, for example Labour, and give the party vote to another, such as Green or National. The choice was entirely the voters. Regardless of how people voted, neither the candidate nor the constituency had the authority to punish those who did not vote for them.

In Samoa, by contrast, there was perhaps an element of fear for those who voted against the will of the extended family or the *Fono*. If they were found guilty, they would be punished. Thus, the issue of an individual's freedom to vote versus the direction of the collective is another apparent

tension between *Fa'amatai* and democracy. This decision by a village can affect an individual or their whole family, and regardless of whether it is wrong or right, it is final as the supreme village mandate. In some cases, the media plays an influencing role on public opinion and how village councils operate their rules, creating tensions between what is deemed “right” from a democratic perspective and what the *Fa'amatai* system view as appropriate and “fit” for cultural purposes. It was within these contrasting views of both systems with regards to human rights that I became interested in exploring the subject further. In doing so it introduced me to Lawson’s research that had been done in Samoa, Fiji and Tonga relating chiefly systems.

1.2.4 My Encounter with Lawson’s and others’ research on Samoa

One of Lawson’s main arguments is that the traditional system of *Fa'amatai* is a barrier to the proper functioning of democracy in Samoa. She argues that in Samoa chiefs enjoy an elitist status within their communities, unlike in a democracy where everyone is equal and afforded the same rights and benefits (Lawson, 1993) Because of this, *Matai* are depicted as being highly opposed to the Western system of government as they will no longer enjoy the benefits of being an elite group. Lawson also represents the views of other non-Pacific scholars, including Larmour (2006), O ‘Reilly and Rich (2000) who argue that traditional systems stand in the way of Samoa having a full democracy. These opinions are shared by some Samoan scholars, including Asofou So’o, who at one stage concurred with Lawson, arguing that *Fa'amatai* was a barrier to Samoa becoming fully democratic (Soo, 2008).

Reading about these statements encouraged me to explore and find out from the *Matai* themselves what their experience and knowledge of democracy was, why they were opposed to democracy and whether in their own local knowledge and understanding, there were ways in which these two systems were able to work in concert. It was certain there was tension between the two

systems, which prompted me to investigate as to why there was such tension despite democracy being introduced in Samoa since its independence in 1962.

The significance of previous research into democracy and custom is noted. It has portrayed and identified an area of conflict for further research. It is perhaps fair to say that previous studies have questioned - albeit in a subtle way – the relevance and longevity of the traditional leadership system in its own society and environment. Previous research material therefore not only questions the *Fa'amatai* and the knowledge and wisdom of the chiefs, but also challenges the epitome of *Fa'asamoa* as a whole and the central role of *Fa'amatai* in Samoan culture.

Significant steps have been taken by scholars such as Lawson (1996: 2006), Lamour (1996,1997, 2005) Crocombe (1992) Rich (2002) and Soo (1996, 1997, 2006 & 2008) to help unpack the controversial topic of democracy and custom. However, I believe that there are still some important questions that remain to be answered. One of the major gaps which has not been addressed in previous studies is the need to investigate “why” there is a tension in the first place despite 50 years of democratic presence in Samoa. Most notably, *Matai* who are “owners' ' and “holders” of knowledge have not been given the chance to share their experience and their struggle in navigating through a traditional village system and that of a democracy. This research helps to bring some of their views to bear on this topic of democracy and traditional modes of governance.

1.3 The nature of this study

This research originates from my desire to explore why there is tension between *Fa'amatai* and democracy. Previous research conducted by non-Pacific researchers/academics have concluded that the barrier holding Samoa back from achieving full and complete democracy is its own traditional leadership system of *Fa'amatai*; a system that is said to cause tension and corruption. These researchers are quick to blame Samoan culture and traditional processes for such problems, citing that the greed of the Samoan people has led to corrupt behaviour and activity. However, little to no effort has been made to ask the *Matai* about 1) their understanding of this western process of “elections”, 2) what importance (if any) elections have in the Samoan context of leadership selection or 3) whether democracy as a whole is even relevant to Samoa.

These questions are integral to this study, given that Samoa has had its own traditional system of leadership that has enabled and continues to provide collective cohesion, social and political stability within the country. A major problem is that the public is often unaware of the relevance or applicability of both systems in Samoan society particularly in rural areas. This confusion results in *Fa'amatai* having their own set of rules within the villages, which clashes with the central government.

In light of this, this study focuses on conducting workshops within a village setting to find out from the *Matai* themselves their views, understanding and experience of the two systems, the tension between them and seeking the *Matai*'s knowledge and wisdom about possible measures and practical ways that could be taken to harmonize both systems despite their differences. Thus, this research provides a platform for the *Matai* to share their views and concerns and have a collective cultural response to one of the biggest issues within political science today, that of democratisation and impacts on traditional leadership.

1.4 The Research Problem

Samoa has operated and continues to operate within a traditional system of authority known as *Fa'amatai*, a series of customs and practices associated with *Matai* (*chief*). This operates alongside the national government operating under a democratic system. It can be argued that democracy was adopted into the constitution of Samoa as a product of the 1960 Constitutional convention (Rifai, 1961). Prior to this a Working Committee which comprised of Samoan citizens and two advisors from New Zealand was established in 1959 to deal with matters necessary to enable self-government (Angelo, 2012). Following a draft of the constitution a decision was made to place the document before a constitutional convention for their consideration and enactment (Rifai, 1961). Efforts were made towards adopting a procedure that was appropriate in order to make a legally autochthonous constitution, this meant ensuring that the constitution's validity lay in the authority of those who created it and not be a product deriving from New Zealand law (Bayne, 1985). In the following year, the group solely focused on the drafting of a constitution that would come in effect upon Samoa's independence hence Samoa's current constitution inclusive of common law and equity and custom and usage (Angelo, 2012).

It is important to note here that common law was applied to Samoa due to terms by the League of Nations, because Samoa was administered by NZ, the laws that were applicable to New Zealand would accordingly also apply to Samoa (Davidson, 1968). Thus, the common law was applied not by choice of the Samoan matai involved in the making of the constitution, rather it was done so pursuant to the English Laws Act 1908 (N.Z.) where the law of England as at 14 January 1840 was continued in New Zealand and therefore applied to Samoa during the NZ administration of the country (Bayne, 1985).

However, this is where the problem starts, and is where this study aims to identify the conflicting paradigms in Samoa's political system. A particular part of the constitution's preamble, for example, declares that "...the Leaders of Samoa have declared that Samoa should be an

Independent State based on Christian principles and Samoan custom and tradition...” (Constitution of Western Samoa, 1960). Apart from very limited provisions afforded to “custom and usage” Samoa’s constitution does not provide further basis for the recognition and enforcement of such custom and tradition. In fact, there are very few parts of the constitution which clearly recognise and specify custom and usage pertaining to matai (Angelo, 2012). Such provisions are highlighted by Article 100 of the constitution which states that “a matai title shall be held in accordance with Samoan custom and usage and with the law relating to Samoan custom and usage”. The other provision is Article 101 (2) which provides that customary land is also held with the same accordence afforded to the latter. This highlights that those with matai titles have significant control of land use (The Constitution of Western Samoa, 1960).

Nevertheless, the constitution clearly provides the law in which Samoa is to follow within Article 111 (1) in which there is an indication of not one, but two sources of law, the first being the English common law and its application of equity and the second of custom of usage (Angelo, 2012). Ostensibly, this can be interpreted and viewed as a clear provision to guide laws within Samoa. However, there exists complexities which have resulted in the current tension between what is acceptable in a democratic system and what is suitable and relevant to the *Faamatai* system.

In the face of this, perhaps it is fair to mention that although the constitution making involved a number of Samoan *Matai*, it was no doubt heavily influenced by the New Zealand administration and the mandate given to them by the United Nations (Rinai, 1961). Evidence of this is provided within the constitution itself, where, as previously mentioned there is limited provision for the recognition of custom and usage (Bayne, 1985). It is this limitation that has created a power struggle between the two political systems.

Tensions are evident for example, during elections and decision-making by the courts and by village councils, where for democracy and the use of common law within the constitution,

emphasis is on individual rights as per the Universal Declaration of Human Rights (Powles, 1961). Within the *Faamatai* system communal or collective rights which serve the best interests of all take precedence (Huffer & Soo, 2005). Such tension has led to proponents of democracy arguing that *Fa'amatai* is perhaps no longer relevant to Samoa's democratic government (Lawson, 1993).

On the other hand, the village councils are highly opposed to the democratic system of government stating that democracy has simply destroyed the heart of the *Fa'asamoa* (Samoan way of life) and the *Fa'amatai* which guides the application of custom and usage within their own environment and context. Therefore, democracy is perceived as a threat to Samoan traditional leadership and custom (Aiono, 1992).

Conceivably, the tension enveloped in the status quo could have been quashed at the making of Samoa's constitution if it were made with careful consideration of Samoa's unique customary circumstances. In addition, with little influence from the New Zealand administration and the United Nations (Angelo, 2012).

Nevertheless, with the current situation there is evidence not only of a power struggle, but also manifestations of different views of researchers taking the "outside-in" view as well as others taking the "inside-out" perspective. This study explores the tension, identifies why this still exists and seeks whether there are possible avenues that can be explored to harmonize both systems.

1.5 Research Questions

This study seeks to answer 3 key questions:

1. What is the reality of people's understanding about democracy and *Fa'amatai* in Samoa?
2. What is the rationale behind the continuous practise of traditional *Fa'amatai*?
3. How can both systems work in concert with each other to achieve harmonisation?

In order to answer these questions, there was a need for a field study. This was crucial in order to obtain raw information from the chiefs who are operating within an active village council. This was for me the only way I could get an insight into the wisdom and knowledge of traditional authority at a local and grassroots level. Also important for the field study was for *Matai* to discuss their experiences with democracy and the different ways in which the two systems come into conflict with each other. In order to conduct the field study, I needed to choose a culturally appropriate and responsive method of communication and engagement with participants, hence the use of the “*Fa’atōfāla’iga*” (the process of searching for knowledge) model. Though this is briefly mentioned here, details and discussion of its significance to the study will be covered thoroughly in Chapter 6.

1.6 Overview of Chapters

This study has been divided into ten sections, including the introduction. This first section aims to provide an overview of this study. Included in the introduction are some of the works which have influenced my own intentions and inspiration in choosing this topic. I have also highlighted some of the gaps from previous research which I hope to address in my own study. In my humble attempt at making a contribution to this area of political science I have clearly outlined the research problem and the key questions which provide the parameters and focus for this study.

In **Chapter 2**, I provide a literature review highlighting only the material that is relevant to the topic studied. There is quite a lot of previous research around democracy, however very limited material is available to democracy and traditional leadership in the Pacific, particularly Samoa. Nevertheless, the relevant material from researchers such as Lawson, Soo, Vaai, Iati, Rich and Aiono to name a few will be discussed and analysed in depth. It is anticipated that the reader will start to gauge and appreciate the lens in which the researcher uses to proceed with the rest of the study.

In **Chapter 3**, the conceptual framework is presented, the focus of this is to introduce the reader to the key concepts which will be discussed and explored. This section also highlights the links between the main concepts, their relevance to each other and significance to the whole study. My hope for this section is for the reader to gain a good understanding of key words, their meanings and values in relation to *Fa'amatai* and democracy. In order to have a deeper appreciation of this study, it is vital the reader is familiar with what will be discussed throughout the study.

Chapter 4 will outline the framework for the whole research. This section places emphasis on the theory of knowledge as it relates to the concepts covered in Chapter 2. It seeks to combine the key aspects of phenomenology in the particular approach to the problem, an approach which, for the purposes of this study, I have called "Holistic Philosophy". Through this method, the research explores several phenomenological questions: the nature of reality; the ontological

question of how we know what we know; and the ethical question of how we act once we are sure of what we know. Also crucial to this is the inclusion of a cultural framework that supports keywords such as *Fa'amatai* and *Fa'asamoa*. It is important to note that “Holistic Philosophy” and the “*Sa'iligā Tōfā*” (the search for knowledge) as explored herein are original theories discovered and developed by the researcher during the process of the study.

Chapter 5 offers a thorough discussion of the methodology – the process in which the research was conducted from the beginning to the end. For the purpose of this study, the phenomenological approach of qualitative research was used. This was coupled with a cultural approach to the study known as “*Fa'atōfāla'iga*”. Also explored in this chapter are the methods in which the qualitative data was collected and analysed, such methods include Participatory Action Research which enabled me to facilitate civic workshops within the selected sample area. The workshops were informed through the philosophy of *Sa'iligā Tōfā* and was enabled through the method and practice of “*Fa'atōfāla'iga*” another original method explored and identified by the researcher during the study. This process also enforced the importance of the relationship between the researcher and the participants, who were not only participants but also co-researchers as we shared knowledge, understanding and expressions of concerns regarding the topic studied.

Chapters 6, 7 and 8 aim to discuss the findings and analysis of the research as a result of the field study which was conducted. It starts with a presentation of key findings; a compilation of results from the 2 workshops and the separate interviews. Key findings which will be discussed in depth in this chapter include the lack of knowledge of participants about democracy, the realization of huge knowledge gaps between the two systems, that democracy is very much localized in the central city whereas in the village arena there is a dual system which people follow consisting of *Fa'amatai* and Christianity. Other findings include the consensus from *Matai* that their traditional system of authority is more democratic than democracy, and that the government exploits Samoan *Fa'amatai* values and protocols for their own democratic benefits. The findings

also indicate that villages which operate under strict *Fa'amatai* rules have very low crime rates compared to urban areas where there is limited traditional authority. Furthermore, the findings suggest that some matters which have been centrally handled in the lands and titles court could usefully be returned to village councils to preside over. In this section the key findings are analysed in relation to the concepts and theories as discussed. It also considers key learning areas from the study in light of developing a process where both systems are able to work in concert with each other through finding common ground.

Chapter 9 then discusses Architectonics as a possible process of harmonization and indicates how this could be implemented through a section on Policy Implications. This is perhaps the shortest section in the study as it deals with recommendations that can be used to guide and scope policy relating to tensions between democracy and *Fa'amatai*. The implications for policy are born out of the key findings and knowledge gaps as identified in the study, and the suggestions from the participants on the matters that are vital in ensuring that democracy is acknowledged but more importantly to ensure that the longevity and relevance of traditional systems such as *Fa'amatai* is upheld and protected from the democratic neo-colonialism of the West.

Chapter 10 concludes the study. This section is as important as the introduction in that the conclusion has two main functions in any study. This will briefly reflect on what has been written and discussed in each chapter and points towards what can be expected in the future. This chapter will therefore remind the reader of the key questions and provide an overview of the ways in which the research sought to address the questions posed.

CHAPTER TWO

LITERATURE REVIEW

“Se’i laga upu popo”

“To retell old stories”

2.1 Introduction

This chapter explores both past and present research specifically relevant to the topic of *Fa’amatai* and democracy in Samoa from both non-Pacific and Samoan and Pacific researchers. It is important to note that literature regarding this specific topic is limited. Although there are some studies on the topic of democracy in the Pacific in general, there is very limited research on the relationship between democracy and traditional systems of authority in the case of Samoa. Prominent scholars whose work will be discussed in this chapter include Lawson (1996), Larmour (1997) Rich (2002) Soo (2008) Iati (2009) Vaai and Aiono (1986) to name a few.

To achieve a balance in the material available, this review explores the perspectives of both Samoan scholars and non-Samoan/Pacific academics and researchers. This is an attempt to highlight whether there are any differences or similarities among the researchers and the different lenses they have used to perceive the western concept of democracy and their understanding of traditional leadership. The literature review starts with an initial introduction to democracy which will create the platform for discussion that follows in this piece. This section has been analysed in terms of a top down approach, starting with the perspectives from an international level, then moving to a regional one and finally the views on this phenomena at a grassroots level.

2.2 The Universality of Democracy

Democratic theorists and researchers have for years trialled and tried to measure this system of democracy to ensure its relevance in terms of practicality in today's societies around the world. Robert Dahl who is a widely appreciated world leading teacher and student of the theory and practice of democracy finds a comprehensive way of explaining what democracy is not and in doing so allows the reader to unravel, comprehend and accept what democracy is.

In contemporary politics and democratic studies, it is believed that in order for a country to be democratically governed, it would first need to have certain political arrangements, practices and institutions as foundations for governance (Dahl, 1998). The practices as Dahl notes can be learned and eventually become habitual. This will allow democratic durability within a state. Institutions can also be understood by those who may run it, this includes the separation of powers consisting of the Executive, Legislative and Judiciary which are all independent from one another to ensure there is a system of checks and balance (Sen, 1999). Other institutions include political parties and civil society etc, they can be passed on from one generation to the next, as they follow this arrangement, they eventually become settled institutions.

In fact, these were the arrangements and institutions the United States had established for the creation of their state. When the French aristocrat and theorist Alexis De Tocqueville first visited America, he was very impressed with the system created by the Americans, that upon his return to France he spoke of the State's democracy (Wood, 2010).

Gaining insight and admiration for the system described by Tocqueville, many other countries followed and created their own democracies based on the American system. Many sceptics will question whether these political arrangements are sufficient, and whether they do anything at all for a state, perhaps more so for societies which have practiced their own traditional governance systems, and believe theirs to be the best in terms of harnessing peace, harmony and stability (Biney, 2011).

Democratization and the process of it, according to Samuel Huntington consists of three waves, the first wave between the late 1820s (1828) to the early 19th century, prior to the first world war, where universal suffrage was an indicator of new democracies. This wave was perhaps necessitated by economic development and industrialization with the dismantling of the Austrian, German, Russian and Ottoman empires as well as the victories of the West in world war 1 (Huntington, 1991). The second wave came about after the second world war when democracy was *imposed* by allies, being democratic became increasingly popular in the international political community, where it was recognised that there was little to no chance of one democracy going into war with another, having learnt from the shock, chaos and economic losses of world wars 1 and 2 (Kurzman, 1998).

This second wave also marked the period of decolonization as a result of the second world war. The third wave came about in the late 1970s towards the early 1980s at a time when there was international concern over the legitimacy of authoritarian regimes in some countries (Doyle, 1983) but also when democracy became more global or universal in its political systems and principles (Doorenspleet, 2010). This wave saw democratization in Southern Europe and a spread towards Latin America (Huntington, 1991).

Regardless, democracy is believed to produce desirable outcomes for its citizenry. One of its main objectives is the avoidance of autocratic rule, which as the world has seen since the beginning of the 20th century was a system of rule which robbed millions of people of their lives and liberties. An example of such rule was the leadership of the Khmer Rouge led by Pol Pot in his own country of Cambodia. Between 1975-1979 a quarter of the population were killed because of Pot's fear of the educated class, believing they would overthrow him as leader (Dahl, 1998). Another obvious and disturbing example is of Hitler and the millions of Jews he put through concentration camps because they did not resemble the physical features of the "pure race" he preferred (Phillips, 1991).

Democratic theorists believe that there are 10 very important factors that are achievable through the practice of democracy (Conolly, 1987). In their book titled *Theories of Democracy*, Tercheck & Conte build their analysis of democracy based on Dahl's observation of democracy (Tercheck & Conte, 2001). That is, as Dahl argues, there is no one single theory of and for democracy, he goes on to explain that there are only "theories" of democracy (Dahl, 1998).

However, Tercheck and Conte concur that although there are numerous theories, some similar and contrasting to one another, all democratic theories belong to the democratic family and they share some similarities (Tercheck & Conte, 2001). These include:

- **Essential Rights-** Democracy guarantees its citizenry a number of fundamental human rights, (which are also essential building blocks of a democratic process) that other systems cannot afford the state in fear of being overthrown (Esquivel, 1996).
- **Political Equality-** a high degree of political equality is fostered and encouraged within a democratic system, where every vote whether rich or poor has the exact same weight (Barber, 1984).
- **Moral Autonomy-** only within a democracy can an individual be given the opportunities to exercise their moral responsibility (Hayek, 1989).
- **Self Determination-** a democratic government is able to provide maximum opportunities for people to exercise the freedom of self-determination, that is to live under the laws they have a right in choosing (Barber, 1984).
- **Human Development-** a democracy encourages and assists in human development more fully than any other government alternative (Dahl, 1998).
- **Protection of Personal Interests-** citizens can act to safeguard their own interests whilst also considering the interests of others, have the opportunity to freely engage with others to make important decisions (Conolly, 1987).

- **General Freedom-** within a democracy freedom of expression is very important as it is instrumental to moral autonomy and moral judgement (Held, 1996).
- **Avoids Tyranny-** the system of democracy helps to prevent governments from cruel and vicious aristocrats (Held, 1996).
- **Peace Seeking-** the establishment of international organizations which favour democratic systems mean that democracies cannot engage in war with each other under international treaties and laws, thereby protecting each country's democracy (Huntington, 1991).
- **Prosperity-** People tend to be more prosperous in democratic states, as it encourages education and employment, institutions are strong and society is sustained through the effective rule of law (Lijphart, 1999).

2.2.1 Requirements of a Democracy

Based on numerous writings both past and present on the subject of democracy theoretically and in practice, there seems to be a number of required areas. All of them fall under 7 core tenets. These are the requirements which meet the standard of what democracy is, or ought to be, in theory and in practice according to the different theories of democracy as argued by political democratic theorists (Dahl, 1998). Various democratic countries may not have all the necessities of a democracy however, it is accepted that the nature of a democracy within a country can be influenced by processes of social, economic, environmental and cultural beliefs and shifts which also influence the processes and models of democracy. Indeed, the challenge for democratic countries is the introduction of these democratic tenets into their government systems and ensuring they are maintained and strengthened. The following political and ethical arrangements or practices are required for a democracy.

Elected Officials- A country realises the difficulty of trying to assemble every citizen to hear their concerns. Therefore, each country divides their territory into constituencies/districts where citizens within these boundaries are able to vote and select a representative from their district to represent them in state affairs. These representatives which may also be known as members of parliament (MPs) have the responsibility of having control over government decisions regarding policies, laws and regulations. Their powers are limited to the terms of their constitution and are accountable to the citizens who voted them in (Held, 1996).

Free, Fair and Frequent Elections- As mentioned above, constituencies need members of parliament to articulate their concerns and interests into the government. In a democracy these MPs are chosen not for life, but for a certain period of time, in frequent, fair elections which can be held every three or five years. These elections also should be free of violence, coercion and bribery. Herein citizens should have the ability to vote for whoever they feel is the best candidate for the job (Dahl, 1998).

Freedom of Expression- This tenet allows citizens to express their opinions, concerns and interests either privately or in public via the media (television, radio, newspapers) and currently on social media such as twitter and facebook. However, this needs to be done in an appropriate way, not to defame but to express personal views. In turn the government should not ban or threaten its citizens with punishment or put them in situations which could pose danger (Dahl, 1979).

Alternative sources of Information- Information and sources are very important in a democratic country, as not all information citizens are entitled to know are communicated through the media. Only spoon-fulls of information are fed through one-hour news pieces but are not sufficient for public information. This is why there needs to be alternate ways of obtaining public

information which can be done under the Public Information Act. This gives citizens the right to seek out the sources of what they need to know. Information regarding government policies, processes and laws should be freely available in libraries and in newspaper articles. Also, official government and ministry reports should be available to citizens to read and develop understanding. In turn this gives them the chance to write and express their opinions regarding proposed government issues (Lijphart, 1999).

Associational Autonomy- This gives a country's citizens the right to establish networks with others who have the same interests and share common concerns. They can form independent organisations and associations which stand for a specific cause. These include the freedom to form interest groups, civil society, organisations or even political parties which are all able to influence decisions made by the government (Christman, 2007).

Inclusive Citizenship- This enables citizens to be engaged, participate and be included in political affairs of a country. This may start from having the right to participate in debates, having an individual's concerns heard before decision making. The right to vote when citizens reach the legal age to do so, the right to run for elections as well as the right to do all the other previously mentioned 5 tenets of democracy (Almond & Verba, 1980).

Civic Education- This tenet was not mentioned as part of the requirements for democracy, nor is it frequently mentioned in democratic writing. However, it is a crucial necessity not only to this research but also for democracy. The right to civic education, as this research will discuss is the key to how democratic a country is or will be, and how each country will be able to face challenges particularly in countries with dual systems. Such systems include western democracy and traditional systems whose leaders argue that their cultural processes are what make a "true"

democracy. For instance, countries in the South Pacific region and societies of South Africa (Dahl, 1998).

In Dahl's book, "On Democracy" (1998) he made an argument, this research totally agrees with. He stated that "the opportunities to gain an enlightened understanding of public matters are not just a part of the definition of democracy; they are a requirement of democracy". This research believes what Dahl stated can be done through civic education, through the right to participate and be included in public discussions, deliberations and debates (Dahl, 1998). Also, through the right to understand how public affairs and politics are run. The right to know what a democracy is, what its functions are, how this system works and what benefits (if any) it brings to a country (Cohen & Arato, 1992).

A combination of these 7 practices is not only desirable for a democracy but also obtainable. For instance, NZ is praised as one of the most democratic and least corrupt countries in the world (McCredie, 2017). This is portrayed in many ways including how free and open citizens are in expressing their opinions concerning political matters and because of this, members of parliament are held accountable to their voters. It shows, for example, in the fact that many resign from their roles following criticism and questions from the public regarding the ethics of their behaviour, accountability and transparency (McCredie, 2017).

In contrast, India one of the most populated countries in the world, highly divided in terms of cultural and religious cleavages, falls behind in many of the required tenets for democracy, particularly in terms of freedom of expression, equality, rights for women and inclusive citizenship. However, India is a democratic country (Kohli, 2001).

Nevertheless, this is a trend which shows that given the 7 practices required for a democracy, as discussed it is evident that some democracies have all requirements, some may have only a few and some may have made modifications. Importantly though, it shows that democracy is not only a system of government. It is an ideology, an actuality and also a system that is continuously in

progress. It is always in development to accommodate the contemporary issues the world is faced with in globalized times (Dahl, 1998). It is also a system which allows researchers to learn from, looking at older democracies identifying gaps in order to strengthen the new democracies.

However, as this research shows, democracy is not a “one size fits all” depending on cultural and political factors of a country, where democratic principles are either accepted or not. Samoa is one case in point, where the traditional leadership system of *Faamatai* and the matai within it argue that their system is more democratic than the actual democratic system in place. This is particularly so, if *Faamatai* leadership, protocol and values are compared to the requirements and intricacies of a western democratic system. It should be noted here that in light of the earlier democratic discussion, Samoa fits into the second wave of the democratization process as explained by Huntington. Similarly neighbouring Pacific countries all fit into this second wave as they followed Samoa’s lead into becoming independent following the period of decolonization. Moreover, they too have experienced the same phenomenon as Samoa regarding the co-existence of a traditional and western system of governance.

2.3 Democracy in the South Pacific Region

Peter Larmour identified the notion and practice of democracy in the Pacific as a foreign flower which will fail to grow in the region. Larmour argues that this is due to the struggle for traditional authorities to endure foreign forces such as Christianity and colonialism (Larmour, 2005). Larmour's findings and comments were made in the early 1990s, shortly after the 1987 coups in Fiji. In this particular case, Rabuka deliberately set up a second coup after the democratic elections held in the country made way for a number of Indian-Fijians to resume roles as Members of Parliament (MP) (Lal, 2006). Unsatisfied with how democracy had eroded traditional chiefly rule in the country, the coups were a way to restore power to the Fijians, giving back the power to traditional Fijian Council of Chiefs was, as Rabuka explained what was "rightly theirs" as indigenous peoples (Lal, 2006).

Larmour explained that tradition and authority were used not so much to protect the sacred aspects of unique cultural identities and values, but to defend the privileges of elites from growing demands for accountability in communities and in the government (Larmour, 2005). In such cases, they protected elite interests at the expense of those who requested more opportunities for participation, who did not have traditionally derived political or social status.

In the cases of Fiji and Samoa, such powerful groups are often not self-appointed, in fact, to become a chief, individuals are appointed by village and family members. Certain cultural protocols should be achieved and completed prior to becoming part of such a powerful group (Lal, 2006). These groups are indeed powerful in the way they articulate issues, sustain stability within communities and successfully retain their traditional customs and cultures, albeit strong foreign influence (Meleisea, 1987).

In Samoa's case, in particular it is rare to find people who argue that they need more opportunities to participate. This is because as Soo & Huffer (2000) and Aiono (1986) argue, there is a process of consensus when a family member is selected to be a *Matai* (Aiono, 1986). Although

this system may not involve every family member, all will be eligible to have their voice heard within due time (Soo & Huffer, 2000). In light of these arguments in favour of traditional processes, a closer analysis of the traditional system in Samoa and taking into consideration the power struggles of neighbouring countries indicate the system of democracy and its principles is perhaps a foreign flower that needs to adapt to its environment in order to survive.

2.3.1 Democracy as a Foreign Flower

Misunderstandings around the implementation of democracy in postcolonial societies bolster the argument that democracy is like a foreign flower, one that perhaps will never be able to grow in unfamiliar soil. If it does, extra care and nurture is needed for it to flourish. In Samoa's case, despite being democratically governed for over 50 years since 1962, the foreign flower of democracy still struggles to adapt, especially towards the traditional authority and the power of the *Fa'amatai* system (Soo, 2008).

Coined by Sitiveni Rabuka and made famous by Larmour, other commentators have also alluded to the metaphor of democracy as a foreign flower. They include Roland Rich and Cedric Saldanha who attempted to analyse democracy in the Pacific with findings and discussions relevant to the situation in Samoa. Rich's argument is that democracy is a very foreign concept and reality and its relevance in the Pacific particularly in a country like Samoa with its chieftainship will depend heavily on institutional integrity (Rich, 2000).

He also argued that for this foreign flower- its quality should be measured and tested in terms of its longevity, resilience and the ability of the people to participate in political debate and discussions. (Rich, 2000). Brij Lal also argued that Fiji probably never had a democracy according to the western understanding of the concept (Lal, 1999). The implication is that the flower wilts in the chill air of misunderstanding. Laisenia Qarase, former Prime Minister of Fiji, argued that democracy was too foreign and therefore unsuited to Fiji (Naidu, 2006).

On the other hand, Dominic O’Sullivan argued that local understandings of democracy in Fiji can sometimes be selective. While democracy can frustrate cultural patterns in Fiji, it offers stability in times of political need (O’Sullivan, 2017). Lal (2002) argued that democracy in Fiji is closely related to perceptions of this system in Samoa. Those who understand democracy and how it works in the country might not view it as a foreign flower. However, the majority of the people who do not fully understand democratic ideals and values only see a negative western influence, as suggested by Rabuka (Larmour, 2005).

In 2015 in his book titled “Being Political: Leadership and democracy in the Pacific” Corbett argued that there are four democratic traditions that make up a “democracy” and although there is an “invented nature of so-called traditional practices” none of the four traditions or legitimators of democracy are likely to disappear”. This he argues is due to the global demands of the universality of this foreign flower of democracy.

No other group may feel oppressed by this foreign concept more than the *Matai*. In traditional government, those who dedicate their lives to serving their families, villages and churches may hope that one day their service will be honoured, by the bestowal of a chiefly title. This gives them the ability to represent their family in village *Fono* and decision making. Faced with the challenge that chieftainship and their traditional leadership system may one day be abolished, democracy to them is indeed a foreign flower (Soo, 2008). Not only will it struggle to grow in a local climate, but even be considered a poisonous flower with the ability to influence its surroundings in an unfavourable way.

Lau Asofou Soo declares that the relationship between democracy and *Fa’amatai* is indeed “an uneasy alliance”. There are certain areas of political activity involving *Fa’asamoa* and *Fa’amatai* where there are no compatibilities or agreements (Soo, 2008). An example is the democratic principle of an individual’s human rights, which coexists tensely with the traditional

Fa'amatai agreement of collective rights. Whereas village *Fono* will favour collectivism, the courts may not share the same view deciding to side with the individual.

Such decisions then question the relevance of the traditional *Fa'amatai* system which unlike Corbett's comments is the total opposite as in Samoa's case such traditional authority and practice(s) are not invented. In fact, it can be argued that within a society like Samoa where traditional leadership and authority is the norm, democracy is the system with the invented nature of so-called democratic practices. Not only is it continuously evolving, yet with limited evidence of achieving its development promise, it has also become what donors and international organisations want it to be depending on interests and demands of the political audience.

This has negative impacts and implications for societies with traditional systems as they are almost forced to conform to democratic standards that disadvantage traditional and cultural values and processes, despite the potential of democracy doing harm rather than good. In such cases, the importance of embedding custom and tradition in a legal framework is profoundly significant.

2.4 Samoa's Democratic Legislation

The constitution of the Independent State of Samoa can shed light on the argument that democratic government is a foreign flower, and what role that democracy plays in the future of the country's political and international relations. The constitution states that the leaders of Samoa – in this case the *Matai* who were involved in discussions and witnessed and signed the document – declared that Samoa should be an independent State based on Christian principles and local custom and tradition. This is a straightforward declaration that although the country had adopted the Westminster system, Samoa retained its own principles of how that system would be practised in terms of self-determination (The Constitution of the Independent State of Samoa, 2011). There is still evidence of not one, but two legal systems practised in the country: the traditional authority of the *Fa'amatai* within communities, and the constitutional authority of the Judiciary.

As explained by Soo and Iati, there are times when both systems come into conflict with each other about which laws or rule is supreme (Soo, 2008, Iati, 2009). *Matai* within the institution of the *Fa'amatai*, believe that their decisions in village politics are supreme (Tuimaleali'ifano, 2006). On the other hand, the judicial arm of the democratic government of Samoa often disagrees with village council decisions (Vaai, 2001). This is evident in various cases where village people have been ostracised from their own villages and lands as a result of village council decisions and penalties. In response to these situations and having knowledge of their human rights, victims take their cases to the democratic courts, where the court will rule for the village folk to return to their villages and property (Soo, 2002).

However, the *Fono a Matai* (village council) will always retain their earlier decision arguing against the decision of the court, declaring their authority is supreme in matters pertaining to village affairs (Tuimaleali'ifano, 2006). The important issue that can be identified here is the fact that these numerous cases of traditional authority versus constitutional authority not only highlights the tension between the two systems but also brings to light what little effort Samoa as a whole has taken to try and marry the two systems.

In a move not only to sustain but also re-emphasise traditional leaders and authority, the *Village Fono Act* was passed by Parliament in 1990. This aimed to legitimise the institution of the *Fa'amatai* and village councils to carry out punishments within villages when law and order was not adhered to (The Village *Fono Act*, 1990). In doing so, insufficient consideration was given to other tenets of democracy such as freedom of speech, the more important elements of human rights and how they would be affected by making the decisions of the *Matai* legitimate.

On paper the Village Fono Act 1990 is viewed as a tool that *Matai* can use in their deliberations and delivery of punishment within villages. However, unfortunately for village councils, the Act has no teeth as although it guides what village councils can do, in reality final decisions on what happens to individuals are handed down by the court system where judges can

decide whether the village's mandate is considered or not. Hence, there is no guarantee that the *Pule* of the *Matai* is made legitimate according to democratic principles and system although it is this *Pule* as *Matai* would argue that maintains peace and security within villages. In fact, one only needs to ask the village *Matai* about what they as traditional leaders see as a contributing if not leading factor in the power conflict arising from the different systems in Samoa. The *Matai*'s current interpretations of democracy and its tenets, in particular human rights are evidently a contrast from that of a western perspective and understanding.

2.4.1 Current Interpretations of Democracy in Samoa.

Despite the presence of democratic governance in Samoa for over 50 years, the tensions between ideals of democracy and indigenous leadership values are still evident as this research will explore and highlight. Nevertheless, it is timely to raise here that one of the major issues that continues to emerge from the juxtaposition of democracy and *Fa'amatai*, is the ongoing tension of the much-debated topic of human rights (Senituli, 2001). This is one of the more significant tenets of democracy that has caused a stir in Pacific society particularly where culture is paramount. This is seen not only as a local issue but also a regional one pertinent and significant in academic and policy talks.

Recent material recorded and compiled by Galumalemana Steve Percival explored the issue of Human Rights and the different perspectives towards it. Members of the general public were interviewed, including village *Matai*, ordinary citizens and high-profile government officials such as the Attorney General and some politicians (Percival, 2012). The study brings relevant views to the research to be pondered and if possible addressed.

The main question that was posed to all participants was "How important are Human Rights to you?" The answers varied as would be expected with those with some knowledge of democracy and human rights saying, it was important. However, most of the *Matai* who were interviewed

displayed concern and even disgust in human rights, arguing that this “foreign concept of democracy” has imported irrelevant notions such as individual human rights. They express that democratic modes of thinking have enabled people to disregard the rule of the *Matai* and take village councils to court, something that previously was unheard of. These types of modern activities bring traditional authority into disrepute, allowing the Samoan public to do what they could not do prior to democracy, which threatens stability (Percival, 2012).

Some of the *Matai* who were interviewed also mentioned how notions of human rights derived from democracy have changed the way villages conduct their affairs and obligations. They point to the changes human rights have given to women with the “right” and ability to obtain a chiefly title (*Suafa Matai*), and with it the opportunity to be more involved in both local and national political matters. They mention that traditionally men are involved in political affairs whereas women play the role of supporter and are responsible for domestic duties. In addition, matai do not believe there is a need to emphasize women’s rights, as *tamaitai* (women) were always held in high esteem within their families without the need for a matai title. This “democracy” they argue has changed not only the *Fa’asamoa* but also the *Fa’amatai* (Percival, 2012).

However, with Samoa’s ratification of CEDAW in 1992, there is evidence of Samoa’s progress, albeit slow in trying to fulfil their obligation under this convention. For instance, currently women continue to play a huge role in leadership within government ministries as Chief Executives and assistant CEOs, judges in court and with a very minimal political representation. To help address this inequity in political representation, Samoa has introduced a quota system for women to have at least 10% representation, equating to 5 of the total seats in parliament (Motusaga, 2016). In total, despite the number of Matai, only 11% of them are women. Only 8% of villages recognize women as matai, however there is still restriction for their participation in the village *fono* (Office of the Ombudsman, 2018). In churches, it is recognised and acknowledged that

women are involved and hold leadership roles, they are active and dedicated servants of the Lord, nonetheless, they are still outnumbered by their male counterparts. In addition, men still hold the decision-making authority across major platforms.

Furthermore, despite the country's obligation to eliminating discrimination against women, there are still 36 of villages in Samoa, which forbid women from holding a *Matai* title as part of their constitutive authority. In addition, according to the reports from the Office of the Ombudsman and the National Public Inquiry into Family violence in Samoa there is still urgent work needed in order to address violence against women within families, particularly with *nofotane* (women living with their in-laws) who according to the Inquiry 86% of them have experienced violence (Office of the Ombudsman, 2018). In terms of intimate partner violence, 87% of women experienced threats of physical violence or bodily harm (Office of the Ombudsman, 2018).

This indicates the importance of safeguarding human rights particularly for women and for Village *Fono* to understand these, is crucial to the protection of *Tamaitai Samoa* from violence and discrimination. Additionally, women's understanding of how they can enact their rights can help reduce and eliminate domestic violence across all areas of Samoan Society.

The concerns of *Matai* also extend to how the Rights of the Child (ROC) have shaken the foundations of Samoan families. They blame none other than the western notion of democracy as the cause of all the changes taking place. According to them, the changing dynamics is not only in how government is run, but also in how village affairs are conducted. Democratic ideas of the individual extend to drastic changes in the relationships between parents and their children.

Indeed, the participants in this recording are certainly not the only ones who argue that democracy brings more harm than good. In village councils, *Matai* argue that the rise in democratic practice gives them more reason to sustain, maintain and practice traditional authority (Soo, 2006). It is also evident in everyday life – the older the generation of chiefs one talks to, the

more opposed they are towards democracy and its values. This is not a substandard view in actuality- the *Matai* perhaps have a right to defend and advocate for a system that is legitimate and one that is working within the context of their culture and environment. However, from a western perspective, researchers may see this in a different light as is the case with Larmour and Lawson.

2.5 Cultural Relativism

Larmour (1997) is not the only person who discusses the notion of Cultural Relativism in the region. Stephanie Lawson also highlighted this in her study that included Tonga, Fiji and Samoa looking at Tradition and Democracy, while Roland Rich also mentioned this as a setback towards achieving the quality of democracy in the region (Lawson, 1996: Lamour, 1997: Rich, 2002).

This research has found that many if not all the non-Pacific scholars and researchers who study and are interested in democracy in the Pacific also take this stance. There seems to be an agreement that cultural relativism is just an “excuse” for Pacific countries not to fully incorporate democratic values into their structures and practice its principles (Rich, 2002). It is understandable that non-Pacific or non-Samoan observers would take this view, given that the political systems they might have been socialized into may have been totally different from that of chieftainship. However, no Pacific nation or chieftainship would agree that their cultural beliefs, values and norms are an excuse to achieving either complete democracy or any other circumstance.

What is interesting about cultural relativism is that both Pacific and non-Pacific scholars argue against this notion. For instance, Corbett (2015) argued that relativists are making this insider/outsider debate about who is and who is not entitled to comment about the conflicting issues in the region. This study proposes that there is much to be learned from academics who decide to provide commentary on regional issues. However, archival fact finding, academic assumptions and hypothetical scenarios do not offer acceptable justification nor do they depict the

reality of the conflicting paradigms of democracy and traditional leadership at the grass-root level, particularly if there is an absence of actual experience.

As this study has discovered, finding common ground is achieved through having a deep appreciation of both systems which includes understanding and viewing *Fa'amatai* and its values in the same light as one would view democratic principles regardless of whether one is Pacific or non-Pacific. Only through this discovery and the creation of a level playing field in terms of political systems will issues be identified and addressed for the benefit of those living in traditional systems. Nevertheless, there is still a long way to go as researchers and legal experts argue that the advocacy for culture is nothing but an excuse to achieving full democracy in the Pacific region. There is still the question of whether the local people want to achieve a full democracy or perhaps their preference is to maintain a traditional system.

Non-Pacific Human Rights lawyers and researchers in the Pacific region also express their concern that cultural relativism which they believe comes under the guise of “Pacific Values” is used as an argument against democracy and human rights in the region (Farran, 1997). This is evident in discussion papers and reports on human rights in the region. Their reports and research findings argue that proponents of culture and tradition who are arguably mainly the chiefs are opposed to democracy particularly transparency and accountability. This is because they do not want to be held accountable, nor do they want to lose their elite status in society (Sutherland, 2010). Research findings openly discuss that chiefs and other cultural proponents only defend *Fa'amatai* and cultural values in order to safeguard their interests (Corrin, 1999).

It is reported that chiefs and cultural relativists oppose democracy and what it entails because democratic values and practices allow everyone the same rights and obligations (Sutherland, 2010). This is opposed to a hierarchical village system where only a few of the elite hold the most power in village affairs, while others have no voice or choice in decision making (Brown, 1999). However, Aiono argues that decision making is exercised by the whole family through consensus.

Although not every person or voice is heard at once, their voice is represented through their family *Matai* and is inevitable as their time will come.

Researchers have argued that there are incidences where traditional authority in this case the *Matai* and the *Fa'amatai* system have taken the cultural relativist argument, sometimes to a level which only serves to protect the interests of some *Matai* particularly in terms of being accountable (Tuimaleali'ifano, 2006). The *Fa'amatai* is a hierarchical system, sometimes their status enables the *Matai* to question and punish other groups such as the *Aumaga* if their roles and responsibilities are not performed to what is expected.

However, according to *Fa'asamoa* the reverse – of *Aumaga* questioning and suggesting punishment for the prominent *Matai* – is impossible, because it is disrespectful for other sections of the village to question and challenge the authority of those in power as per constitutive authority of the village council (Vaai, 1999). Nevertheless, the belief persists that *Matai* have earned their titles and place in the decision-making circle. They know what is best for the village from their experience of *Tautua* and years of observing the actions and decisions of the *Matai* before them.

Nonetheless, it is not all flawless, some of the most recent cases which bring to light the abuse of power rest upon the shoulders of those *Matai* who are also members of Parliament. who have abused their authority within the government and conducted illegal and corrupt activities, or have misused government funds (Malifa, 2016). The effect of cultural relativism in this situation is indirect in the sense that, when it comes to holding these people accountable, many village residents whose MPs have done wrong always come back to the cultural and religious values which are evidently intertwined in Samoan society. Instead of carrying out punishment or relinquishing their *Matai* titles, elders propose to their village the values of respect – despite wrongdoing, MPs deserve respect based on their status. In addition, residents are encouraged to exercise the Christian value of forgiveness; politicians also make mistakes and therefore should be forgiven (Toleafoa, 2002).

This approach extends to the court system as well as Parliament itself. Between 2014 and 2016 at least five MPs have appeared before the courts for abuse of power, where the cases were later withdrawn without further action from the courts (Malifa, 2016). A specific example is the case of Faumuina Liuga who faced allegations of abuse of power and mismanagement in the administration of the Samoa Land Corporation, in which he was closely involved with as the Minister (RNZ, 2014). The PM has never called for an investigation to be conducted in the wake of the allegations towards members of his party caucus. Despite appearances in court and some pressure from the Samoan community overseas for them to resign, they continue to be constituent representatives and the village and constituencies they represent are obviously not concerned.

However, *Matai* naturally act on their values of *Ālofa* (Love), *Fa'aāloālo* (Respect) and *Fa'amāgālo* (Forgiveness) as the norm as it is their culture. In fact, it is democracy and the rule of law that fail to act when Members of Parliament are not accountable. Although MPs are *Matai*, they are employed and bound by the democratic system in which they should be accountable. Konai Helu Thaman was very articulate yet firm in her comments regarding the universality of human rights and relativism in the Pacific (Thaman, 2000).

Her argument was in response to having a Pacific perspective of collective rights in the region. This is also in concert with democracy and how it is perceived by many. She explains that there is value in human rights but believes that island countries may have been deterred from entering international discussions, by the portrayal of these human rights as “self-evident, universal and culture free”. She went on to argue that most international covenants are based on western liberal beliefs and values, where indigenous people and their assumptions and values have been disregarded and marginalised (Thaman, 2000).

Some of Samoa's very own academics and scholars also share the same views as Thaman. Professor Asofou Soo explained the significance of *Fa'amatai* in creating stability in Samoa; despite the uneasy alliance, cultural values are important (Soo, 2008). Iati Iati, the late Professor

Aiono Fanaafi, the late Saleimoa Vaai and the former head of state His Highness Tupua Tamasese Efi argue that it is possible that the *Fa'amatai* is more democratic than democracy as it currently exists in Samoa (Iati, 2009: Aiono, 1986: Vaai, 2001). Iati Iati takes it further to say that democratic governments could actually learn lessons from the *Fa'amatai* and how the system has survived time and change (Iati, 2009)

Prior to its independence, Samoan leaders who were in negotiations with New Zealand participated in the making of the country's democratic constitution which incorporated custom. The constitution was signed in 1960 and in it was a mandate to only include in Samoa's parliament those with *Matai* titles (Davidson, 1968). Furthermore, it recognized Samoa's leaders' wish of allowing only those with *Matai* titles to vote in democratic elections (Soo, 1997).

On advice from the Trusteeship Council of the United Nations to Samoa during the making of the constitution, the leaders were strongly encouraged to consider universal suffrage, but at the initial elections, *Matai* suffrage sufficed (Angelo, 2012). Hence, further changes were added and amended, as the government saw fit, for example in 1991 universal suffrage was introduced which offered every Samoan citizen over the age of 21 the right to vote in the election (Soo, 2008). This was considered a milestone in Samoa's democratization process in the region, especially being the first Pacific country to gain independence (Angelo, 2012). Since then Samoa's constitution has been amended 14 times.

Although there is recorded evidence of *Matai* signatures for the constitution, there are limited personal accounts from matai themselves of how in-depth the consultations were conducted with the wider Samoan population (Angelo, 2012). It is also not easy to gauge the levels of understanding the *Matai* had particularly in the rural areas as the accounts available documented by the NZ administration have the potential to be biased or inaccurate (Rinai, 1961). Information available through the report of the Commissioner of Samoa to the United Nations although informative and positive does not include any local voices (Rinai, 1961). What is certain is the

Samoan people were asked two key questions prior to Independence and the enactment of the constitution and the first question should not have been asked if the people had no prior knowledge or explicit explanations of it. It read- Do you agree with the Constitution adopted by the Constitutional Convention of 28 October 1960? The second question asked: Do you agree that on 1 January 1962 Western Samoa should become an independent State on the basis of that Constitution? (Bayne, 1985). It can be argued the responses to both questions perhaps indicate the people's desire for nothing else other than independence. For question one, 83% agreed and for the second question 79% answered yes. These responses and the acceptance of the constitution would become the basis for Samoa's current laws and political system of government.

Samoa is a member of various organisations, such as the Pacific Island Forum, Asia-Caribbean and Pacific partnerships. In addition, the South Pacific Commission and a member of international bodies such as the World Trade Organisation, International Monetary Fund, the World Bank and the United Nations to name a few, it is perceived crucial for Samoa not only to be democratic in theory but more importantly in practice.

Rich in his contribution to the Journal of Democracy in 2001 stated that the word democracy was not mentioned in the Charter of the United Nations nor did it appear in the covenant of the League of Nations. In the International Court of Justice none of its decisions had been based on the "application of democratic principles" (Rich, 2001). He went on to say that one can come to the conclusion that democracy alone as a system had no relevance given that none of the major pillars of international law recognized it as a topic deserving of its own chapter. It was only when it included aspects of human rights, rule of law and civil society that it became popular and today a government's legitimacy is measured by its democratic ideals and affiliation (Archibugi, 1995).

The 1948 Charter of the Organization of American States espoused within its Preamble that "representative democracy is an indispensable condition for the stability, peace and development

of the region”. Furthermore, the preamble went on to include individual liberty and social justice within democratic frameworks (Rich, 2001).

This allowed for the “idea” of democracy to be easily recognised, spread and adopted by International organisations such as the United Nations, as democracy now seemed to be the most legitimate system that could offer individual rights and also measure and safeguard them. This was at least a guarantee particularly for the United States that democratic countries would not engage in local, regional or global conflicts. This would not only violate the freedoms of its citizens, it would also allow the US and other democratic affiliated countries to measure whether a country was either legitimate or a failed state according to democratic criteria (Rich, 2001).

2.6 Colonialism, Post Colonialism and the Colonial Legacy.

Colonialism is believed by Western researchers to be one of the main reasons why there has been slow progress in Pacific countries in embracing democratic principles fully (Lawson, 1996). Lamour and Lawson specifically write about the legacy colonisers had left on the islands once decolonisation had started and self-determination and nationhood were introduced. The colonial legacy they talk about particularly of having a special elitist group that had once been those who possessed the highest authority in each country, had been adopted by the group of people who the colonisers had trained to enable the period of transition into independence (Lawson, 1996)

Lawson writes that this legacy left by those who colonised in the region intensified elitism through the process of the codification of chieftainship including Samoa (Lawson, 1996). This is proven by the fact that Samoa’s constitution allows for the retention of the countries’ highest chiefs (*Tama a Āiga*) as the heads of states. This she believes recognizes aristocracy in places of power and wealth (Lamour, 1996). Not only were chiefs given the authority to exercise their power as leaders, but also perhaps led to the belief that they were the countries’ elite. Lawson explains

further that elites had disproportionate access to the best education, employment and imported luxuries and travel (Lawson, 1996).

Lawson's claims are undeniable in the cases of Europe and perhaps some African nations, but the same colonial legacies were also left in many other parts of the world that experienced colonialism. Following periods of decolonisation, such groups were evident in some African states, which gave rise to civil wars as elite groups were wealthy enough to wage war on smaller factions of societies (Nkrumah, 2006). Such groups were able to collaborate with either the ruling government or rebel groups. Sometimes, because of their elite status, international companies with vested interests in these countries provided the weapons that were needed to start civil wars (Springhall, 2001). The important issue that should be highlighted is that there is no evidence that can attribute Samoa's slow democratization and acceptance of democratic ideals to chiefs and local elites.

In Samoa's case, it wasn't so much the "elitism" that colonisers had left that would be the conundrum. Prior to the colonial era, Samoa's *Fa'amatai* system had already been hierarchical (Davidson, 1968). From a western perspective, the hierarchy in the *Matai* system may appear to be unacceptable. However, for Samoans who are accustomed to the *Fa'amatai*, the hierarchical nature of the system maintains stability and the most important elements of the Samoan culture and social stability (Meleisea, 1987). The *Tama a Āiga* with the authority to rule are perceived as royal families in chiefly terms, heads of the most prominent traditional families in their villages as well as bearers of the most respected titles in their districts. Therefore, it was traditionally and culturally appropriate for them to lead the country. These were leaders the Samoan people saw fit and able to take on leadership.

The legacy of opportunism was perhaps the impact colonisers left in Samoa, such as when the people saw how Germany had used the country's location to set up a satellite during the First World War, as well as exploiting the country's agricultural products (Meleisea, 1987). During the

decolonisation period, New Zealand saw the opportunity to utilise the labour skills of the Samoan people to provide the much-needed manpower in its booming economy, which later saw a high proportion of the Samoan people migrate to NZ under open entry conditions to work in factories and other industries (Moses, 1972). As history has captured for us, during the Dawn Raids Samoan people were hunted down by immigration officers as well as police and their dogs when there was a realization that Samoan people were no longer needed nor welcome. The economy had become stable therefore the immigrant workers were to return to their country (New Zealand Herald, 2015).

Larmour on one hand wrote of the importance of the absence of revolutions and civil conflicts in many of the island countries during the decolonisation period. This is a huge contrast when compared to other parts of the world that experienced internal conflicts and revolutions, including many Asian and African countries (Larmour, 2005).

In Samoa's case, there was certainly an absence of civil war during the New Zealand (NZ) administration although there was civil war earlier with the British and German occupations, mainly fuelled by the two administrations as they both supported different districts and traditional leaders (Davidson, 1967). During the NZ administration there was tension in the process leading up to the decolonisation period. This was evident through the *Mau* movement which was led by prominent chiefs and their families, with support from villages and the numerous districts. It was a collective cultural response in opposition to western forms of governance and colonialism as a whole (Field, 1984). The traditional values of *Fa'aaloalo* and *Va fealoa'i* (respect) played a fundamental role in upholding the peace in the country particularly in the Apia area and refraining men from violent retaliation.

The early stages of the opposition led only to formal concessions increasing the autonomy of Samoan villages, although the plan was to "paralyse the government" (Larmour, 2005). The Samoan chiefs saw colonial actions as assaults on their lands and traditional leadership, the core of village autonomy. The sentiment of the *Mau*, coupled with the determination of the *Matai*

authority and support of the Samoan people eventually led to the transition towards self-government and preparations for nationhood (Davidson, 1967). The New Zealand administration was entrusted with the task of preparing the country for independence, with a government that was appropriate to the country and the wishes of the local people (Angelo, 2012). Indeed, Samoa was thus faced with the task of racing to prepare themselves for independence

Larmour argues that decolonisation was a peaceful transition of political control from colonial rulers to the traditional and indigenous authorities (Larmour, 2005). The push for Samoa to become independent was indeed a decision made by its people, following the inequalities and inequities evident in the different administrations, particularly by New Zealand (Henry, 1980). Given the NZ administration's lack of care and redress relating to the Influenza Epidemic and the events which occurred on Black Saturday, the transition from a colonial power to a country undergoing nation building leading into independence needed to be free of any violence not only from an internal view but more importantly from the international perspective.

The push for the country to be governed through the democratic system was heavily influenced by the NZ administration under Britain (Field, 1984). Samoa's transition to independence coincided with the second wave of democratization and perhaps democracy was considered so that Samoa's political system would carry on from pre-Independence towards post-independence. It would also have been viewed as an opportunity for trade, to enhance New Zealand's influence and relationship with the region and to have Samoa's support in some of its foreign policies and interests both regionally and internationally. Therefore, the dependency of Samoa on other countries for resources and goods was inevitable.

2.7 Dependency.

Larmour highlighted the dependency of colonies on the colonisers for material goods and other services, which was made worse during and after the decolonisation period. It needs to be taken into consideration, why there was so much dependency, as Larmour mentioned. Prior to the arrival of western colonisers, Pacific societies such as Samoa were dependent on subsistence agriculture and fishing (Larmour, 1997). This changed when the Germans, British and New Zealand administrators came into the country, exploiting the resources and encouraging people to work their lands no longer for daily consumption but for money to buy back their products now in the form of secondary items (Davidson, 1967). Instead of fishing, farming and poultry, tinned fish and imported chicken and beef were bought. Colonisers thus encouraged people to rely on imported western goods.

Although working the land was the traditional way of living, economic development was needed to pay for the substantial imports of meat, medical, building and other supplies (MacPherson, 1990). Pacific countries realized their inability to become economically independent. Furthermore, in his writings of democracy in the region, Larmour explained that most island countries were small and therefore remained economically dependent on their former colonisers (Larmour, 1992). This was clearly evident in Samoa. Having achieved self-determination through independence, what followed particularly in Samoa's case was its dependency on former colonial rulers for economic support.

Developed countries around the world provide aid to developing countries they have special relationships with like the nature of the relationship between New Zealand and Samoa through their Treaty of Friendship (Meleisea, 1987). Although NZ provides development aid to Samoa, it can be argued that NZ also benefits immensely from the trade of goods and services with Samoa (McPherson & McPherson, 2009).

Caught by surprise at the pace of development in its initial phase of independence Samoa had no real option but to seek regional and international assistance in order to cope with the demands of having a “westernised society” (McPherson & McPherson, 2009). To have an effective government, adequate buildings were needed to accommodate the infrastructure for the different arms of a democratic system. Parliament buildings, courts and public services were necessary requisites for a fully operational democratic system (Knack, 2004). Fortunately, regional neighbours such as New Zealand and Australia were quick to respond.

During the postcolonial era, many western countries and most times former colonizers encouraged newly independent states to adopt Western systems of governance, most notably democracy (Hearn, 2000). As the system proposed, democratic government promises economic development, better opportunities for eradicating poverty, and better infrastructure, such as medical and educational services (Knack, 2004). Democracy also promises opportunities for entrepreneurship and employment, better collaboration and partnerships with other democratic countries through trade and investment (Rich, 2002).

The promotion of democratic governance was therefore appealing, and Samoa’s adoption of democracy is understandable, given the economic opportunities and the benefits this system of government promised (Larmour, 1992). However, it can be argued that the spread of democracy in postcolonial states including Samoa was flawed by miscommunication and misinterpretation of the exact nature of democracy. Western countries understood their side of the bargain in this democratic spectrum, namely their roles, responsibilities and benefits.

Yet, it was less evident as to whether “receiving” countries and the people regardless of region and country fully understood their own roles, obligations and the compromises they would make under this transfer of goods and services within the system of democracy (Esquivel, 1996). Accounts of institutional transfer from western researchers exist, however, there is limited evidence from those involved to indicate Samoan *Matai* involved in the Legislative council and

constitution making underwent such process which would have suggested to them long term effects of a democratic system of government on custom and leadership (Meleisea, 1987).

There is strong evidence of the promotion and universality of democracy most notably in the South Americas, Africa and the Pacific however there has been and continues to be conflict in many countries that are considered democratic (Conolly, 1987). This may be due to a number of reasons including inadequacies in institutional transfers, limited transitioning process and the forceful insertion of an alien political system into Societies with little to no preparation (Phillips, 1991).

When young democracies adhere and fulfil the criteria of being a “democratic state” they are labelled as an “oasis of democracy” (Archibugi & Held, 1995). They also become eligible for aid and democratic program funding. In circumstances where there is evidence of quasi-democracies and pseudo-democracies, aid and funding are not forthcoming, and may lead to labelling a country as a “failed state” (Terchek & Conte, 2001). This then begs the question of “Whose interests is democracy really looking out for, the social and political interests of a country and its people, or the political and economic interests of the mighty West?” In addition, the process and demands of such a political system are similar to the experiences of the Pacific in both the colonial and post-colonial eras. If this is the case, perhaps democracy is a form of neo-colonialism.

2.8 Democracy: A form of Neo-Colonialism?

The notion of neo-colonialism is explained as the use of political, cultural, economic or other means to influence a country or countries, particularly those who are dependent on others. It has been used to critique foreign influences in some African states after decolonisation. Kwame Nkrumah sums it up succinctly by saying that “the essence of neo-colonialism is that the State which is subject to it is, in theory, independent and has all the outward trappings of international sovereignty (Nkrumah, 1965).

In reality- it's economic system and thus its political policy is directed from outside". Nkrumah, a former president of Ghana, who also successfully led the nation to its independence from Britain in 1957, argues that this neo-colonialism is the final stage of Imperialism (Boadi, 2000). His views and arguments remain relevant to this research. To this day, African states face barriers in operating democratic systems whilst retaining their own traditional leadership systems (Biney, 2011). It is also relevant as although some African states have gained official political independence, much of its economic and political operations are dictated by the outside world (Rao, 2000). This is closely related to the status quo in Samoa. Although an independent nation with local autonomy, democracy plays a huge role in influencing Samoa's political and economic operations.

Meer and Campbell, in their research titled "Traditional Leadership in a Democratic South Africa " state there is an argument persistent in the country's young democracy, that there is no place for traditional leadership (2007). The country has gone through a process of western democratisation. Therefore, the relevance of traditional authority is no longer required. It is a recurring argument, the same one which was initiated by colonisers in the colonial period (Meer & Campbell, 2007). This was at the stage where colonists went in to take over discovered countries. Each country that was not on par with their standards was considered backward or barbaric (Phillips, 1991). This gave rise to the introduction of western ideals and ideologies, including democracy and capitalism.

In the 1940s and early 1950s, nations such as India, Liberia, South Africa and Ghana were declaring their sovereignty (Holomisa, 2011). Samoa in their quest of ridding their land and custom of foreign grasp became the first country in the Pacific to celebrate its independence (Soo, 2008). However, economic development and political affiliations and commitments continue to be dictated by developed, western countries. As this is the case, it begs the question of whether

democracy is a form of neo-colonialism. If one was to entertain the definition of Nkrumah's definition of the term, the answer may be a resounding "yes".

Nkrumah's concerns about Neo-colonialism resonate with the Pacific region and indeed with Samoa, where traditional leadership is threatened by the growing economic and political demands of democracy. It reminds us of the early settlers and explorers in the Pacific who exploited the inhabitants of the lands, taking the resources the island people needed and had easy access to, in return for goods that had little value and use to everyday needs like guns (Bobbio, 1987). It raises concerns with the arrival of the missionaries, who not only came to share with Pacific people the Good News, they were told to change their beliefs, their way of thinking and dressing to fit what was deemed "civilized" by the West (Aiono, 1992).

Furthermore, colonisers arrived with plans of transforming Societies into cash crop economies, and now democracy insists on abolishing cultural values, such as in the case of Samoa through *Fa'amatai*. It is not enough that economies are controlled externally, they also want the political system to comply. As the Pacific has learnt and seen from other regions, countries which fail to conform are considered failed states, illegitimate and cannot receive any democracy related aid (Mouffe, 1988). Democracy today seems to have the same connotations as the colonial period of the past. With such evidence, democracy is showing potential signs of neo-colonialism.

Nonetheless, for Samoa, the *Matai's* ability not to conform to democracy and clearly argue that their traditional system is legitimate and perhaps more democratic than western democracy itself, is explicitly significant.

2.9 Faamatai's Practice of Democracy

Many prominent scholars and academics in Samoa argue that the system of *Fa'amatai* with its traditional leadership and authority is what makes a true democracy (Aiono, 1986). All others who think otherwise and even try to compare Samoa's *Fa'amatai* to democratic ideals and

standards are either labelled as westerners or western-educated Samoans who apparently are “unable and unwilling to see that the *Fa’amatai* culture of the Samoans is a perfect and logical manifestation of the will and authority of the people” (Aiono, 1986).

This was a claim made by the late professor Fanaafi Aiono who went on to say that the *Fa’amatai* “is a truly democratic system of government, perhaps more democratic than the democracy of the West that has remained an ideal”. The former head of state in Samoa, His Highness Tupua Tamasese Efi shares the same views, along with Iati Iati, as well as the late Saleimoa Vaai. The latter academics concur to the argument made by Aiono that the cosmology of Samoa helped define the hierarchical structure of the *Fa’amatai* in traditional times (Aiono, 1986). Therefore, traditional Samoan society already has an inbuilt political system that is relevant to its environment and is suitable to cater to the socio-political and cultural involution of the Samoan Society.

Iati explains that the structure of the *Fa’amatai* system, its tenets, roles and responsibilities are unique, but it isn’t to say that other Societies whether regional or international cannot learn lessons from its uniqueness. Indeed, the West should perhaps observe and learn from the *Fa’amatai* and how they are able to maintain stability within communities. In addition, *Fa’amatai* is a system that is not only resilient to change but also in building resilient people (2009). One of the aspects used to measure the effectiveness of a democracy is its ability to build resilience within communities which *Fa’amatai* achieves with ease.

The late Saleimoa Vaai argues that *Fa’amatai* has been crucial to the management of customary land (2001). There has been an absence of serious conflict or unlawful claims to land owned by families and villages because of the effectiveness of the *Fa’amatai* system (Mailo, 1972). They have collective authority to grant or oppose claims to customary land, as they are fully aware of their families and villages’ heritage, history and land boundaries (Vaai, 2011). Samoan

customary land is safe within the *Fa'amatai*, in the knowledge that it is the *Matai* and village *Fono*'s duty to protect and safeguard their land.

Professor Soo argues that there are certain customs and traditions established in history and through genealogy which enable the *Fa'amatai* system to endure (2008). Despite the changes time has brought into the country, this traditional system of authority remains unchanged. Processes may have been altered to fit current situations, but the cultural depth of the *Fa'amatai* is still evident. He explains that there are differences and influences from western democracies which are both negative and positive, but through time there may be a time when both democracy and *Fa'amatai* can work together (Soo, 2008).

Aiono argued that the traditional leadership system may be the "perfect manifestation of the will and authority of the people". This is premised on the fact, *Matai* or leaders are not self-appointed. They are selected by the family members to continue their predecessor's duties (Aiono, 1986). Therefore, the family's collective agreement on a successful candidate culminates in them offering their trust for the individual to articulate and make wise decisions which represents the family name in village *Fono* (Meleisea, 1995). A family representative to the village *Fono* qualifies them to be part of the leadership team with authority not as an individual, but as a collective.

In village council meetings, *Matai* have the final say. Villages vary in the structure and order of speeches. There may be some villages where talking chiefs are only able to speak when they are given the chance by the paramount chiefs (Lafai, 1988). The untitled men have no say, but the heads of their families represent their interests (Fiaui, Loia & Tuimalealiifano, 1997). Their time will come when their servitude will be rewarded with the bestowal of a *Matai* title. On the other hand, untitled men or the *Aumaga*, have their separate *Fono*.

The same structure and formalities are also performed within the women's committee meetings. The authority and power flows through the wives of the paramount chiefs. This means

in the women's committee, the wives of the paramount chiefs follow the same process as the *Matai* (Iati, 2009). To disagree with a statement or decision made at the top level of the *Fa'amatai* system shows a lack of respect for tradition and protocol. Often this is never the case, not because women are obliged to accept the authority of the *Matai*, but because it is recognised that what has been decided upon is a result of *Tōfā Mamao* and *Fa'aūtāga Loloto* (wisdom) (Powles, 1979).

However, to critically explore this, one may ask whether this may be a classic example of “forced will” in opposition to the very term stated by Aiono. “Will” is based on respect and people's commitment to cultural collectivism, as opposed to the will to exercise individual rights to agree or disagree. A critical response to this would be that the Samoan people understand and realize what is acceptable and relevant to its cultural environment and context. If such structures exist to depict the true *Fa'asamoa* and *Fa'amatai*, and how it has maintained stability, it is deemed legitimate by the people who practise it. This also means that there is a cultural and an anthropomorphic belief that this was the way Samoa is meant to be whereby *Matai* have God-given/divine rights to lead the country in the best way possible.

His Highness describes the hierarchical structure of the *Fa'amatai* as reflective of the belief among Samoans that Samoa was created by their notion of God (Tamasese, 2000). Further to this, he adds that this “God” was the people's creator and ancestor rather than a biblical creator (2000). Fanaafi adds that inherent within this system were democratic values of representation and due process (Aiono, 1986).

Matai believe that their status, power and authority is divinely bestowed. Indeed, a church minister's blessings are the most important part during a title-bestowal ceremony, one of the reasons why chiefs are respected. There is no other time than now where Christianity and *Fa'amatai* have been inseparable. Where there is a presence of Christianity, there will be *Matai*, vice versa. The relationship forged between the two can be summed up with the lyrics of a classic Samoan anthem, “*Ua tofia e le Atua Samoa, ina ia Pulea e Matai, aua o lona suafa ua vaelua iai*”.

(It is God's mandate for Samoa to be ruled by *Matai*, as they carry the essence of his divinity). This is also enshrined in the country's constitution, that Samoa is founded on God and is a Christian nation.

Nevertheless, it may be that the transition from God the ancestor in pre-colonial times to God the almighty due to the arrival of Christianity that has contributed to the tension between traditional authority and democracy. Christianity and its values are now evidently embedded in Samoan culture and tradition (Tamasese, 2014). Nonetheless these could be viewed as Samoan *Matai* exploiting Christian values and beliefs, for example as an excuse to pardon those in power for their wrongdoing.

Despite the constitutional protection, village councils sometimes banish or punish families who do not adhere to the prevailing religious belief in the village. In October 1998, the *Fono* banished a family in Salamumu village on the island of Upolu because its members had rejected the established church in the village and were holding private prayer meetings in their home. An order was given to the *Āiga* to vacate their land. When the family failed to leave the village in accordance with the banishment order, its members were forced out of the village (Malifa, 1998). Following an order from the *Alii* and *Faipule* of the village, the family's house was burnt and destroyed. In the aftermath, the village council was taken to court, 32 people were convicted of assault and arson, and the court ruled for the family to be readmitted back into the village. The *Matai* in charge of the order were not convicted, however newspaper reports confirmed the village *Fono* had asked for forgiveness from the family in the form of a traditional *ifoga* (Larkin, 2001).

Samoan customs coupled with its relationship with Christianity played an influential role in the mediation process between the village and the family. This case highlights the significance of the Samoan belief that the role of the *matai* is one ordained by God (Tamasese, 2014). Because of the belief in God as the origin of *Matai* authority, that no further charges were laid by the families involved. There are other similar cases to the above mentioned which include incidences

of possible violations of human rights such as freedom of speech and the press, freedom of religion and respect for political rights.

The establishment of the Village *Fono* Act 1990 gave the *Nu'u* authority to mete out punishment in accordance with constitutional law (The Village *Fono* Act, 1990). However, given the many recent cases, it is evident that the Christian emphasis of forgiveness is a widely used and acceptable weapon that protects the *Matai* from the rule of law. It may also excuse them from other core values of democracy of transparency and accountability. It is also evident from such cases that there is little mutual understanding between the traditional leaders and the system of democracy of any boundaries. This also highlights both systems are hesitant to propose where a line can be drawn (Soo, 2008).

Speaking strictly from a legal perspective, having been a lawyer and a judge in both the High Court and the traditional Lands and Titles Court, the late Saleimoa Vaai makes the claim that in the *Fa'amatai* system, the chief does not derive authority from birth right. Because the *Fa'amatai* is based on the rendering of service freely from *Matai* to family, that is when one can earn a *Matai* title, having gained the love and respect of their *Āiga* or family through the loyalty of service. Only then can one gain the sense of a “true democracy” (Vaai, 2001). Unlike western democracy, the legitimacy of *Fa'amatai* herein is based on the roles and responsibilities of the very people who operate the traditional system.

Vaai and Aiono also argue that it is not boundaries or the existence of technical instruments that make up a democratic institution, nor is it the bestowal of *Matai* and village *Fono* or meetings. Rather, its “underlying ethos”, consisting of fairness, representation, transparency and due process, each often cited as core to a democracy, and very much present in the *Fa'amatai* (Aiono, 1986: Vaai, 2001). In addition, Iati Iati also argues that traditional authority and leadership along with values of the *Fa'amatai* system could provide and teach the western democratic system some major lessons in terms of representation and core values and principles of democracy (Iati, 2009).

These local academics together believe and acknowledge that the moral and ethical framework of the *Fa'amatai* assumes in principle and in theory that *Matai* status, rank and authority can only be fully achieved where service is constantly flowing between those who are in leadership roles and those who serve and vice versa (Vaai, 2001). To be in power, one must first serve. Once they become a *Matai* they are the mouthpiece of their families, villages, subdistrict, district and country. These designated roles enabling them to exercise authority are believed to be bestowed by God. Therefore, the duties of the *Matai* to their *Āiga*, *Nu'u*, *Itumālo* and *Atunu'u* are not only sacred but also secular (Tamasese, 2000).

Service then is an obvious determinant, but it is unclear as to what or how this service is measured as there is an absence of a precise criteria. In Samoa, like any other country, people have different capabilities. There are those who work office jobs, and those who work in agriculture. How then is a *Matai* determined through service if people provide different services and have varying abilities? It is likely that many families now decide their family representatives by the material wealth and goods a person can provide for the *Āiga*. A shift away from olden day *Tautua* to a range of new skills and criteria for *Matai* eligibility reflect the gradual changes that are occurring within the traditional leadership system. This study will help to explore whether these transformations spell out the need for change in Samoan society and *Fa'asamoa* and more importantly analyse if the system of *Fa'amatai* still has a place in modern day politics.

This study as mentioned earlier has been conducted to bring light to the conflicting relationship between the *Fa'amatai* system of authority and the democratic system of government. Many times, there is conflict, both direct and indirect as well as evidence of a power struggle with the blame going both ways. It is important to note that both Pacific and non-Pacific academics have not only commented on this issue, they have also shown their biases and preference of which system they deem “relevant and legitimate” evident in their arguments and remarks. However, despite the enormity and significance of this topic in the Pacific region, there is limited evidence

of practical suggestions or advice that can help *Matai* and policy makers bridge the gaps between the two systems.

2.10 Summary.

The purpose of this chapter has been to identify previous and current research relevant to the study. It has highlighted key literature relevant to the topic of *Fa'amatai* and democracy. In doing so it has identified some of the gaps from previous research that this study has endeavoured to address. Significant in this chapter are the two lenses used by different researchers to view the Political Status quo in Samoa, consisting first of the outside-in view, and second the inside-out view.

CHAPTER THREE

CONCEPTUAL FRAMEWORK

“Se’i lua’i lou le ulu taumamao”

“Let us do the difficult task first”

3.1 Introduction

This chapter creates a conceptual framework focused on the key ideas of democracy and *Faamatai* as well as related notions such as human rights, *Pule* (authority), constitutionalism and *Tautua* (service). Understanding these concepts are necessary for the reader to understand in order to fully gauge and appreciate the progression of this research. The important idea with any conceptual framework is the design of the terms and how they are related to one another, to create a holistic understanding of the whole study which this chapter aims to do. In addition, the four key instruments of a conceptual framework inclusive of Experiential knowledge, Prior theory and research, Pilot studies and Thought experiments are used to analyse the connection between main concepts used in the study and may also contribute to a tentative theory to explain a phenomena.

3.2 Experiential Knowledge of the Research Problem

The problem this research focuses on is the ongoing conflict between the paradigms of democracy and traditional authority of *Fa’amatai* as evident in academic debate as well as law and order in Samoa. This issue has been identified by Samoan scholars such as Iati, Asofou and Aiono to name a few as a topic of great interest in the region. It has also been identified by non-Pacific scholars such as Lawson - in particular, her work on traditional systems in Tonga, Fiji and Samoa

and Baird (2010) in her research within the human rights framework in the Pacific region. Key to understanding the research problem is exploring the reasons/causes for the tension notably from the *Matai*'s perspectives as this has not been thoroughly sought nor has it been explored in depth in previous studies.

On the one hand, there is the argument from some Samoan scholars such as Vaai and Aiono that one set of political ideals cannot be applied to all societies, therefore the universality of human rights has no place in Samoa, where its own system is "more democratic" than that of the West as it is the epitome of the manifestation of the "will of the people" and its values and principles are based on majority rule. On the other hand, non-Pacific researchers argue that cultural relativism is used by Pacific people particularly proponents of traditional authority as an excuse not to adhere to democratic ideals for instance the notion of human rights (Vaai, 2001).

Thus, it is crucial for this research to provide a rationale and justification not only for the tension but also for the power struggle which exists as will be examined in the chapters to follow. Previous research conducted in relation to the research problem had been conducted through interviews with government officials residing in the urban areas who held *Matai* titles (Soo,2008). This study takes the research problem to the *Matai* residing in the village who use the *Fa'amatai* system as its everyday modus operandi.

The tension of *Fa'amatai* versus democracy is evident in Samoa both at the national and local levels. It is evident for instance in the selection of Members of Parliament. In a democratic system, political candidacy requires citizenship, good character and membership of a political party. In Samoa, to be eligible for parliament, one is required to be a *Matai*. The Constitution reserves a place for *Fa'amatai* within the democratic document. For this reason, Samoa is the only Pacific country that is democratic but stipulates within the constitution that Samoa should be an independent state based on the principles of Christianity and Samoan custom and tradition (Constitution of Western Samoa, 1960). Despite a national written constitution, each village

operates under its own local laws and regulations, governed and led by a group of *Matai*, hence the system of *Fa'amatai*.

A defining aspect of this relationship and the tension between them is best understood and observed within the legal system. A decision by the court for an offender to return to their village will normally be opposed by the village *Matai*, who will cite the *Fono's* decision as being final and unchanged based on the constitutive authority of the village. It is the *Matai's* desire that their authority and decision is considered by the court as village councils play an innate role in maintaining peace, security and safety within communities.

A brief description of what this system is and who/what is involved is therefore necessary and the remainder of this chapter offers this. However, a conceptual framework involves 3 other key instruments which are required to help the researcher explain the concepts and ensure the relationships between these concepts have been covered and uncovered. These three remaining instruments include Prior Theory and Research, Pilot Studies and Thought experiments.

3.2.1 Prior Theory and Research

Very limited research has been conducted on the relationship between the two systems in question. As previously mentioned, research completed by Soo (2008) involved interviews with government officials who held *Matai* titles as well as his own observations and experience within the *Fa'amatai* system and its operation in a democratic country and vice versa. There is no evidence of a fieldwork study being conducted by Soo within a village context with the *Matai*. Nevertheless, his research findings highlight the existence of a tension between the two systems which he has crafted well in his book titled *Democracy and custom; an uneasy alliance* (Soo, 2008).

He concludes that there is abundant evidence of Samoa's progress towards becoming a fully democratic country, which also entails positive and negative impacts for traditional systems. In turn, the persistence of customary ideals, values and practices continues to restrict Samoa's journey towards a full democracy. He also explains that it is necessary for traditional systems to discard practices that are no longer relevant to a democratic country, in favour of adopting ones which are more appropriate for the current system (Soo, 2008).

Lawson, one of the first non-Pacific researchers to study traditional systems in the Pacific region examined the tensions both real and perceived using the three countries as case studies. These included Fiji, Tonga and Samoa. One of the features of this study is the argument by Lawson that culture or what she termed "traditionalism" is used by the three countries as a tool to invalidate the democratisation processes (Lawson, 1996). In doing so, she concludes that domestic elites in this case, the chiefs, use custom and tradition to serve their own interests whilst challenging external forces, such as democracy. She also went on to suggest a divide between those who believe and support traditional customs, known as "insiders", and those who observe the traditions from a distance, who she termed as "outsiders". On this occasion, Lawson and Soo share similar

views, that perhaps custom and traditional authority have been viewed as setbacks to achieving democracy in Samoa and in the region.

One of the problems for both studies is the lack of voice from the holders of customary/traditional knowledge and authority who live in villages and use the *Fa'amatai* process as the tool for everyday operation. Neglecting their opinions, experiences and knowledge of the democratisation process along with the tensions perceived results in grey areas and huge gaps for both studies.

3.2.2. Pilot Studies

For this research, five pilot studies were conducted prior to the actual fieldwork. The purpose of these included testing the research questions, trialling the research method and methodology, identifying the research problem and developing my own knowledge and understanding about the study before it was taken out to the field. Pilot studies included a casual discussion with a group of six *Matai* from a Samoan church, a discussion with a church minister and three separate conversations/discussions with three separate *Matai*, one being a high chief, and the other two talking chiefs. All those who participated in the pilot study held titles from their respective families and villages, except for the church minister. They also knew of my intention to conduct fieldwork in Samoa. Their participation in discussions were voluntary, but they expressed a sense of privilege in being part of the research trial, to help me test and anticipate potential situations and questions from the village *Matai*. Conducting the pilot studies gave me a sense that the participants' perspectives inform their actions.

Through these pilot studies, I was able to gauge the areas where I needed to improve on, for example explaining the purpose and relevance of using the *Fa'amatai's Fa'atōfāla'iga* methodology as part of the research process. It enabled me to identify issues which needed clarity and in-depth sharing of information so that participants were able to make open contributions. In

addition, I was able to prepare well and familiarize myself with concepts and processes that needed to be translated. Moreover, the pilot studies prepared me for the intense discussions, the anticipated questions, the concerned opinions, the defensive arguments in favour of traditional authority but more importantly it prepared me to carefully think about the participants' opinions and experiences. During the fieldwork, the data that was collected is real and raw and no longer just theoretical.

3.2.3. Thought Experiments

Thought experiments in qualitative research is best defined by Lave & March (1975) who stated that such experiment is likened to “speculative model building” (Lave & March, 1975). This means developing speculations that could have produced an observed result. When using speculative theories or thoughts it challenges the researcher to come up with clear explanations in terms of observations and what has been observed and importantly think about ways to either approve or disprove speculations. Therefore, thought experiments aim to answer the “what if” research questions along with exploring implications of the assumption and expectations of the phenomena which is being studied. However, it must be noted that thought experiment is not used as a means to predict what is meant to happen, rather it is a means to describe the current situation.

Thought experiments for this research consisted of five key speculations:

Speculation 1: There are knowledge gaps resulting in the tension between democracy and Fa'amatai.

Using previous research and material relating to the topic, the first speculation was that the tension between *Fa'amatai* and democracy is due to a lack of understanding particularly in relation to democracy, what it means to the *Matai* and whether it is seen as a relevant system in the country. There is a knowledge façade where the government assumes that every *Matai* is knowledgeable about democracy and its principles. Therefore, *Matai* are expected to operate and abide by democratic principles. Such differences are evident in court cases of individuals versus village councils and also in Elections where there is a clash between democratic campaigning and traditional campaigning based on familial ties and connections.

Speculation 2: Information is not communicated through proper channels.

Following on from the first speculation, if there is evidence of knowledge gaps it must be because the information which should have been clearly communicated or shared with the *Matai* and village *Fono*, are not going through the correct channels. If this is the case, there is a possibility that the wrong information may be spread and communicated by individual people's contrasting interpretations. This again has the ability to cause misunderstanding, leading to conflicting views.

Speculation 3: Information does not reach the target audience.

If there is information that has already been communicated, it is important to know whether the information is reaching its target audience. In this case, it is the *Matai* who operate within traditional systems in each village. Residents residing in urban areas living on their own freehold lands may receive information, however they are not the "*Matai*" operating according to

Fa'amatai. The target audience should be the *Matai* in the villages as they are responsible for the daily operation of each village. Each village council is bound by the Village *Fono* Act 1990, where *Matai* can make decisions to help reduce crime at the local level. There is speculation that if information about democracy is not reaching the *Matai*, it is not reaching its intended and target audience.

Speculation 4: Government does not use culturally appropriate processes and methods to deliver the information to grassroots level.

Technology has its place in making communications effective, convenient and timely. When dealing with the disbursement of crucial information such as democracy and how it affects the authority of the *Matai*, it is essential that government ministries deliver them through culturally appropriate means and processes. This will ensure that *Matai* are well approached, informed and their experience, opinion and concerns are discussed through a cultural process within a setting they are familiar with. This setting forms a basis where invaluable opportunities are open for the *Matai* to share and give their insight on an important topic such as *Fa'amatai*.

Speculation 5: The study becomes the avenue for Matai to share their wisdom, worldviews and values and perhaps these hold potential solutions to harmonizing the two systems.

It is speculated that engaging with *Matai* in a culturally appropriate and responsive process, it gives them the opportunity to discuss, debate and explore, what it is they value about their traditional system compared to the values and principles of western democracy. Being able to share information about democracy and *Fa'amatai* enables the *Matai* to identify what they believe is working and what isn't, in doing so, it reveals their worldviews which may or may not conflict with democracy. The conflicting views *Matai* highlight and emphasize will contribute to potential solutions in bridging the gaps between the traditional system of authority and democracy.

Speculations as provided are heavily based on what is known in scientific research as variance theory where valuables are measured to determine whether they fit the prediction being made. Though speculative models are important to consider, it is more effective, practical and realistic to conduct the actual process of investigating the phenomena. One of the practical aims of this study was to conduct a field research to test the speculations in a real situation. This as Lave & March (1975) described is not so that it can predict what is to be expected in the future, but to describe the current situation in relation to the studied phenomena.

3.3 *Fa'amatai*: Samoa's own Democracy

An important understanding of the key concepts of the research is required not only for appreciation but also in analysing the relevance of each concept to the other. The *Fa'amatai* system can be clearly explained and understood if divided into smaller sections. This is to enable the reader's engagement and understanding of the concepts that will be discussed. In order to understand *Fa'amatai*, the traditional political system in Samoa, there first needs to be an explanation of what makes up the *Fa'amatai*. The structure and organisation of this traditional system is made up of individual *Matai* (Chiefs).

3.3.1. *The Matai as an Individual*

To understand *Fa'amatai*, one must first understand what/who a *Matai* is and the roles and values related to it/them. A *Matai* is a chief, an individual bestowed with a chiefly title by his or her family and community. This can be based on strict conditions through the practice of *Soālaupule* (Consensus). A *Matai* derives their position from merit and custom through *Taūtūa* (the rendering of service) to the family *Matai* and village (Soo, 2008). Another factor taken into account with *Matai* selection is the seniority of family members. There is a Samoan belief that wisdom comes with age – therefore, an older family member will make a better, well equipped,

more experienced leader. However, it can also come down to oratory: the skills of an individual to recite and memorize family and village salutations, understand their genealogy and maintain relationships with other families, villages and districts. In short, a *Matai* possesses the natural ability to stabilize families, they have leadership skills that can motivate families, and the ability to unite and mediate when minor conflicts may occur (Meleisea, 1987).

Whilst many non-Samoans believe that *Matai* rank and status that comes with it is hereditary, it is also very much based on family decision-making. It is true that every Samoan male or female is an heir to a *Matai* which pertains to their kinship and ancestry. But it is not an automatic transition that a couple can decide which of their children will become the *Matai*. As the *Matai* has the role and responsibility to look after the welfare and wellbeing of the *Āiga* socially and economically, it requires the extended *Āiga* (Family) to *Soālaupūle* for the right candidate (Vaai, 1999).

As a *Matai*, roles and responsibilities can either increase or decrease depending on how an individual perceives their role. Usually a *Matai*'s role is to look after family resources, land, family titles, bring the family to discuss issues pertaining to their ancestry as well as finalizing material wealth for family events such as funerals, weddings and how much a family's contribution will be (Vaai, 1999). Their roles also include informing the community of various affairs, keeping the means of communication open with all family members in terms of decisions, court rulings, and other affairs. They are also required to represent the families under their authority to the village *Fono* as they are the representative of their extended *Āiga*. It is the *Matai*'s responsibility to keep his *Āiga* informed on current practices, changes to village laws and other village matters.

Their roles and responsibilities can also differ depending on where the *Matai* is located. For example, a *Matai*'s roles and obligations within a rural village differ from a *Matai* living in the city, just as roles differ for a *Matai* who renders service in the village to someone who is formally educated or is a public servant. Not only do their roles and obligations change but also the material

goods they bring to the table for family matters. For example, a *Matai* in a rural village may bring traditional goods such as fine mats, fruits of his plantation, pigs, cattle and chickens. A *Matai* working in the city and living in urban areas will most likely bring *Pālāgi* material in replacement of fine mats, boxes of corned beef in replacement of pigs and live cattle, and money to replace all other traditional goods and gifts.

Matai also differ in rank and status. There are two types of chiefs.

1. ***Matai Ali'i*** – High-ranking Chiefs who are the ultimate decision makers and lawmakers.
2. ***Matai Tulāfale*** – Orators, responsible for village affairs in terms of speaking on behalf of the high chiefs. They play a liaison role between their village and others. Oratory is their field along with decision making depending on the village's constitutive authority as well as enforcing and policing role within village affairs. When *Matai* attend functions, the *Matai Ali'i* receives the most gifts and material goods, as they are the representatives of each family (Meleisea, 1987).

Prior to becoming a *Matai*, there is an understanding and realisation of what an individual needed to have done in order to make a claim to any title. This is through *Taūtūa*- the rendering of service to the family, village and church. Even this has changed. In the olden *Matai* selection process, only those serving the family in the village and district may be selected, those who work in plantations, those who fish as well as those who own and look after cattle. If one did not live and serve in the village, their chances of becoming a *Matai* were quite minimal (Aiono, 1992).

In the *Matai* selection, there are 3 types of *Taūtūa* (Service) which candidates are measured against.

1. ***Taūtūa Tuāvae*** – The daily service to the *Āiga* and participation in all village activities, including serving the *Matai* during the village *Fono*. Activities consist of but are not limited to 'Ava ceremonies and food preparation.

2. ***Taūtūa Aitaumalele*** – The service of those who contribute regularly to family and village affairs but reside outside of the village. In this case either they stay in the city or overseas. Their service is through economic means rather than physical presence and service.
3. ***Taūtūa Osi Āiga*** – Not regular service or contribution to the family, but family members will make the effort to contribute to family *Fa'alavelave* when they hear of one.

With increasingly high levels of achievement and excellence through education, a *Matai* title can now be gifted to someone who has achieved a degree or has been selected for a senior role in government. This is the family's way of showing gratitude to a particular individual for bringing honour to the family. It is widely expected for a *Matai* to represent their family with dignity and honour wherever they go, as they carry the family title with them. In terms of leadership, each *Matai* will have their own way of governing or exercising their *Pule* (Authority). Some are very lenient, asking family members for small contributions. Some are competitive, requesting large amounts of money and material goods; some are great distributors of any gifts given to the family. Some are avaricious and keep most for themselves. However, these leadership qualities are heavily dependent on the individual *Matai*'s leadership characteristics and personality rather than being a part of the system of *Fa'amatai*.

The *Fa'amatai* system places the *Matai* on a spectrum where leadership is based upon three important *Pule* (Vaai, 1999).

1. ***Pule Fa'avae (Constitutive Authority)*** – The authority vested on the founding entity of the village. This includes village laws that may have been developed decades ago and implemented to maintain safety and harmony for everyone.
2. ***Pule Fa'asoa (Distributive Authority)*** – The authority exercised by *Matai* in distributing family resources, the division of land for all families, the distribution of *Matai* titles for upcoming *Matai* as well as the distribution of material wealth and goods.

3. ***Pule Fa'amalumalu (Protective Authority)*** – The authority and responsibility to protect family and villages in terms of security, keeping families and villages safe and secure from internal and external conflicts.

These are the guiding principles of authority *Matai* use in order to fulfil their obligations and responsibilities to their community. It may be argued that in some cases, there may be evidence of *Pule Faitalia*, (personal authority or will), or failure to consult and *Soālaupūle* with the members of their family or *Āiga* regarding critical issues. Within this *Pule Faitalia*, there can be evidence of *Pule Pule Tutū* (absolute power). If the *Matai* is the eldest one in the family, he may be inclined to exercise such power within his own *Āiga*. Again, it should be duly noted that such abuse of authority derives from an individual's personal and leadership characteristics rather than being a norm of the type of authority in the *Fa'amatai*.

The traditional and cultural values and expectations placed upon a *Matai* by the family, village, and community are almost sacred (Aiono, 1992). This is due to the *Matai* being the epitome of Samoan leadership consisting of values such as *Ālofa* (Love), *Fētufā'a'i* (Reciprocity), *Fa'amāgālo* (Forgiveness), *Fetausā'a'i* (Caring) and *Fa'aāloālo* (Respect) (Aiono, 1992).

Ālofa is the expression of love through the decision-making process: informing, consultation and reaching consensus (*Soālaupūle*). The concept and practice of *Ālofa* is expressed in many ways in Samoa through gift giving, through forgiveness and sharing (Aiono, 1992). Interestingly, Ancient Classical Greek tradition also saw happiness and growth as necessary for societal harmony and human fulfilment, and at the most fundamental level the ability to have love. It is not intimate love but love that is capable of compassion and grace. Most importantly, this conception of love understands the need for balance and protection against loss of face (Strauss, 1973).

In the individual *Matai*'s case, the realisation and perhaps acceptance of this compassion and balance requires the ability to validate this value of *Ālofa*. This balance is found not only in material terms as mentioned, but more importantly in a sense of principle. The higher the rank

and status of the *Matai*, the more they are expected to implement *Ālofa* through what *Matai* commonly refer to as wisdom (Vaai, 1999). This wisdom envelopes both the *Tulāfale* and *Matai Ali'i*, their ability to conduct family matters and lead compassionately. Compassion during *Fa'alavelave* will likely reflect the three principles of wisdom. For a *Matai Ali'i* it is known as *Tōfā*, while for a *Matai Tulāfale* it is known as *Moe*. Both terms mean “To sleep”. As the *Matai* system is hierarchical, *Tōfā* as the most formal word is appropriate for the high-ranking chief. The context that many *Matai* agree on for the use of “*Tōfā ma le Moe*” is referred to as *Moe Mānatunatu* – sleep that involves optimistic thinking and also dialogue with their ancestors and God, asking for courage and guidance to lead their family (Tamasese, 2017).

The other principle of wisdom is *Fa'aūtāga* – the view to look and plan ahead. This is where compassion is truly found and discovered. If the *Matai* has *Fa'aūtāga*, the family will continue to be united. If exercised and implemented effectively, this *Fa'aūtāga*, *Tōfā* and *Moe* showcases the relevance and continued longevity of the *Matai* lineage within families, and within the realm of *Fa'amatai* (Vaai, 1999)

Huffer & Soo (2005) alluded to *Fa'aūtāga* as being embedded in the land, that *Fa'aūtāga* is not only a gift from God but also a gift from the land. This is having had the experience of rendering service, understanding boundaries, realising the *Tapu* and *Tapuāfanūa* of the land they were born unto and live on. This knowledge develops the wisdom of the *Matai* and their ability to foresee the future. It also includes the wisdom to make good and fair decisions through proper consultations and decisions that reflect responsibility, *Ālofa* and compassion (Huffer & Soo, 2005). The value of *Fa'aāloālo* or respect for and between *Matai* is just as important as the principle of *Ālofa*. The values of respect and love are interwoven; they do not compete but rather work in concert. Where there is *Ālofa*, there is bound to be *Fa'aāloālo*. In other words, respect is offered and demonstrated because there is *Ālofa*.

Respect (*Fa'aāloālo*) consists of two dimensions which *Matai* and the *Fa'amatai* depend on for the creation and management of relationships internally and externally.

1. ***Vā Tāpu'ia; (Sacred Space/Relationship)***. Referring to the relationship of the *Matai* and his authority and God or gods. This is purely spiritual in nature. It is not new, as *Matai* and families believed in traditional gods before the arrival of Christianity. There were family gods, personal gods, and district gods. More importantly, the people believed in a great god who was referred to as Tagaloaalagi. With the arrival of Christianity and the realisation of God as the Supreme Ruler, the focus shifted immediately from the traditional gods to the relationship to the new Almighty Creator (Lealiauloto & Fuataga, 1985).
2. ***Vā Feāloa'i (Mutual Respect)*** – the space and relationships between *Matai* and *Āiga*, and among *Matai*. It is fair to note that mutual respect is not reserved only for *Matai*; rather it is one of the most fundamental values of the *Fa'asamoa*. However, special attention is given to *Matai* as they assume leadership roles and status of authority. The ability and grace of a *Matai* to exercise authority with mutual respect reflects this *Va Fealoa'i*. It is respect that is reciprocated, and an esteem that two or more people hold for each other and is always visible in their relationships and interactions with each other (Lealiauloto & Fuataga, 1985). When combined, all these values play a significant part in the ability of *Matai* within the *Fa'amatai* system to maintain relationships and constitutive authority that has kept Samoan societies intact and resilient.

It is also important to note here that currently there has been a rise in women being able to obtain a *Matai* title although this was not the normal practise 50 years ago. Women have always made immense contributions to the *Faamatai* in their roles as *Faletua ma Tausi* and *Aualuma*. The willingness of family members and agreement of village councils to confer matai titles unto women has been welcomed by hard working *Tama'itai* in Samoa

3.3.2. *Female Counterpart as Matai.*

Having a female *Matai* in a family was not a Samoan norm; the *Fa'amatai* system was very patriarchal. The eldest male would usually assume the title if the family agree and would normally run in the male lineage. The bestowal of *Matai* titles upon women is very recent and is a subject that is continuously debated especially amongst cultural relativists. The underlying arguments include the notion that a woman's place is to support and render service to the male *Matai*. In addition, there is the argument that women are the sacred *Feagaiga* (Covenant). This emphasizes that the female's place within families and villages is sacred. A woman needs to be protected and kept within the realm of the home. Because of this *Feagaiga*, it is believed that her sacred status is passed through the female line. They are believed to hold mystical powers, evident in the belief that a *Feagaiga* (Covenant) *Tuāfafine* (Sister) could impose a curse on her male counterparts (Aiono, 1986). This is known as *Īlāmutu*, a curse a sister is capable of imposing, particularly on her brother. The power of this curse is believed to come from pre-Christian gods, individual and family gods, increasing the need to protect them.

The latest statistics revealing the number of registered *Matai* shows 1,386 *Matai* titles registered with the Land and Titles court are female. The titles are a mix of both *Matai Ali'i* high ranking chiefs and *Tulāfale* (Orators) with the majority being *Matai Ali'i* (Electoral Commission, 2016). This is quite interesting because the *Matai Ali'i* normally is a figurehead at ceremonies, they are decision makers in the village arena, but their role at functions is to *Fa'amaepaepa* (observe) and *Tapuai* (Provide sacred blessing), while the *Tulāfale* (Orator's) role is to deal with the *Va-i-fafo* (external relations) through *Lauga* (oratory) (Vaai, 1999).

In most cases females have been bestowed *Matai* titles as a familial reward and acknowledgement for the high levels of education they have received, and their status in the public service, either nationally or internationally. This is reflective of the women who are Assistant Chief Executive Officers (ACEO), Chief Executive Officers (CEOs), managers and directors in

regional organisations, as well as Members of Parliament in Samoa. In such cases, families have replaced the traditional *Taūtūa Nofo Tuāvae* with a new *Taūtūa* through education and professional careers in turn giving the families honour and pride (everyday servitude). As women resume their roles as *Matai* they will start their service and responsibilities to the *Āiga*. However, many of them had rendered *Taūtūa* indirectly through contributions to family matters.

One of the strongest arguments against women assuming titles is that they are the weaker gender, whereas male relatives would bring masculinity and a strong voice in the village *Fono*. Males would be more courageous to argue and fight on behalf of their families in times of conflict (Huffer & Soo, 2005). Furthermore, the argument which questions the appropriateness of female as *Matai Tulāfale* (Orators) given that in the *Fa’asamoa* whenever a *Tulāfale* is about to address an audience through oratory and speech, he is required to take his shirt off as a sign of confidence, courage and determination. This is also done to try and get the attention and respect of the opposite *Tulāfale* especially if they are dealing with other villages (Meleisea, 1987).

This easily creates tension for a western democracy as people are afforded individual human rights. Although, there may be *Matai* in the village councils who will disagree with bestowing *Matai* titles on women, democratic systems will advocate for such rights to be upheld and recognised.

3.4 Fa’amatai – The Social Political System.

The *Fa’amatai* system is the social political organisation that governs Samoan society. It is a solid political institution, well defined and structured with its hierarchical system consisting of the supreme God at the very top as the sacred authority. The *Fa’amatai* in actuality is firmly based on the entity of the extended family, if there is no family, there is no *Matai*. Without the support and acknowledgement of the *Aiga*, the *Matai* cannot fulfil their duties as the leader of their *Aiga*. It is the family who decide on their *Matai*, and in return, it is the *Matai*’s responsibility to lead,

protect and distribute family resources such as lands and titles to the family. A chief's ability to garner support, maintain peace and lead the family with the values of *Faasamoa* dictates their ability to achieve the same in the village.

3.4.1 Authority Within the FA'AMATAI.

The responsibilities, authority and influence of the *Fono a Matai* as a collective within each village are the epitome of the *Fa'asamoa* (Soo, 2008). Decisions made in the *Fono* are paramount, and the laws and taboos of the village passed at the *Fono* are always adhered to. Those who fail to do so face harsh punishments, including surrendering of land and resources for village use. In worse-case scenarios, family property is destroyed, and members are exiled from their own lands. This is within the scope of the *Fono a Matai's* power.

These powers have been strengthened by the government through the village *Fono* Act 1990, the government's effort to recognise the traditional leadership of *Matai* within villages. This piece of legislation gave the *Fono a Matai* authority to mete out any punishment for village offenders (Soo, 2008). This authority which *Matai* as a collective possess was further endorsed by the government, recognising *Matai* as what political scientists would refer to as "the ruling elite". They might not be "elite" in terms of finance and wealth, but they are certainly elite in terms of authority and influence within their respective villages.

It is this same power also that creates a tension between the *Fa'amatai* and individuals which have ended up in court and in decisions where traditionally it would be unanimous in the village *Fono* but may be overturned by the court system, vice versa. The rationale behind the tension is that in the *Fa'amatai*, villages and village *Fono*, there are no individual rights, only what *Matai* and village people know as a "Collective Right". In simple terms, an individual who goes against a village decision ends up going against the whole village council, as whatever decision the *Fono* makes are made collectively through the practice of *Soālaupule* (consensus).

In the case where an individual is ostracised, (*Fa'ate'a ma le Nu'u*) they are able to take a village *Fono* to court in order to seek re-entrance back to his or her family land or property. However, as the two systems of democracy and *Fa'amatai* are very different, two verdicts can be expected. From the perspective of courts, taking human rights into consideration, the applicant has every right to gain entry unto his or her village. The inevitable event is that the village *Fono* will disregard the court's decision standing their ground, that their *Fa'aiuga* (Decision) remains the "rule of law". This further reiterates the argument that *Matai* and the *Fa'asamoa* recognize collective rights over individual rights.

3.4.2. Fa'amatai's traditional rule of Law.

Traditionally, as with the olden day practice prior to democratic governance, *Fa'amatai* and its village council also took on the responsibility of being the “court system” and “judges” in situations that involve conflict between families or other villages. As villages were in themselves polities, the village council acted as the government, police and the courts.

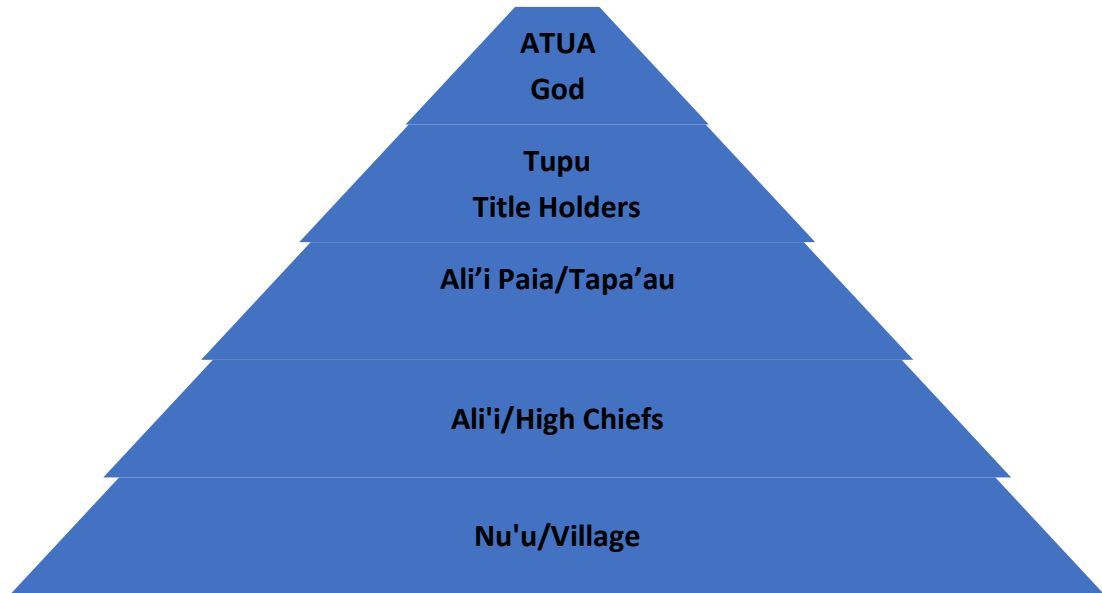
In decision making, people found guilty through proof and evidence provided were punished either by ostracization, fines or material goods. In some situations, such as murder and assault, the family of the perpetrator were ordered to do an “*Ifoga*”, a traditional apology which includes the perpetrator's family, offering fine mats and other material goods to the victim's family as a “Peace Offering” (Mailo, 1972). Following this, heads of families will negotiate and exchange speeches of whether the “*Ifoga*” has been accepted or not. The outcome of this plays a critical role in the decision taken by the village council and to the punishment they will offer.

The types of punishment and decisions made by *Matai* differ from village to village depending on the severity of the crime. In most villages, punishment for untitled men may slightly differ from the punishments for the high chiefs, depending on the crime. This means that *Matai* are also held accountable for their actions, with punishment a bit more severe. This is to ensure that *Matai* make good role models for their *Āiga* and *Nu'u*.

In worst-case scenarios including death within a village, extreme measures of punishment are dispensed. This equates to the destruction of all family property belonging to the offender. This is a process known widely in Samoan culture as “*Sōloa le 'Aufuefue*” and “*Āti ma le Lau*” (collateral damage). The offender's nuclear and extended families are given an order to leave the village within a very limited time frame. The chances for an offender's family to return to the village anytime thereafter, are very minimal. However, the high chiefs do not implement this role, the *Taulele'a* a tenet of the *Fa'amatai*, a group of untitled men carry out these responsibilities on behalf of the village council.

The original structure of the *Fa'amatai* consists of five strata. As seen in the diagram. It included;

Figure 1: Fa'amatai's Institutional Structure



Atua/God

At the very top of the hierarchy is God, the supreme ruler. Prior to Christianity, a female warrior by the name of Nafanua had prophesied a *Mālo* (Government). She did not say what shape or form it would take but that it will derive from the heavens “*Tali i lagi se ao o lou mālo*” (Lafai, 1988). The arrival of John Williams in 1830 on the shores of Sapapali’i, the residence village of who was then the ruler of Samoa marked the prophecy of Nafanua as becoming a reality. With Bible in hand, material goods and much more to offer, Malietoa was impressed with this new white “creature”. In exchange for the goods and what was written in the Bible, he urged his *Āiga* and village to welcome and acknowledge the arrival of the missionary (Lafai, 1988).

John William’s appearance along with the material goods and the “good news” he brought led to the belief of Malietoa and his fellow village people that John Williams was perhaps the *Mālo* (government) the female goddess Nafanua had prophesied. That Williams was indeed from the sky hence the term “*Pālāgi*” coming from the sky or sky people. The preaching and the stories of

God in the Bible about the origins of the human race, originating from God the Almighty, solidified the belief that this new-found “God the creator” was the *Mālo* to which Nafanua had referred.

Prior to this as mentioned previously, Samoan people worshipped their own traditional gods, and were mindful that there was a supreme God somewhere. The arrival of Christianity through the Bible and John Williams cemented the belief that “God” *Le Atua*, in the Bible was the supreme God, who was somewhere in the skies (Keesing, 1934). This changed the structure of the *Fa’amatai* system drastically.

Tupu, (royalty), those who held the Four Prominent Titles, were at the very top of the hierarchy. After the arrival of Christianity, the *Tupu*, title holders were moved down a rank and God assumed His place at the top of the pyramid (Field, 1984). God remains at the pinnacle of Samoan society to this day. Whether this move was the right one remains a topic of debate and will be explored in the analysis chapter.

This relationship between God and the *Fa’amatai* system is very interesting, in terms of power struggles of who originally had the *Pule* (power) within the village setting. Prior to God being at the top of the hierarchy, *Matai* were the rulers, decision makers and the traditional court system (Turner, 1984). However, an increasing emphasis was placed on Christianity and God’s servants who served and preached the word of God as Christianity spread throughout Samoa. It was obvious that *Matai* and *Fa’amatai* were slowly assuming the second highest position of the traditional institutional pyramid.

Tupu /Title Holder

The *Tupu* title holders were those who had all four titles that were known to be the most well-known families in terms of power and land. These included *Tui-A’ana*, *Tui-Atua*, *Vaetamasoāli’i* and *Gatoaitete*. People with these titles were known as *tupu* or kings of Samoa, whom the residents

of the village and district served. One of their roles was safeguarding the interests of the people they represented.

Ali'i Paia/Tapa'au.

Ali'i Pa'ia (Sacred Chiefs) were those who held one or more but not all four titles. They were able to represent districts which were associated with their titles. They were also powerful in terms of oratory and material wealth.

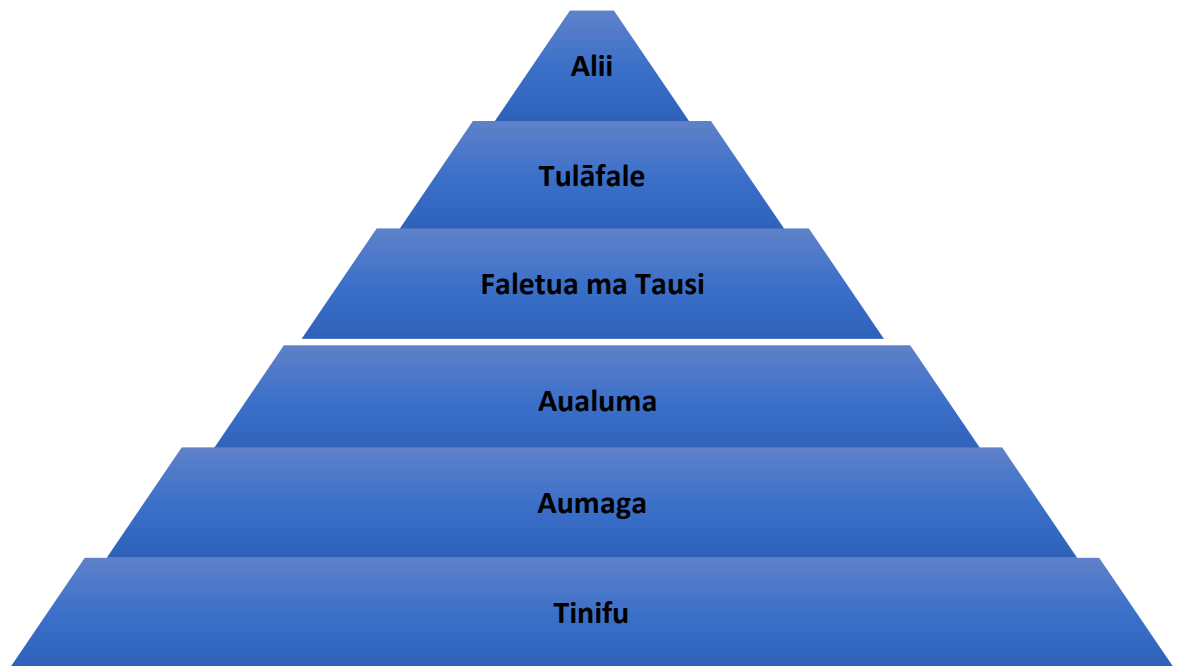
Ali'i Sili/ High Chiefs

These were the men who held high chief titles within districts and sub-districts and could represent their villages accordingly. Their responsibilities included ensuring family and village unity and cohesion. A chief that could achieve this within his extended *Aiga* would be able to do the same within the village setting.

Village

At the bottom of the hierarchy was the village system where every village has its own honorifics. Every village has this structure, which is very similar to how a democratic system operates. There is also a hierarchy to place the different strata for each polity in. This reflects how the village is run.

Figure 2: Village Structure



Ali'i and Tulafale.

Normally, the *Fa'amatai* system is very patriarchal. The heads of families, *Ulu o Āiga* are always male dominated and are the representatives of the *Āiga* to the village council. It is mostly the case that heads of families are also the *Matai*, those who manage the affairs of their *Āiga*. These include the responsibility of the *Matai* to distribute and allocate land and titles to family members and also protecting their family from harm and potential conflict. The values of love, respect and reciprocity guide the *Matai*'s leadership of their aiga. As discussed, there are two types of *Matai*, *Matai Ali'i* and *Matai Tulāfale*. Both have different functions within the *Fono*, different seating arrangements within the *Falefono* (meeting house), different power and authority, and in ceremonies they receive different gifts according to their title.

All other smaller functions are connected to the *Fa'amatai* so they come to render service to the *Matai* in one way or another, both in the home and in village affairs (Meleisea, 1987).

Faletua and Tausi

This strata is reserved only for the wives of high chiefs and orators. Women whose husbands are the decision makers and orators in the men's *fono* have the same authority in the women's *Fono*. The female leaders within this faction of the *Fa'amatai* structure are tasked with planning and organizing activities that ensure health and safety within the family and the village, an example of such an activity is the competition to see which part of the *nuu* is most clean and tidy. These women also put emphasis on activities that help families to support themselves and be sustainable through handicrafts and the creation of house mats sleeping mats and fine mats. This reduces the pressure to purchase these items when required for visitors and gift giving.

Aualuma

This branch of the *Fa'amatai* institution is reserved for unmarried women in the village who are tasked with the implementation of laws and activities as given to them by the *Faletua ma Tausi*. The women in this section are also tasked with rendering service to the wives of the chiefs when they meet. They have a leader who is responsible for activities and communications. They too hold events that contribute to the common good of the village.

Aumaga

This branch of the village council is reserved for untitled men only. They are equivalent to the *Aualuma* and are tasked with serving the chiefs when they are in meetings and serving their families through cooking, working the plantation and fishing. Being a *Taulealea* in the *Aumaga* is the first step of being considered a *Matai*. This is where the Samoan proverb about leadership originates from; "*Ole ala ile pule ole tautua*" - To be a leader one must first serve. It is impossible to become a *Matai* without having first rendered service to the chiefs and elders.

Tinifu

Tinifu consists of children not yet of the age to be either in the *Aualuma* and the *Aumaga*. They too have rules and responsibilities to follow within the village structure. Children are tasked with general duties within and around the house including cleaning dishes, picking the rubbish and other everyday chores. Although they are children, they know what their roles are not only in the family but also in the village.

It must be noted that the roles and responsibilities that are performed within each section of the village strata are mirrored and practised within the context of the *Aiga*. This means that in the family, it is the role of the *Matai* to make decisions that serve the best interests of the extended *Aiga*. The *Faletua ma Tausi* in the family are responsible for welfare, health and safety. The role of someone in the *Aualuma* inside the family is to manage the household. For the *Aumaga*, their role in the *Aiga* is to ensure the family has enough food, and the *Tinifu* or the children of an *aiga* ensures their land is clean and that there is enough firewood for the food preparations.

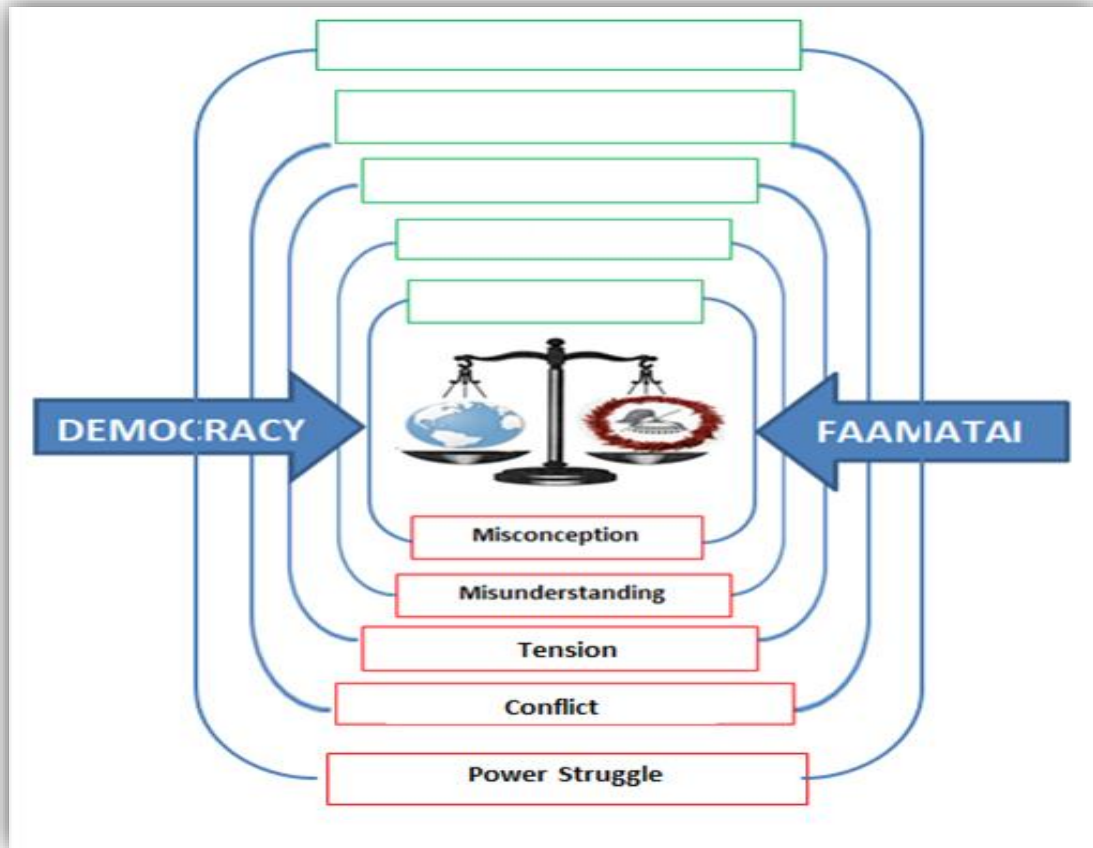
Such structure with its numerous branches and different functions means that every Samoan person is brought up knowing their place and the significance of their roles in keeping the traditional values and the *Fa'amatai* relevant to the environment it operates in.

3.5 The Implications of the Research Problem

There are "gaps" which exist between the traditional system of *Fa'amatai* and its western counterpart of liberal democracy. As a result of such gaps, tensions brew between democracy and *Fa'amatai*, which in turn contributes to the conflicting dynamics of the two systems. The diagram of the "Lack of Understanding Model" illustrates the consequences of the problem and the subsequent effects if these are not effectively addressed.

Figure 3: Model of Understanding

**Tensions between Democracy and Fa'amatai:
Paving the way for Harmonisation?**



Misconception

Having the wrong idea about a person or idea creates the view or the belief that the person or idea is incorrect or invalid. The first consequence of the gaps which divides *Fa'amatai* and democracy is that of misconception. On the one hand the *Fa'amatai* is adamant that its beliefs, protocols and principles are supreme. It is the traditional system which has stabilised Samoan culture and values; therefore, any other system, particularly a western one is faulty and deemed a threat. On the other hand, democracy also believes that its system, beliefs and values ought to be the universally accepted mode of operation. It is considered an effective system of government, which separates its powers to avoid corruption, inaction and misuse of funds. Thus, any other

system which does not align or fit the democratic criteria is considered undemocratic and corrupt (Dahl, 1998).

Misunderstanding

This state of thought occurs when someone fails to understand the facts of a situation or phenomena correctly. In such cases there may be a false belief that there is understanding between the two systems and their relevance in Samoa, when in fact there is little to no understanding at all. For example, the belief by advocates of democracy that *Matai* can escape punishment creates a gap where democratic proponents may view *Fa'amatai* as culturally corrupt. Without an attempt to fully explore the *Fa'amatai* system, the perceived understanding, albeit inaccurate, becomes reality. Similarly, the same perceived understanding occurs in the way that *Fa'amatai* views democracy. As a result of this misunderstanding, false and incorrect perceptions become reality.

Tension

As a result of misconception and misunderstanding, tensions occur as one system attempts to justify its superiority and relevance over the other as the preferred system of operation. As discussed earlier, supporters of a democratic system, will argue the legitimacy of its principles and values and how these protect and serve their interests. Similarly, this is the case for the defenders of *Fa'amatai* and traditional systems. Any relationship that involves tension or strain leads to either a breakup or hostility. In more favourable conditions, bonds can be formed and reinforced, however in cases where the tension is unbearable and unsolved, only one side will emerge victorious at the cost of the significant other.

Conflict

Serious arguments or disagreements occur when early tensions are not solved or identified. In the case of *Fa'amatai* and democracy, conflict is existent because of the process as outlined by

the diagram. Failure of the two systems to negotiate and come to a consensus creates cultural and political conflicts. Furthermore, it produces conflict between individuals and groups of people, in this case the conflict between the rights of one person versus the rights of a collective. The incompatibilities between the systems as evident in the media, has resulted in individuals and their families being forcefully ousted from their own lands and property. It has also seen village *Fono* pay substantial compensation for their democratically unjustified actions, raising the question of whether the *Fa'amatai* is still relevant in Samoan society.

Power Struggle

When a powerless group cannot find a way to exert influence and authority on a group or situation they tend to turn to violence and extreme measures to prove their point. This occurs in circumstances where there is more than one person or group wanting power. For this research however, there is a power struggle without violence and extremism. Herein is a situation of two factions competing for influence at perhaps different levels and contexts. A compelling explanation for this particular power struggle between *Fa'amatai* and democracy is a result of the four tenets described above. When there is misconception, misunderstanding, tension and conflict, there is bound to be a subsequent effect, which in this case leads to a power struggle. The situation worsens, if the root cause of the misunderstanding is not resolved. Continuing to neglect the underlying issue with the façade that the waters are calm, increases the chances of a power struggle with the potential to produce violence.

Samoa does not need to look far to see how a power struggle can lead to violence and instability. The *Mau* movement is a constant reminder of such tensions leading to conflict and power struggle, which resulted in casualties and a prolonged strain in relations between New Zealand and Samoa (Field, 1984). Nevertheless, there have also been cases like this within the region, namely in nearby Fiji. For instance, in 2000, George Speight unravelled a coup in Fiji, as

a result of ongoing power struggles between the native Fijians and Indo-Fijians and how they influenced the operation of government. In this case, guns were involved, and the democratically elected Prime Minister was held hostage along with other Members of Parliament (Lal, 2000).

Therefore, instability and violence are preventable. However, it is crucial for a country's leaders and prominent figures of political systems both traditional and western to address issues which have the potential to pose threats to a country's security and stability. It is my hope that this research uses the data collected and experiences shared to start to build a bridge between the incompatibilities of a western democratic system and that of a traditional socio-political authority.

3.6. Summary

The conceptual framework has provided a “map of concepts” which will guide the reader to understand, connect to the topic and have an appreciation of the key terminology which will be explored in this study. In addition, this chapter has identified the relationship between the key concepts as well as the connection between these and the topic of the study. Significant in this chapter is the discussion of the institution of *Fa’amatai*, its structure, purpose, role and responsibilities in being the traditional system of authority which has become not just the instrument which maintains stability and harmony in Samoa but also the structure which drives the *Fa’asamoa*. Moreover, “The Model of Understanding” shows the different stages that can occur as consequences if nothing is done to create common ground.

CHAPTER FOUR

THEORETICAL FRAMEWORK

“E lē falala fua le niu, e falala ona o le savili”

“The leaves of the coconut tree do not sway on its own, but sways by the wind”

4.1 Introduction

The aim of this chapter is to provide the theoretical framework that guides and supports this study. Following a broad discussion about theories of knowledge this chapter introduces the idea of “Holistic Philosophy” as connected to an original Samoan cultural theory titled “*Sa’iliga Tofā* (The search for knowledge and understanding). The purpose of these theories enables the researcher to better explore the reality of the phenomena, to identify why the research problem exists, and then to examine potential solutions that can be used to formalize practical ways of addressing the issues identified.

In terms of why the need to develop a new approach in the form of Holistic Philosophy, Grant & Osanloo (2014) argue that the theoretical framework of a thesis should not be arbitrary. Rather, it is important because it demonstrates a meaningful understanding of the area studied as well as personal beliefs. These also relate to the method and tools that are used by the researcher for the fieldwork. Grant & Osanloo (2014) claim that a theoretical framework provides a clear indication of whether the researcher has the ability to move from the stage of the pre-theoretical commitments to the stage of having a solid understanding and in-depth conceptualization of a topic within the context of the area studied (Grant & Osanloo, 2014).

In addition, Camp (2001) believes that a theoretical analysis reflects our beliefs which are heavily influenced by our values, ethics and our assumptions, these he called “personal postulates.”

Furthermore Camp (2001) along with Grant & Osanloo state that a selected theory provides the researcher with what lens they view and conceptualise the world with. Whichever lens this may be, it is crucial that a researcher provides a clear rationale of why the specific theory has been chosen. It is also equally important that the framework selected is aligned to the structure of the study and relevant to the study's purpose, significance and design. (Camp, 2001) (Grant & Osanloo, 2014). This chapter therefore seeks to identify the most appropriate theoretical framework for helping to better understand democracy and traditional systems in Samoa – and this means developing a novel approach to the topic through the creation of Holistic Philosophy and “*Sa'iligā Tōfā*”.

4.2 Theorising and ‘fit’

There are numerous political theories which could be used for this research however such theories would not have been applicable, relevant or appropriate for this study particularly given the nature of the phenomena studied. Using a western political theory would likely do two things.

- 1) Analyse the traditional system of authority from a western lens opening up *Fa'amatai* to be measured unfairly according to western criteria, expectations and standards.
- 2) The use of a western theory would manipulate and exploit the *Fa'amatai* in comparison to western democratic principles.

Hence this study seeks to construct a ‘holistic philosophy’ to help create a culturally relevant and epistemologically appropriate approach to the context and environment of where the research was being conducted and the people involved.

The theory of knowledge is a vital and significant area of the study of philosophy (Russell, 1926). It seeks to explain three main aspects particularly: the nature of knowledge; how and why

knowledge is obtained; and how knowledge is used to perceive the world. The tripartite theory of knowledge suggests there are three tenets within the theory which constitutes knowledge. The first book of Plato's *Republic* revealed his argument for the separation of the body from the soul, as the body contains senses that lead to particular objects while the soul was filled with ideas and abstract essences. From this argument, Plato also makes the distinction between what is real and appearance, the difference between perception and reasoning as well as the separation of opinion from genuine knowledge (Armstrong, 1963).

From these distinctions he developed and proposed the early stages of the tripartite theory of knowledge based on the society he was in. His theory constituted three crucial elements. These included the "rational", which he described as an embodiment of wisdom and knowledge (Foster, 1935). It also included the "spirited" defined by acts of valour and possession of courage. The third aspect was known as the "appetitive" that was based on society (Strauss, 1983).

However, the distinctions made by Plato in terms of the rational, spirited and appetitive aspects could not be realized without the conditions of belief, truth and justification (Foster, 1935). These conditions as Plato implied with the support of other philosophers indicates that if someone believes in something, they know it is the truth and can be justified then there is knowledge. If they do not fulfil all three conditions, knowledge is therefore non-existent (Strauss, 1983). This then means that there needs to be belief in order to know something. Secondly the essence of "knowing" something depends on it being true, that to have knowledge, it must be knowledge of the truth. Lastly according to the tripartite theory, knowledge cannot be claimed without justification (Rawls, 1971). Plato's own allegory of the cave can be used as an example to emphasize what is meant by belief, truth and justification. This is an important example of how we might need to rethink our academic compass when undertaking research that seeks to challenge rather than uphold the status quo.

In the allegory of the cave there are men inside a cave chained to the wall, restricting their head movements. A fire produces shadows of other people who are believed to be in the cave, creating big shadows on the walls. The fire also makes objects that the people are carrying appear bigger than their usual size. In this situation, the chained men believe there are giant people and objects as they see on the walls (Strauss, 1953) and believe this is the truth because they see it every time. If another person was brought into the cave, the chained men would be able to convince the new person into believing there are giant people and objects because they can justify their argument and knowledge through showing them the shadows from the fire (Rawls, 1971). Under such conditions, not only do the chained people believe in what they see, but they know it is the truth because they see it happening and can also justify it with evidence through the shadows from the fire. However, the ability of one person being able to escape the cave changes the situation in its entirety (Davies, 1978). The escapee finds himself exiting the cave only to be blinded by the glare of the sun. Upon seeing the sun light, he realizes that his own shadow appears bigger than his actual size as it rests on the cave rocks behind him. His movements and the objects he holds up to the sun again appear much bigger than they truly are. Realizing there are no giant people and objects as they observed in the shadows inside, he returns to the cave to help free the other chained men (Klosko, 2006). He tells them about his experience and his discovery of shadows. In these circumstances the escapee's newfound knowledge was not only based on belief, truth and justification, it was also based on personal knowledge and what he experienced (Hayek, 1979). His ability to explain that giant figures are only shadows shows his procedural knowledge. Lastly, unchaining the prisoners and convincing them to have the courage to escape and seek freedom from the darkness in the cave demonstrates his propositional knowledge. His experience in the light as he escaped enabled him to distinguish light from dark, opinion from truth and appearance from reality. These, as Plato argues, are the conditions which constitute the acquirement of "knowledge" (Klosko, 2006).

This example emphasizes how knowledge varies from person to person depending on where and how they were raised. Each individuals' experiences mould their understanding of their surroundings. In addition, it enables individuals to formulate beliefs and judgements and identify what the truth is according to what they have learnt through their experiences.

An example is the political science theory of political socialization. This theory claims that people choose their preferred political affiliations such as parties and candidates according to what they were socialized into in their families and communities. If person A grew up in a household where the adults are supporters of New Zealand's Blue party, there is potentially a significant chance person A will also vote and support the Blue party. Herein person A's attitudes, behaviour and beliefs are heavily influenced by their environment. Their understanding is moulded by their experience (Easton, 1968).

In the previous chapter, it was discussed that the *Fa'amatai* system is made up of heads of families within a polity who represent their *Aiga* to the *Fono a Matai*, this group of chiefs manage the operations of the village through the institution of *Fa'amatai*. Prior to the subtle introduction of democracy to Samoa, the traditional system of authority was the accepted and recognized "norm". It was very unusual for a Samoan person not to be socialised or brought up within a traditional *Fa'amatai* system or without a *Matai* heading their *Aiga* (Meleisea, 1987).

Through this cultural, social and political socialization, Samoan people are familiar with the system which continues to operate particularly in rural areas. Within this system it is expected that members render service to their *Matai*, they contribute to family events and abide by rules set by the village council (Aiono, 1992). Failure to follow and adhere to village laws can lead to severe punishment and eventual ostracization for prolonged periods of time (Soo, 2008). It is far from being a "perfect" system however it is the most relevant one for Samoa as it keeps families together and achieves cohesion, peace and stability within a village setting.

This theory that knowledge is obtained through experience originated from the tradition of empiricism (Kornblith, 2002). This as philosophers have argued is what someone learns and knows from what they go through. This includes what they see, hear, touch and feel, thus this argument suggests that there is no knowledge if there is no experience (Kornblith, 2002). Another explanation for the term knowledge originates from the second tradition encountered in epistemology; that of rationalism. This belief suggests that knowledge is not based on experience but rather on reason. This is premised on one's ability to think rationally and logically. This means an individual's ability to weigh the benefits and costs of something. Through their analysis of a given situation, they are rewarded with having obtained what is known as "knowledge" (Gibbons, 2013).

These issues discussed here emphasise the need to look anew at options for understanding the current state of the relationship between democracy and traditional systems in Samoa. To do this I have sought to emphasise a holistic approach to the research.

4.3 Introducing Holistic Philosophy and "*Sa'iligā Tōfā*"

Epistemology becomes a search for what is existent within environments. It includes what people consider as knowledge within their surroundings, whether it be personal, procedural, propositional and for the purpose of this research- cultural knowledge and whether this is based on truth or perception or both (BonJour, 1985). In this case cultural epistemology is significant in any study as one of the ways to view a research not from an "outside-in" perspective, rather from the "inside out" (Brannick & Coghlan, 2001). For the purpose of this study there has been an attempt to unify the three main branches of philosophy- in particular, metaphysics, epistemology and axiology to create a culturally appropriate and relevant framework for this study, this research recognizes this attempt as "Holistic philosophy". The philosophical worth of this combination

creates a platform where the inquiry into the studied “phenomena” is analysed and explored taking into consideration the nature of Samoa’s culture, context and environment.

The holistic philosophy is applicable to Samoa by way of creating a theoretical framework which explains, and explores the understanding, perception and knowledge of the phenomena- that of the tension between *Fa’amatai* and democracy. The study of philosophy particularly phenomenology within epistemology is focused on analysing what the reality is and the understanding around what is real. In the Samoan cultural search for this understanding and knowledge, this is championed by the process of “*Sa’iligā Tōfā*”: the search for knowledge through holistic philosophy. Within this process there are three main categories which readily respond to the intricacies of the branches of philosophy.

4.3.1 Sailigā Tōfā /Tōfā Saili- The search for knowledge.

This is rooted in metaphysics and in particular- the ontological question, “What is reality?” Similarly, it is related to the search for truth as a component of the tripartite theory of knowledge. This category enquires about what we know, what is real and the study of what is around us (Foster, 1935). For the purpose of this research it is a search for the *Matai*’s “*Tōfā*” knowledge of their structure and environment, the values and principles which guide the *Fa’amatai* system and in return acts as the glue which binds society in unity. The search for knowledge in this case is a shared experience and an exchange in understanding and perception regarding an important issue, in this case the tension between *Fa’amatai* and democracy. Nevertheless, it is also a search to explore the knowledge and experience of the *Matai* regarding the democratic phenomena and the impacts of having to navigate through two very contrasting systems.

4.3.2 *Tōfā Loloto- The search for deeper meaning.*

This is rooted in Epistemology and understanding the origins of knowledge, in particular - the epistemological question of How do we know what we know? It is an inquiry into the nature and origin of knowledge and the rationality of belief. In addition, it is a study into what people know and how they can justify their knowledge and beliefs based on the conditions and sources of knowledge (Rawls, 1975). In relation to this research it is about discovering deeper meaning, probing into the *Matai*'s source of understanding and knowledge of how they know what they know. In this case, if a *Matai* argues that *Fa'amatai* is more democratic than democracy, that argument must be probed to explain the deeper meaning of their argument and provide reasons as to why and how they can justify their statement. The result of this investigation will reveal the true meaning of *Fa'amatai*, its history, significance and relevance socially, culturally and politically within the Samoan context. Being able to fully grasp the reality of the phenomena requires an appreciation of the truth and essence of "meaning". It is important to note that acquiring this deeper meaning enables an individual to also have knowledge of understanding as well as *Tofa-manino*- transparent knowledge.

4.3.3 *Tōfā Mamao- The search for harmony.*

This is rooted in Axiology and the inquiry into value and worth and focuses on the axiological question of Now that we know what we know, what now? This is concerned with the search for "harmony" (Davies, 1935). This derives from the translation of the term *Mamao*, which means "far" or "ahead" likened to a vision or strategic plan of what a company or in this case, county desires to achieve in the future. In philosophy axiology is concerned with values, what is valuable, why it is valuable and its "worth" in the social construct of society. This is one of the significant aspects of the research is to investigate what it is *Matai* value about *Fa'amatai* and then explore whether or not there are democratic principles which *Matai* perceive as being "good" or

“right” and if so how they would be able to contribute to *Fa’amatai* and its cultural purpose of serving the best interest of all.

The recognition of the truth and reality plus the realization of the origins and factors which inform knowledge highlights the true “value” and “worth” of personal, procedural and propositional knowledge. It gives insight into the truth, beliefs and justifications as proposed by the tripartite theory (Gibbons, 2013). As a result of the metaphysical and epistemological enquiry it leads to a response to the ethical question of axiology. Ethically and aesthetically, it can be proposed that axiology is a means which can transform or bring about positive change. Furthermore, in axiology the actions which can be taken are dependent on the search for a vision of harmony. Significant here is the fact that positive transformation starts only when there is “*Tōfā Mamao*” unless there is an appreciation of the “worth” of the search for harmony, positive change cannot be fully recognized. When *Tōfā Mamao* is reached it is an indication of the achievement of the philosophy of knowledge through holistic philosophy.

4.4 Theory Justification

The use of the theory of knowledge, Holistic Philosophy and the Samoan philosophy of *Sa’iligā Tōfā* as the framework for this research is significant on many levels. As stated by Camp (2001) a theoretical analysis is heavily influenced by personal postulates, these include beliefs, values and ethics. Important also is choosing a theory which best explores, investigates and analyses the views, concerns and values of those operating within the studied phenomena (Brannick & Coghlin, 2001). Research which has previously been done with a focus on *Fa’amatai* and democracy in Samoa, have failed to provide the opportunity for the *Fa’amatai* system to have a say in the expression of the two contrasting systems in the country (Aiono, 1992). Furthermore, such an opportunity has not been given to the *Fa’amatai* system as a collective operating at a local or village level. Needless to say- the experiences and values of individual *Matai* living in urban

areas are also very different from the *Matai* who are entrusted by the village to make decisions for the good of all (Meleisea, 1987).

Thus, this research is focused on giving the *Fa'amatai* as a collective the opportunity to share their knowledge, concerns, values and their worldview regarding the tensions they have experienced in their *Fa'amatai* encounter with democracy and its western principles and values. Hence the theory of knowledge is significant as the basis for this study. Within this theory there are other tenets. It explains the process of knowledge and how it can be obtained from beliefs and experiences with significant emphasis on the environment and context as the justification for the belief and value of such knowledge. This challenges the argument of a "One size fits all" which is highlighted by the tensions between traditional authority and democracy in Samoa.

With the theory of knowledge it clearly allows and enables the researcher to delve into the reality of the *Fa'amatai* system and view the world from their traditional lens as opposed to viewing *Fa'amatai* from a western perspective, where the norm is using western principles and criteria to judge the actions and decisions of others, who may not share or value the same principles as the West, vice versa (Brannick & Coghlin, 2001). It is crucial for the knowledge of *Matai* and their *Fa'amatai* to be explored in depth so that there may be lessons to be learnt from the *Fa'amatai* on how and why they choose to operate the way they do within their own environment.

The relevance of this theory also enables the researcher to combine and interweave into the study Samoan cultural epistemology which is culturally appropriate and theoretically relevant. By doing this the *Fa'amatai* experience, values and opinions of *Matai* are analysed using Samoan philosophy. It also allows the "*Tōfā*" (knowledge) of the *Matai* to be studied using the cultural aspects including metaphysics, epistemology and axiology, tenets which this research has referred to as holistic philosophy. It is holistic in the way the research is able to identify the tensions between the two systems. It also provides the platform for discussion and sharing information through dialectical exchange. To complete this process, it reserves the *Matai* and *Fa'amatai* the

crucial opportunity to learn from the discussions, grapple with the tensions and with their acquired knowledge they are able to start to produce solutions to try and harmonize the two contrasting systems. The following section therefore introduces the concept of Architectonics as a potential source of guidance for future solutions.

4.5 Introducing Architectonics

Samoa's most recent head of state, Tuiatua Tupua Tamasese, explained that in order to solve big problems it is always necessary to analyse it in terms of three cultural perspectives.

- 1) The view of someone in the canoe
- 2) The view of someone on a tree top
- 3) The view of someone on a mountain top

This suggests that the view from each situation is highly dependent on the surrounding social and cultural context. It is based on the environment and their position within this context, what they are able to see and more importantly how far they are willing to see (Tamasese, 2000). From the canoe the view is limited to peripheral vision, the tree and mountain tops are at a distance. From the tree top the view is wider but there are also limitations. A view from the mountain top covers both views. This view as Tuiatua interprets it symbolizes the “long view” or the ability to look and plan ahead (Tamasese, 2000). This signifies the accomplishment of the philosophy of knowledge. In relation to the research, the view from the mountain top symbolizes “*Tōfā Mamao*” and the search for ways to try and bridge the gaps between *Fa'amatai* and democracy, in turn creating the process of “harmonisation”.

It is interesting to note that Samoa's mountains are distinctive geographically, historically, and physically, as they are green and luscious, catching rainfall that other coastal and flat areas do not receive. However, whenever there is rain on the mountains, it is bound to reach the flat areas, bringing with it much needed water for people and vegetation. Due to this, mountains are

perceived to be a source of blessings. Within Samoan society, elders are considered as a source of blessings as their wisdom, wealth of knowledge in things Samoan are passed from generation to generation. The elders and *Matai*'s decisions and actions are viewed as a source of blessings. A Samoan proverb which expresses the literal and figurative symbolism of mountains is; "*E afua mai i mauga manuia o Nu'u*" From mountains we receive blessings for the village". Thus, *Tōfā Mamao* the search for harmony starts from the mountains, whether it be the mountain top view or the knowledge of the *Matai*, *Fa'amatai* and elders. Thus, *Sa'iligā Tōfā* with the elders and *Matai* within a village *fono* setting produces the much-needed *knowledge* which in turn informs the whole research. As this chapter has highlighted, the search for deeper meaning or *Tofa-loloto* encompasses *Tofa-malamalama*- the knowledge of understanding and *Tofa-manino*- transparent knowledge. These are achieved when one has reached the state of *Tofa-mamao* which enables harmony within Society.

This process of harmonization as identified by Plato is a blend of elements in which excellence is produced in relation to each other (Foster, 1935). For example, taking a home analogy, it can be argued that a door's "excellence" is owed to its carpenter. But it will need another "excellence" to make it perfect. That is the ability of the door to fit the right dimensions and be harmonious in its design and fit with other features of the building (Annas & Waterfield, 1995).

Lutz (2012) describes Architectonic as a process that "*guides prudence with the laws on social order, so that each one knows and is proud of the orderly place he or she occupies. It oversees temperance with laws of control over luxuries, matrimonies and those regulating political trials. It commands fortitude with the military laws, finally it oversees the particular justice, either directing or equalizing with other laws derived from the remaining universal right, either public or private*" (Lutz, 2012).

Therefore, for the purpose of this study, architectonic enables the connection to be made between democracy and *Fa'amatai*, focusing on practices that each system could improve on,

upon learning from the other. The ability of an individual to understand and fully grasp their environment and the elements that make up their social order enables them to be active citizens in Society. It also allows them to realize, acknowledge and weigh up useful practices that are relevant to the context so that there is an equalizing effect where excellence of both systems depends on working in concert with each other.

In relation to the theoretical framework, the two theories of Holistic Philosophy and *Sa'iligā Tōfā* create an architectonic design which builds up civil happiness through the performance of virtues, the manifestation of the legislation, upholding the laws of social order and reason in the political society (Annas & Waterfield, 1995). The process of architectonic is favourable regarding this research as it seeks the people's knowledge relating to democracy and *Fa'amatai* and then employs this acquired knowledge to create practical solutions such as policy implications to address the gaps identified.

4.6 Summary

The aim of this chapter has been to provide theoretical frameworks for better understanding the issues at hand. The theory of knowledge is used here to discuss the importance of understanding and having knowledge of a phenomenon such as the tension between *Fa'amatai* and democracy. Significant also in this chapter has been the introduction of an original approach at combining different branches of philosophy into what this study terms “Holistic Philosophy” which encompasses a Samoan theory relevant to this study and its methodology – that of “*Sa'iligā Tōfā*” the search for knowledge and understanding. Finally, the concept of Architectonics was introduced as a potential solution to consider later in the thesis. This chapter therefore lays foundation for the study’s methodology, research design and the collection of data as examined in the next chapter.

CHAPTER FIVE

METHODOLOGY

“E iloa le lima lelei o le tufuga i le so’ofau”

“The mark of a good statecraft is shown in blending idiosyncrasies”

5.1 Introduction

This chapter discusses the methodology used to analyse the study particularly the phenomena of democracy and the tension that brews in its connection with Samoan traditional authority. In discussing this, the research adopts a phenomenological approach to the fieldwork which is identified in the Samoan context as *Sa’iligā Tōfā* coupled with *Fa’atōfāla’iga*, a Samoan method and approach to evolving research that is useful and relevant to any qualitative research. Also crucial in this chapter is the analysis of the research design including but not limited to identifying the research problem, research questions, sample size, participants, the nature of collecting data, which in this case includes interviews and PAR (participatory action research) through workshops. It is important to note that data from both instruments were gathered through a culturally appropriate method of *Fa’atōfāla’iga* – a normal practice for *Matai* when one wants to discuss and share knowledge with another *Matai* or a group of *Matai*

This research explores two systems that are both alien to each other not only in values but in practice. Due to the nature of this it somewhat poses difficulty in adopting a methodology that can accommodate both a western system and that of a traditional entity. A phenomenological approach to qualitative enquiry and research design encompasses both the western and cultural aspects of this study as the approach is designed to discover a phenomenon as well as explore in depth

knowledge and perceptions from a group of people (Moustakas, 1994). This has the potential to reveal meanings that are hidden whilst also identifying impacts of a certain occurrence (Moustakas, 1994).

Qualitative research therefore provides rich and meaningful descriptions that aid understanding through in depth interviews and analysis (Bartunek, 1996). In addition, it provides the researcher and co researchers (in this case the participants) with better understanding and interpretations that describes exactly what it means to be present in the participants' environment and their experience and interaction with a phenomenon (Coghlin & Brannick, 2005). Therefore, a phenomenological research study is one which attempts to understand people's perceptions, perspectives and knowledge of a particular situation (or phenomenon) (Groenewald, 2004).

There is a point of difference this research provides as it explores two systems: that of *Fa'amatai*, traditional authority, and that of a western democratic system. For this study to achieve its aims in addressing the research question relating to democracy and traditional authority, it is only fair to include *Sa'iligā Tōfā* in the cultural methodology. For the purpose of this study alone, *Sa'iligā Tōfā* has been used as the methodology with *Fa'atofalaiga* as the method used to collect the data. Given that the study was conducted in Samoa using Samoan language and cultural protocols, the use of a Samoan research methodology is not only appropriate but ethically and morally relevant. *Fa'amatai* allows the theory of *Sa'iligā Tōfā* to be practised. In order to obtain the knowledge of the *Matai* pertaining to the topic studied. *Sa'iligā Tōfā* thus exhibits itself as cultural phenomenology for the purpose of this research.

5.2 Context of the Study

This research was carried out in the village of Neiafu in the island of Savai'i in Samoa. The village lies in the country's biggest island's southwest, between the villages of Falelima and Tufutafoe, in the Alataua West district. It is divided into two parts, of Neiafu Tai on the coastal area and Neiafu Uta, the inlands. It is recognised that the two parts of the village may have their

own activities but under a central system. Despite its geographic division, there is one village council, which governs the operations and management of the *Nu'u* (village). The village is identifiable by its honorifics and salutations as follows;

*“Afio mai lau afioga **Tonumaipe’a** (most prominent title in the Alataua district)*

*Susū mai oulua igoa, **Tua’iaufa’i ma Ta’atiti** (the esteemed orators of the village and district)*

Susū mai le to’a fa o suafo (Pei, Aunei, Safiu, Lafaitete) (High Chiefs)

*Susū mai lo outou matua o **Tau’ili’ili** (Talking Chief)*

*Afio mai le tou **Āiga Sa Moeleoi** (The genealogical ties and descendants of the Sa Moeleoi family)”.*

Neiafu is a very structured, traditional village, which continues to operate with and by the *Fa’amatai* system. Like all Samoan villages, Neiafu consists of a *Fono a Matai* (village council) *Faletua ma Tausi* (wives of the chiefs) *Aumaga* (untitled men), *Aualuma* (unmarried women) and *Tinifu* (children). Each branch of the village is well managed and run by its leaders and the group. It also consists of a *sui ole Nu’u* (village representative appointed by the government) who is the representative of the village to meetings the government initiates. They are also the contact person for the government in the village, when activities such as workshops are required. All branches of this social network work in sync with one another, under the leadership and guidance of the *Fono a Matai*.

Located in the West of *Savai’i*, it is quite isolated from the Salelologa hub where most of the national initiatives take place. History reveals that Neiafu played a huge role in the culmination of the first *Tāfa’ifā* (holder of the four prominent titles in Samoa). Neiafu along with nearby villages Tufutafoe and Falelima are collectively known as the *Alataua*- war path. It was through

these lands where Nafanua's succession wars began, which led her to proving her worth as a warrior goddess, after she played a significant role in winning the civil wars and rivalry between the eastern and western districts of Savaii (Lafai, 1949).

Proof of this is evident in the names of places such as *Sinamatagilelei* in Neiafu where Nafanua regained her energy to continue along the path of victory in nearby villages and districts. After leading her side to victory she was pursued for her prowess hence offered the use of her powers of conquest to the ruling dynasty of the A'ana district when they requested her assistance. With Nafanua's ferocity A'ana was able to defeat all its rivals and became the "*Mālo*" or the ruling coalition of the districts in Upolu (Meleisea, 1999).

Following her victory throughout Samoa, in both Savai'i and Upolu, the warrior goddess was approached by Malietoa, to seek her help in gaining one of the four titles he was after. By the time Malietoa had reached Nafanua, the titles had already been given to Salamasina, the first *Tāfa'ifā* (holder of the four prominent titles). In response to Malietoa's request, Nafanua prophesied for Malietoa to await a head/leader of his *Mālo* (government) from the heavens. (*Tali I lagi se Ao o lou Mālo*) (Lafai, 1949). This as history states by coincidence or otherwise, culminated in the arrival of Christianity on Samoa's shores. Thus, Neiafu is significant culturally, historically, politically and spiritually.

5.3 Research Design

This thesis adopts a phenomenological approach to qualitative enquiry and research design to examine the knowledge of *Matai* about democracy as well as the “worth” of their traditional system over the former. Key questions focus on addressing the following;

Ontological Questions: What is the Reality?

1. What are the participants’ understanding of the concepts and practise of democracy and *Fa’amatai*?
2. Why is there tension between these two systems?
3. Which system is the most practised in Samoan society and why?

Epistemological and Axiological Questions: What is the Rationale?

1. How do Matai know what they know?
2. Why are Matai protective of their traditional system?
3. What experiences has *Fa’amatai* had with democracy particularly with human rights, democratic elections and rule of law?

Ethical Questions: Now that they know what they know, what now?

- 1) How can both systems work in concert with each other to achieve harmonization?
- 2) How can the process of Architectonic facilitate a practical relationship between *Fa’amatai* and democracy?
- 3) What are the implications and benefits of harmonizing the two systems?

Phenomenology is recognised as a means to educate our vision, to define our posture and broaden the way we look at the world. It is a philosophy of research, as a way of thinking about knowledge and posing the Ontological question of *What is reality?* as a way to look at the world and make sense of it (Moustakas, 1994). In this case phenomenology can offer the researcher

relevant ideas, through observations and dialectical exchange about what the reality of the phenomenon is. In addition, in phenomenology it poses the epistemological question of *How do we know what we know?* Now that reality has been identified: *What informs our knowledge?* (Moustakas, 1994).

In addition to Ontology and Epistemology, there are also the questions of *Logic* and *Ethics*, which need to be included to fulfil a holistic approach to the study (Foster, 1935). The first two questions are indeed important, for participants to know what the reality is, and how we know what we know. The Logical question, *How do we reason?* follows the epistemological question. For example, now, that we know what we know, how do we reason? The ethical question, *How should we act?* completes the study. When we are reasoning and have reasoned, given what is known, what should we do then, how can we act upon the information we have? In doing so, phenomenology broadens the views, clears the vision and defines the stance an individual participant takes (Heron & Reason, 1997).

5.3.1 Sa'iligā Tōfā: A Cultural Phenomenological Approach

To achieve a balance within this study, it is only fair to also introduce a cultural approach to the research given the field study was conducted in Samoa using the Samoan language and cultural protocols. This approach was used to try and gauge the village *Fonos'* understanding and knowledge of the reality (of the two systems which exist and govern the affairs of the country).

Sa'iligā Tōfā is the search for knowledge, it is also a process of knowledge through experiences, wisdom, myth and legends from the past. Elders believe that it involves the reconstruction of the past in light of the present through dialectical exchange. (Tua'iaufa'i, Sese, personal communication, 2016). *Sa'iligā Tōfā* takes place because there are pertinent matters which need in depth discussion and analysis. It requires participants to dig deep and utilize experience, knowledge and wisdom to be able to effectively contribute to a forum. In fact, *Sa'iligā*

Tōfā is the mantra of the *Matai* and the *Fa'amatai* system. For instance, the *Matais'* knowledge (*Tofa*) on an issue within the village is highly regarded based on the fact *Matai* have a wealth of knowledge acquired through their time of rendering service to their families and community. Because of this, their *Tofa* is invaluable. When *Matai* share their *Tofa* during meeting times, it becomes the ideal opportunity for the *Aumaga* (untitled men) to listen, observe and learn from the rational discussions that take place- which in time can inform their decisions and practise when the time is right for them to be bestowed with a *Matai* title. Therefore, *Sa'iligā Tōfā* was a system of learning, among elders and young people wanting to acquire the knowledge, understanding and the wisdom of the elders.

The process involves but is not limited to having an active imagining and a meaning-creating activity on the part of the receiver. The receiver is creative and productive in the sense of being required to participate in constructing the meaning of a past tradition so that tradition becomes a 'living tradition' or something that is in the present. Therefore, through *Sa'iligā Tōfā*, the past and the present meet each other through a creative and in-depth dialogue.

5.4 Research Design Justification

The qualitative research design adopted for this study was that of inquiring, through a case study in the village of Neiafu as mentioned earlier. This design was specifically for the purpose of exploring the reality in understanding the perspectives towards democracy and *Fa'amatai*. It also explored reasons for the perceived tension between the two systems as well as any suggestions and actions that could be explored to achieve a process of harmonization.

This included the amalgamation of the facilitation of workshops and individual interviews with a few of the village *Matai*. The studies previously conducted in this area of democracy and *Fa'amatai* had been done through theoretical and archival studies. In addition, some of the

interviews conducted by researchers such as So'o, consisted of public servants, politicians, lawyers, teachers and academics.

There is very limited case study material available in relation to field studies conducted within an actual village setting, with the *Matai* themselves. Ordinary village residents and *Matai* who operate the *Fono a Matai* have had limited opportunity for their perspectives to be considered, as it has not been sought. The case study design for this research is primarily to have an in-depth dialogue with the *Matai* and the factions in the village influenced by *Fa'amatai*. Only through such an avenue will there be a balance in the perspectives relating to democracy and *Fa'amatai*.

The case study was conducted in the Samoan language, using the guidance and process of the *Fa'atōfāla'iga* method. This approach was relevant as it involved bringing together the village, those who hold the *Pule* (Authority) those who have the *Tōfā* (Wisdom) and those who have the *Moe* (Understanding). This knowledge was to be shared amongst the participants in the villages.

5.4.1 Sampling/ Research Participants

In selecting a sample size for this research there were a few aspects which needed to be taken into account.

- a) A sample group willing to be involved.***
- b) A sample group which was fully operational under the traditional Samoan way of life and socio-political system.***
- c) A sample group which could not create bias in the results.***

The village of Neiafu, was thus chosen for the same reasons as mentioned. A letter was sent to the village mayor to seek his approval for the research to be held in Neiafu. Following communication with him, confirming his approval, 80 letters were sent to him for distribution to 40 *Matai* for the first day and 40 to be distributed to 20 untitled men and 20 women for the second day. Age and Church denomination were not regarded as factors that would influence the

sampling, but gender was as a voice from women was required. The requirement of the first day was that participants had to be *Matai* herein, gender was not an issue. Although there were restrictions to the number of participants for each day, both genders were able to take part in one of the groups depending on their role within the *Fa'amatai* system. Sampling consisted of:

- a) *Matai*
- b) *Women*
- c) *Untitled Men*

It was also open to employed and unemployed village people, there was no discrimination in terms of levels of education. As long as they lived in the village and were either a *Matai*- both male and female, women or untitled men who were active in their village sector they were eligible to participate. Women in this context included wives of chiefs, wives of untitled men and unmarried women and girls both born and married into the village. Letters of invitation to participate in the workshops were hand delivered by the mayor to the first 80 people who indicated interest.

Following this, the prospect of the workshops gained tremendous interest from the whole village as well as nearby villages. Day one which originally required only 40 *Matai* accommodated 65 *Matai*, 64 male and 1 female *Matai* with age ranging from 30- 65. The participants for the first day of the research included *Matai* (chiefs) within the *Fono a Matai*. They consisted of both high chiefs and orators (talking chiefs) on a full day workshop of their own. There was no specification on gender, age or background for the participants. It must be noted that all participants participated voluntarily.

Day two also required 40 participants, 20 females and 20 untitled men. However, due to the high degree of interest, it resulted in a sample of 66 participants, with 46 women and 20 untitled men. This group included two female teachers and the rest of them working in their domestic duties while the untitled men worked the land. The age range for this group was from 27- 72. It

must be noted also, that participation was voluntary for this group on day two. The workshop conducted in Day one was repeated in Day two, as it consisted of different audiences.

Six *Matai* were interviewed separately, both high chiefs and talking chiefs through unstructured interviews. Two of the interviewees were the main decision makers and orators for the village affairs internally and externally (Ta'atiti and Tua'iaufa'i). All interviews were conducted to get their views on the two systems prior to the workshop as raw data and therefore unbiased. The selection of these *Matai* was done by the mayor as these *Matai* represented the hierarchical structure of the Neiafu village. Although they were suggested by the village mayor they were not obliged, therefore their participation was also voluntary.

The village residents were clearly informed in the initial letter that the research was not compulsory. Therefore, the consent of all participants was indicated by their presence and participation in both sessions. Their attendance was recorded for both participant numbers and for them to collect their *Meaalofa* (gift) as a token of gratitude and appreciation for their participation. It must be noted that a consent form was prepared for each participant to sign, however as there was huge interest and participation was voluntary, the village mayor and participants preferred to have their names collectively listed as opposed to signing a consent form each.

5.5 Research Instruments

The case study was conducted through the facilitation of workshops in the form of Participatory Action Research, which explored the realities of both democracy and *Fa'amatai* as political systems. Important to the workshops was also contextualising the western notion of democracy within a traditional system of *Fa'amatai*. According to literature available, the *Fa'amatai* system has often been weighed and compared to the democratic system, where the traditional system falls short of the requirements relevant to a western democracy.

Dialogue was established through the cultural method of *Fa'atōfāla'iga*. Both workshops were structured in such a way that would allow for the realities of the two systems to be explored through experience, understanding and perspectives of the participants. Thus, the dialogue was based on the Theory of Knowledge and *Sa'iligā Tōfā* (the search for knowledge and understanding). Following the discussions and to wrap up the day, there was a presentation on what democracy is, how it is practised in Samoa, what its values and principles are and its relationships with *Fa'amatai*. This was deliberately left to the end of the dialogue to avoid any biases in participants' responses and comments. The essence of the workshops was observed and acquired through in-depth discussions, dialogue, debates, critical analysis, interpretation and information sharing regarding both *Fa'amatai* and democracy.

5.5.1 Workshops

The workshops were divided into two days. One whole day from 8.30 am to 4.30 pm consisted of *Matai* only inclusive of both high and talking chiefs. The next day was particularly for women and untitled men. The rationale for this separation was to ensure the women and untitled men could have their voices and opinions heard and valued. As discussed earlier when *Matai* and members from other strata of the village are combined, the *Matai* dominate, allowing little to no opportunity for women and others to contribute to matters discussed. Although the research had huge emphasis on *Matai* and their views as individuals and as an institution, it was also vital to gauge the understanding and views of other strata which make up the village structure and *Fa'asamoa*.

As a guide to the discussions four main topics were presented. These were only offered as guidelines to open up discussions and dialogue. They were not interpreted or described in detail as the aim was for the participants to explain their knowledge and understanding of the two systems

operating in the country and identifying what their understanding was regarding tensions between the two systems without the influence of literature from the research.

Each topic was given 1.5 hours for discussions with the participants pitching in anytime to express ideas and ask questions. Discussions from start to end were rigorous and informative, with participants at times agreeing and disagreeing and debating with each other. Having had the time to think throughout discussions, new ideas were generated by the participants. They engaged in debate actively to weigh the pros and cons of each given guideline. This also involved addressing concerns, seeking clarification as well as challenging topics.

5.5.2 Interviews

The interviews were scheduled to take place prior to the workshop for *Matai*. The six interviewees were recommended by the village mayor, as they represented the hierarchy of the village. The purpose for the two interviews per person was to:

- 1. Gauge their existing knowledge and understanding regarding the two systems prior to the workshop.**
- 2. Explore the origins of their knowledge and rationale behind their traditional system of authority.**
- 3. To identify the areas where there is tension between the two systems.**

The research questions were based on a qualitative approach seeking in-depth responses of experiences and knowledge of the phenomena, in this case the understanding of *Fa'amatai* and democracy. In light of this approach the questions were based on the issues discussed during the workshop. The same questions were asked of all six *Matai* interviewees. They were open ended questions and unstructured allowing for in-depth responses.

5.5.3 Research Method: “Fa’atōfāla’iga”

To enable the phenomenological questions to be explored, Participatory Action research was the best method to employ. This research method (PAR) involves active collaboration and dialogue of both researcher and co-researcher, resulting in an environment of co-learning. It is a body of research, which involves learning by doing. Participatory Action research like *Fa’atōfāla’iga* set out to reveal, explore, explain, experience and interpret a phenomenon as per phenomenology. Critical to note here is that PAR was the research instrument, whereas *Fa’atōfāla’iga* was used as the method to collect the information.

5.5.3. Participatory Action Research (PAR) through Fa’atōfāla’iga

Fa’atōfāla’iga as a research method takes place in a Samoan *Fale* (meeting house) where dialogue and in-depth discussions occur. The process involves steps that can guide any forum, regardless of the agenda. It should be noted that in explaining the steps, the case study took place in the actual village community. *Fa’atōfāla’iga* is the process of knowledge sharing within a particular context. It is both a rigorous and thorough search for knowledge and wisdom for the purpose of improvement, transformation, harmonization and informing of society. The aim of a *Fa’atōfāla’iga* is to achieve *Tōfā malamalama* (the knowledge of understanding) *Tōfā tatala* (Expressive Knowledge) *Tōfā loloto* (comprehensive knowledge) and *Tōfā manino* (transparent knowledge/openness).

When all these are acquired within the process of *Fa’atōfāla’iga*, the achievement of *Tōfā mamo* (The philosophy of Knowledge) is inevitable, resulting in the creation of peace and harmony within Samoan society. This is done through philosophical dialogue, debate and an exchange of questions and answers between the participants involved. There is room for everyone to have their say whether to agree or disagree with a topic. It is also not uncommon for elders to have little say. However, they may be seated throughout the whole process as they play the role

of *Tapua'i* (peace maker). Their presence is important in keeping the peace during the process of knowledge sharing.

The seating of those involved in a *Fa'atōfāla'iga* is usually within an open house. This particular seating arrangement is known as the *Saofa'iga*, which originates from the “*Saofa'iga a Matai*” (the seating arrangement of the chiefs) when they come together as a collective for meetings and special events such as the *Ava* ceremony or bestowal of *Matai* titles. As the model portrays, this process takes place in an oval shaped *Fale*, where participants are seated facing each other to allow dialogue to flow from one side of the *Fale* to the other. In cases where there is a high turnout the elders and *Matai* of each family take their place at the front row, whilst others form the rows behind them and sitting as close as they can to be able to hear and absorb the knowledge and wisdom shared within the meeting.

The process takes place through certain stages where participants who have had experience with such meetings are well equipped to contribute to the whole *Fono*. Samoan tradition and culture enable the elders and *Matai* to lead the knowledge sharing, whilst new and younger *Matai* wait their turn. Although their voice may be heard later in the meeting, it is not limited or prohibited. *Fa'atōfāla'iga* which takes place within a village context is a golden opportunity for the untitled men to observe and learn from the knowledge and wisdom of the elders, as Samoan people believe that for men in particular, their first experience of education occurs in the chiefs' meeting-house. From here they learn from the knowledge of the elders, they learn how decisions are made and why severe penalties are recommended. They also learn about the different roles of the *Matai* internally and externally and more importantly the sharing which takes place within the *Fono* as a collective.

Figure 4: The Process of Fa'atōfāla'iga



Fa'amanusina (Tuvao, Manu, Logo) – (Introduction)

Literally *Fa'amanusina* means to announce or make known. Prior to the actual workshops, a letter was sent to the village mayor about the intent for research with the village people of *Neiafu, Savai'i*. Informing the mayor was crucial as part of village and cultural protocol if something was to take place within the village. The letter included honouring the village through citing the correct honorifics and salutations, the importance of this was to acknowledge the village and show that

the researcher had knowledge of the village where the research was to take place and it showed respect to the village as per Samoan custom.

The next part was to introduce the researcher. This was an important part as it was mentioned the researcher was affiliated with the village. As the researcher, I was born and grew up in the village. It was also the opportunity to introduce the research topic and what it was set out to achieve. This was followed by giving an open invitation to the village chiefs who were able and available to attend the particular day as well as an invitation to the village women and untitled men to participate on the dates scheduled for them. The letter was followed up with regular phone calls to ensure all questions and concerns the mayor had regarding the research were answered and clarified.

This was a vital part of the *Fa'amanusina* because the communication needed to be clear and consistent. This was important because the mayor also had a duty to inform and announce this on a wider scale within the village *Fono*. It was an essential part of the communication prior to the actual workshops. The participants' agreement or consent was noted in their participation and presence on the dates given.

Fofola le Fala (Fa'aavanoa, Fa'aulufale, Fa'anofofale) – (Rolling out the Mat)

This term literally means “rolling out the mats or a mat” when guests arrive. The main anticipation is rolling out the new or best *Fala* (mat) to show your guests they are welcome to any *Fale* or home. This is to create a safe space for them to sit, whether it is a visit for discussion, *Talanoa*, meeting, reconciliation or debating on certain issues. In the context of the study rolling out the mat was a gesture to welcome participants, creating a safe space for them to share ideas and experiences. This signals readiness to accommodate ideas, issues, experiences and other knowledge able to be unearthed.

The discussion, debate or a meeting can be energetic, dynamic and vigorous depending on the issues on the agenda. Normally, when one *Matai* wants to discuss a private matter with another *Matai* of the *Nu'u* (village) he will invite his fellow village men to his house and say “*Susū mai sei fofola se ta fala*” – “Come, let us roll out the mat”. This automatically tells the other *Matai* there is an issue at hand which needs discussion. This practice of rolling out the mat may be done by the research team, which involves getting the *Fale* (meeting house) ready for the event. The *Fale* has to be decorated with flowers, Posts (*Pou*) are usually braided with coconut tree leaves which lets passers-by know there is an important event. For this research, the village kindly offered to prepare and set the scene for the workshop. The best mats were rolled out to acknowledge the chiefs who were in attendance and to also ensure comfort as they prepared for a long day ahead.

Fa'atulima (Fa'afeiloa'i, Fa'ailoa) – (Greetings, Invitational Call).

This was the introductory phase of the process, starting from the introduction of the presenter and any guests, introducing the agenda and topic and a brief overview of what was to be expected throughout the meeting. Significant here was the *Vā-fealoa'i* (mutual respect) of all the participants.

Once participants had been given a briefing of the research, aims, purpose and process, the dialogue would resume. This was when discussion, debate and questions would begin. It was advised that dialogue can be dynamic, energetic and vigorous depending on issues being raised by both the researcher and the participants. This stage allowed the research topic and context to be introduced. The participants were well briefed on the research, aims, purpose and process. It was clearly conveyed to them that the discussions were to be about what their understanding of democracy and *Fa'amatai* involved, what they thought reality was for both systems and how each system affects the other.

A very clear introduction was required for effective discussions. Important also at this stage was letting the participants know that they were not the subject of research, but rather they and the researcher were learning together. This was also an important time to mention what the research was for and explain the rationale of the organisation that was supporting the research. As the workshops were audio recorded, participants were notified of this and advised to let the researcher know if they preferred to be left out of the recording. The schedule of the day was also announced, and it was emphasised that the workshops were an open forum with no right or wrong answers. This helped set the scene and got the participants ready.

Sufi le Tōfā (Fa’ama’ite, Fa’asufi, Fa’aoso) – (Invitation to Participate)

This was an invitational call for participants to share their knowledge or ask questions in order to delve into in depth conversations and knowledge sharing. The purpose of this was to allow participants to brainstorm their ideas and opinions prior to the actual discussions or during the dialogue. This gave participants time and space to reflect on past experiences and also formulate their “*Tōfā*” (knowledge) to be shared.

Tatala le Tōfā (Fa’aali, Fa’asoa, Tufa, Sasa’a)- (Expression of Knowledge)

This stage was when participants were given the opportunity to freely express their ideas, opinions, ask questions, express concerns, agree or disagree with a topic presented in the search for knowledge through *Fa’atōfāla’iga*. At this stage participants debated certain points, either through interrogation of each other or through humour. Furthermore, this was when in-depth dialogue took place and the wisdom of the elders came through from their own prior knowledge and experience as well as putting matters into context relevant to their environment.

Soālaupule le Tōfā (Fetāla'i, Fetu'una'i, Lauilui, Fefulia'i) – Consensus.

Reaching consensus was when participants began to realize and acknowledge whether they agreed or disagreed with a topic put forward for *Fa'atōfāla'iga*. A consensus is usually reached with a majority as was the case during the fieldwork. Important at this stage was the creation of awareness about the two systems and seeking their knowledge and understanding of how best to achieve a state of collaboration. What was noted was the reasoning behind the willingness of the participants to achieve consensus. It was not because they viewed democracy as significantly beneficial, but rather because of their desire and cultural obligation to preserve the *Fa'amatai*.

The new knowledge and understanding gained through dialogue debate, discussion and mentoring helped participants to see the world as it is (*What is reality?*) and also see reality from different perspectives. This produced strategies that participants used to solve their problem or issues. This final stage was evident in the shift of ideas, understanding, mood and atmosphere within the realm of *Fa'atōfāla'iga*. The groups of both days went into in-depth conversations and discussions. There was a lot of interest evident in questions posed about the process of democracy compared to *Fa'amatai*. Participants became confident in discussing human rights, elections and the rule of law amongst each other after I had given a presentation of how the democratic system works.

The mood changed dramatically by the end of each session compared to the start. Although they were expressing opinions, they were somewhat more reluctant at first due to their lack of knowledge of the topics discussed. Open discussions were underway throughout the day where new knowledge was found and shared. The discussion enabled the co-researchers to try and understand the different systems from both perspectives, whilst holding on to what they thought was the best system according to their experience, knowledge and context.

This helped in creating positive conversations to think about in future in order to produce strategies that participants can use to solve their problems. In the context of the research, it enabled

participants to understand the implications of the tensions and anticipate the changes, if any, this would bring for the *Fa'amatai* system as a whole.

Malie le Tōfā/Tōfā mamao, (Tōfā loloto, Tōfā manino, Tōfā malamalama, Tofa tatala) (Stage of Satisfaction).

This last stage of the search for knowledge was reaching a point of satisfaction in which participants were satisfied with the knowledge and wisdom that had been shared with each other. They were not expected to come to a consensus regarding the tensions as people had their own views and beliefs. However, there was consensus to find common ground between *Pūlēga Fa'amatai* and democracy to enable some sort of collaboration between the two systems, in turn disregarding the elements which were perceived as evident clashes. The few who were not in agreement and a bit hesitant came to the consensus that they would accommodate and accept each other's opinions and views. This was easily achieved and enabled by the cultural values and norms that guide everyday Samoan life. These included *Soālaupūle* (Open Minded) *Filēmū ma le Saogalēmū* (Peace and Security) *Vāfealoa'i* (Mutual Respect) *Leleiga* (Common Good) *Fefa'asoa'a'i* (Reciprocity) and *Ālofa* (Love).

Satisfactory dialogue resulted from vigorous discussions, critical observations, deliberations plus experiential awareness. This produced solutions to problems, constructive criticism for improvement as well as realistic and practical suggestions for development. It is always guaranteed that the search for knowledge through *Fa'atōfāla'iga* will produce results.

When all five stages of the process were completed, they gathered and generated the different types of knowledge needed to improve, transform, harmonize and inform society. These included *Tōfā manino*, transparent knowledge, which is acquired when the participants recognize where they can contribute to. This led to *Tōfā malamalama* (knowledge of understanding) having the ability to understand the context of the *Fa'atōfāla'iga* and its content, participants were able to

share their prior knowledge. This then led to *Tōfā loloto* (comprehensive knowledge) where the participants shared their experiences, exchanged opinions and delved into more in depth discussions and analysis.

Finally, the ultimate goal was reached, that of *Tōfā mamao* (the philosophy of knowledge) this allowed and enabled participants and those involved in the search for knowledge to acquire a long view. The significance of this is the ability to consider any situation from every possible angle. It also encompasses the ability to predict and anticipate future problems and having potential solutions to address them. Furthermore, when one possesses *Tōfā mamao* it is likened to knowledge that is sacred. Hence, the *Tōfā mamao* of the *Matai* is considered as *Tōfā Fa'ale-Atua* – Divine knowledge. This divine aspect confirms the authority of the *Matai* to be sacred and solidifies the statement that Samoa was chosen by God to be ruled by *Matai*.

The core of the research was to use Holistic Philosophy to explore the phenomenon of democracy and *Fa'amatai* through the process of *Fa'atōfāla'iga* and dialectical exchange. Seeking the co-researchers' knowledge and understanding of democracy and the tension with the traditional governance system, and in turn giving me the opportunity to share my views with them through workshops, information sharing, and addressing some of the knowledge gaps the participants identified through questions and answers.

This process of sharing gave each participant the information needed for well-informed decision making, to be able to identify what democratic and *Fa'amatai* values are, and to discuss whether it is possible at all for the two systems to work in concert with each other. Having the ability to understand and entertain the thought of possible collaboration can encourage the possibility of producing the process of harmonization.

5.5.4 Data Collection

The workshops were recorded on a voice recorder, capturing the participants' discussion and reciprocity of ideas and interpretations. Individual interviews were recorded on both video and recorder, with notes being made with each interview. As the workshops were action research, there were no surveys and questionnaires. The data was collected and collated after each workshop. It was then translated into English and put into themes. This allowed the researcher to conduct a thematic analysis of the data collected. This research did not aim to "change" the participants' minds, rather to give them the necessary information, interpretation and analysis they have the right to, in order to make well informed decisions as well as to use the information in a way that would benefit them and to perhaps safeguard their traditional systems. This case study was conducted, for various reasons two of the most pressing reasons being:

- 1) *To gauge the understanding of the Matai and those at the grassroots level on the relationships between traditional system of authority and western democracy. This enabled the researcher to explore the reality in relation to ontology.***

- 2) *To explore through action research and the dialectical method the rationale for each system through creating:***
 - a) A political environment of understanding and knowledge about democratic and Fa'amatai values, and where both systems are explored and analysed in terms of practicality, relevance, and longevity.*

 - b) A space to evaluate if a process of harmonisation can be formulated deriving from the in-depth dialogue and Sa'iligā Tōfā, the search for knowledge and understanding.*

5.6 Research Trustworthiness

Qualitative research is subjective hence it is important to ensure that the research methodology, its data and results are trustworthy for the readers to believe. It is also vital that the trustworthiness of any research responds to concerns of outsiders (Whyte, 1991). In reaching this part of the methodology, it is crucial to focus on some key points, including the extent to which confidence can be placed on the outcomes of the study as well as ensuring readers believe the reported results. For the purpose of this qualitative research, trustworthiness has been divided into four sections being credibility, transferability, dependability and confirmability.

5.6.1 Credibility

This is the most important aspect in establishing trustworthiness in conducting qualitative research. The credibility of a research enables the researcher to directly link the study's findings with reality in order to demonstrate or prove the authenticity of the findings (Seale, Gobo, Gubrium & Silverman, 2004). The researcher's duty is to showcase the results without personal influence so that it is credible to the readers. Of course, this ability of readers to "believe" is dependent on the richness of the information that has been collected.

It is this data which separates qualitative from quantitative research, while the former is concerned with in-depth experiences and ideas, the latter concentrates on numbers. With qualitative research and data, it is commonly accepted that perhaps the only people who are able to judge the credibility of the findings are the participants themselves (Coghlin & Brannick, 2005). After all, the purpose of conducting such in depth research was to understand the phenomena of interest from the participants' perspectives and observations. To ensure the study measured and tested what was actually intended, it is important to evaluate it using triangulation (Denzin, 1984).

5.6.2 Data source triangulation

Denzin explains that data source triangulation involves the different types of data sources to strengthen the research (Denzin, 1984). In this case, there is a mixture of primary and secondary sources, as well as the use of different data collection methods to obtain information. Primary data includes the discussions held directly with the participants, who have also been the co-researchers for this study. Secondary resources used include archival material from books and journals from people who have written about the field of research. These have been detailed in the literature review.

The data obtained from the research is very similar and consistent with some of the writing by scholars such as Iati Iati and Asofou Soo. There is indeed tension between the two systems. The difference of this research from previous ones is the environment and context in which the study was conducted. Whereas Asofou and Lawson had written about the tension from interviews with government officials who are *Matai*, the data from my study/fieldwork was directly from the *Matai* who are living and operating under the *Fa'amatai* within a village context (Brannick & Coghlan, 2001).

5.6.3 Methodological Triangulation

This study was conducted using different types of interviews and data collection. There were three different ways in which data was collected. Firstly, there were interviews with 6 key *Matai* which represented the 6 prominent title holders within the village. During the interviews, there was a mixture of conversational and unstructured questions for the interviews. This was done to enable the interviewees to openly discuss and express their opinions, ideas and experiences without worrying about whether there was a correct or right answer.

This also allowed for a comparison of data and identification of consistencies within responses. Although the interviews with the six different *Matai* were conducted within the

confines of each *Matai*'s residence, and done at different times, their responses and the data which was collected was very similar and highlighted a general consistency across the responses. The second method of data collection was through the interaction and dialogue which took place at the time of the workshops, where there was a lot of evidence of engagement and participation by the co-researchers as well as the expression of ideas, experiences and concerns (Whyte, 1991).

In addition, the field study also used the participants' feedback as a method of collecting data. During the workshops the discussions were intense and in depth. Research assistants selected a few participants to share their feedback on what they thought about the workshops, directly afterwards without having any influence on those interviewed. The participants who provided their feedback, did not have the chance to discuss with each other their responses as the interviews were randomly done. Nevertheless, the responses were very similar and consistent across each participant. Given these consistencies across different methods and time, the data was very much the same adding to the validity of the data collected.

5.6.4 Investigator Triangulation

This is the ability to confirm findings for the study from different people who were involved in the study such as another investigator or researcher, assistants or observers without any prior discussion regarding the data collected. This prevents the researcher from predetermining the data and adding their biases to what has been collected (Seale, Gobo, Gubrium & Silverman, 2004). For the purposes of this research, there was a main researcher, a research assistant, and three observers, all of whom took part in collecting and recording the data in the different situations including the main interviews, the dialogue during the workshops and the feedback. There was also feedback from conversations where the observers had been in apart from the situations already mentioned. These included random conversations throughout the week at places such as the

shopping centre in the nearby village, *Ava (kava)* places within the village and the communal billiard area frequented by *Matai*.

Despite the different locations, perspectives and experiences of the investigators, research assistant and observers, the data collected was relatively the same and consistent, thus increasing the validity and trustworthiness of the collected data. Furthermore, the participants themselves became the co-researchers of the study. Although there were no prior discussions with the participants, their responses were consistent across the board.

The ability of the data to converge without prior tampering or being influenced by pre-determined results enabled the phenomenon, that of explaining the reason for the ongoing tension between *Fa'amatai* and democracy to be examined and analysed from different perspectives and within a different context. This helped to generate an in-depth understanding and appreciation of the field of study being researched.

5.6.5 Transferability

The concept of Transferability refers to the extent to which the research findings as highlighted may be transferred or applied to other situations similar to this study. Although this is determined by the readers or defined by researchers who are researching or have researched similar fields, it is still important to highlight the transferability of the research findings (Seale, Gobo, Gubrium & Silverman, 2004).

The Pacific has attracted an increased degree of interest in terms of democracy and human rights, some of the areas highlighted by the research. The findings of this study revealed the experiences and understanding of the participants to be consistent with each other despite prior discussions. Nearby islands face similar problems and tensions between western systems and cultural values. The ability to conduct the same research done in Neiafu Savai'i, in other nearby island countries will likely produce the same findings. Given the nature of political affairs as well

as the influence of culture and western ideals on each other in the region, it is fair to say that the research findings in Neiafu can certainly be transferred to cases and situations in neighbouring Pacific states. That is to say, if such a study was to be conducted again elsewhere, the data will be comparable, adding to the credibility of this research.

5.6.6 Dependability

This aspect of qualitative research projects that if the same study could be repeated in future the data would relatively be the same. Thus, the findings would be consistent (Reason & Bradbury, 2001). If such a study would be conducted with the same methods and the same sample group, the research findings will remain similar.

This study is perhaps the first of its kind to use these types of methods and methodology in Samoa, taking into consideration the number of participants and the purpose of asking both the ontological and epistemological questions. The results have been promising for this study. Given the nature of the methodologies used and intended purpose of creating understanding through civic education, there is a possibility that perspectives, experiences and understanding about the phenomenon would shift, as per the intention of the methodology and methods.

However, if such a study was to be conducted at a different village nearby or in the island of Upolu, within years apart it would likely produce the same findings and results. If the same sample of *Matai*, untitled men and women were considered for the sample group, along with the same methodology and methods there is a high possibility the findings would be consistent or relatively similar to the findings produced by the research in Neiafu, Savai'i.

5.6.7 Confirmability

This tenet of qualitative research aligns the research findings with the data that was collected. This is primarily ensuring that the findings are the result of the experiences, understanding and ideas of those who participated and not the biases, preferences or pre-determined beliefs of the researcher (Heron & Reason, 1997). The results that are presented from the research should confirm the data that was collected. There should also be a direct link between the phenomenological questions as posed earlier in the study and the produced data.

As discussed, the findings of this research reflect and highlight the participants' or in this case the co-researchers' perspectives in relation to the tensions between the democratic paradigms in Samoa. The researcher did not have preferences or biases while conducting the research and the intention was to explore the experiences and knowledge of the people in Neiafu. To maintain accuracy of data collection the researcher used reflective and active listening skills to confirm with the participants the data being recorded. Information was repeated back to the interviewees, and the researcher asked for clarity to reduce miscommunication and any differences in interpretation.

Moreover, the findings from the research link directly to the phenomenological questions which were posed from the onset as the research questions. The findings assist not only in understanding the reasons for the continued tensions between *Fa'amatai* and democracy, but also provide potential solutions to create a harmonisation process between the conflicting systems.

5.7 Ethical Considerations

The ethical considerations for the research, was approved by Massey University Ethics Committee. This followed a successful research proposal. Due to the nature of the research with workshops, the risk was very low. The interviews with the six participants were not seen as a threat as the questions explored the *matai's* experiences with the phenomena of democracy and *Fa'amatai*. They were well informed about the unstructured nature of the interview questions as well as their right to refuse recording and participation. The participants of the workshops were well informed that their consent was provided through recording of their name on the attendance list as well as their participation in the workshops, as requested by them.

It must be noted that none of the participants in both the interviews and workshops were coerced in any way to participate, they all took part on their free will. Information about the collection of information arising from the discussions, accessibility as well as the storage of information and the use of it were explained clearly to the participants with the intention of using the collected data for the research only and any policy implications arising from it. There were no withdrawals during the process nor were there any dissents or concerns regarding the process and data collection methods used. As the sessions were open forums and platforms for discussions, confidentiality was not an issue neither was anonymity. This is a cultural factor that is important to note, participation in activities such as workshops within village communities garner great collective support without the need for protection of identity or confidentiality. The workshops were recorded to capture data and participants were well informed of this. They were also advised of their right to refuse being audio recorded at any time during the workshops. None of the participants opted out of this.

The six *Matai* who were interviewed separately gave their consent through agreeing to take part. The questions asked were to capture their experiences and knowledge of the two systems. The interviewees were not required to give detailed personal information such as their names if

they were not comfortable with this. They were also advised their experiences as explained in their own words were to be used only for the purpose of the research and that some of their comments are likely to feature within the body of the thesis as evidence to support any arguments regarding the tension between democracy and *Fa'amatai*. Issues of confidentiality and anonymity were clearly explained and discussed, but all interviewees were happy to be recorded and did not object or were coerced in any way to provide their names for the purpose of the research.

It is perhaps also fair to note the ethical considerations from the village itself, for without their approval and authority for workshops to be conducted in Neiafu, the information collected would not have been possible. Although the communication was through the village mayor and announced in the village *Fono*, participants were not pressured into participating. The village of Neiafu is noted and acknowledged for giving their approval for the research right from the start in terms of correspondence with the mayor right to the last day. They were grateful to be considered for the research as not only were they helping the researcher but also contributing to ways that *Fa'amatai* and democracy can at some stage work together.

5.8 Analysis and Discussion

This research adopts a thematic analysis, given that the qualitative approach to inquiry was through workshops. Boyatz (1998) explained that thematic analysis is “not another qualitative method but a process that can be used with most, if not all, qualitative methods”. The research draws on this as the backbone for analysing the data that was recorded, collected and collated.

The research followed a thorough analysis process. The first step included the transcription of the data from all the interviews, the dialogue during the workshops and the feedback received afterwards. The second step included labelling or coding data that was similar, in this case concepts and opinions that were deemed similar with one another were labelled. The next

approach to the case study conducted was to group themes into a table from the most common language and themes discussed by the participants.

At the end of each workshop and interview it became evident that certain concepts or themes were becoming apparent. This enabled certain themes to be identified and formalised to reveal the data provided by the participants. The dialogue that took place, in the sharing of ideas and experiences about democracy and *Fa'amatai* stemmed from major topics used as guidelines to help the participants formulate their opinions and understanding of the topics. As the days progressed there was obvious evidence of the tensions between *Fa'amatai* and democracy, highlighted by participants themselves. The participants were able to identify and discuss their experiences and observations of the tensions between the two systems, in particular with respect to the issues of:

- 1) **Human Rights**
- 2) **Elections**
- 3) **The Rule of Law**
- 4) ***Fa'amatai* at the local level (Current Understanding of democracy)**
- 5) **Christianity.**

5.9 Summary

The aim of this chapter has been to highlight the methodology used with which to conduct this research. This includes the use of phenomenology as a tool for qualitative research as well as the Samoan philosophy of *Sa'iligā Tōfā*. Important in this chapter is the research design, the research problem and research questions, along with the sample and background of the study. Significant here are the research instruments consisting of Participatory action research (PAR) where workshops were conducted through the Samoan method of *Fa'atōfāla'iga* which has been crucial to the study as a culturally appropriate and responsive method of data collection particularly as the participants are Samoan. This chapter has clearly laid out how the research and field study were conducted using both Western and traditional methodologies and instruments of data collection

CHAPTER SIX

FINDINGS AND DISCUSSION PART A

Human Rights and Elections

“Lafo i fogāva’a tele”

“Cast it into the open for dialogue and discussion”

6.1 Introduction

This research offers up thematic analysis. This is because the qualitative approach to inquiry was conducted through workshops. The workshops and dialogue were productive as participants discussed their knowledge, observations, concerns and experiences of the two systems and the conflicting nature of the relationship. Throughout the two full days, the discussions and conversations were recorded and analysed into themes which emerged from the day’s work. The in-depth sharing of ideas and experiences about democracy and *Fa’amatai* stemmed from major topics used as guidelines to help the participants formulate opinions and understanding. As the days progressed, there was obvious evidence of the tensions between *Fa’amatai* and democracy in the particular areas of:

1. Human rights
2. Elections
3. The rule of law
4. Knowledge and Understanding of democracy

This chapter explores the first two of these four in investigating how the participants understand the concept of human rights and how elections function. The next chapter then investigates the actors and acts that provide for the rule of law. The following chapter then explores the last of these four thematic areas of discussion, moving to provide a theoretical discussion about democratic understanding and the potential for ‘Samoaizing’ democratic theory and practice.

6.2 Human Rights

Participants were asked about their stance on human rights in Samoa and whether this has had any influence on the *Fa’asamoa* particularly *Fa’amatai*. The responses from both groups over the two days expressed dissatisfaction with the concept of human rights and how this has caused major problems within families and villages. The rigorous discussions and arguments around human rights revealed a consensus view pertinent to five vital factors that were evident in Neiafu, with the potential to be the same or similar case in other rural areas of Samoa. These are also factors that each village council and the government needs to be aware. These five factors were:

- 1) The lack of understanding and awareness of participants with regards to human rights.
- 2) The claim from the village council of their “collective rights/rights of the village council” as paramount, with individual rights as secondary.
- 3) The rule of the collective or the majority is practised within the *Fa’amatai*, hence the system itself is democratic.
- 4) *Fa’amatai* has been immensely impacted by human rights- individual rights have significantly jeopardised the authority of the *Fono a Matai*.
- 5) The need for Samoa to return to the “*Tōfā Fa’amatai*” originating from *Tōfā Fa’ale Atua* or Divine Right.

The workshops revealed gaps in the knowledge and understanding of many around the concept of human rights. Regardless, all participants both female and male ranging from the ages of 20 years old to 75 shared the view that the concept of ‘human rights’ has allowed children and youth to disobey their parents, hence creating bigger concerns. Moreover, the participants in these two-day workshops were not the only people to have highlighted the belief that the concept of human rights has allowed youth to disrespect their parents. A documentary by Steve Percival on the topic of human rights revealed that this incorrect interpretation of human rights (giving children the “right” to disobey and disrespect their elders and those in authority) is shared by many across the country. This could be a result of three factors including media reporting, hearsay, and the absence of correct information.

The media’s role is to inform a citizenry of everyday affairs. Media coverage of news items can have both positive and negative effects. Increased reporting of the prosecution of parents for the physical discipline of children can indicate that children now have the rights to have their parents punished. This has been seen by some to violate the traditional relationship between parents and children, one where physical discipline is acceptable to correct a wrong. In addition, some have suggested that the media places excessive emphasis on the victim over the perpetrator, creating the illusion that children are being allowed to challenge their relationships with their parents, as well as the normal practice of raising a child. This does not lead the parents to question the reporting, rather the concept and practice of human rights. This perception has led to a widespread belief of human rights being an "evil" influence on Samoa as a whole.

The danger posed by hearsay information poses the same risk as ‘Chinese whispers’; namely, that the message can be misconstrued, resulting in a totally different meaning. During the workshops, many participants indicated their understanding of human rights based on what they have heard, often by village people who are frequent travellers to Apia and other towns to attend

government meetings. What person A hears and explains will affect what persons B and C understand. These individuals will in turn repeat the process in the role of person A adjusting the situation and facts (if any) based on their understanding or perceptions. This form of hearsay leads to the cumulative distortion of information and conclusions, reinforcing negative attitudes and a firm belief in one's own interpretation of a given situation. This was evidently the case in Neiafu. Not only were the understandings of the participants based on hearsay, but the participants had created a firm belief of what human rights were. Prior to the discussions organised for this research, the participants already had their own interpretation of human rights, and it was not discussed favourably.

As was evident in the workshops as well as individual interviews, the lack of correct information, or any information at all, was apparent. If parents had this belief about human rights, it was concerning what the children or youth believed to be human rights. The participants commented on the danger of human rights if left unexplained and not properly addressed. There was huge concern that the government has had no indication of holding workshops or having any communication with the village on a topic that should be prioritized particularly as it affects everyday Samoan life. It was noted that such workshops may have been conducted in Apia, but it was crucial for people in Savai'i to also have access to such information.

The second factor strongly pointed out by the participants, highlighted their concern of how *Fa'amatai* and village councils have been negatively influenced by the increase in successful cases of individual persons challenging village decisions and authority in court. The preferred practice and the moral thing to do for any individual disagreeing with the village fono is to "*Uia āla o mea*" – that is, to do what is culturally right. This means talking to the village council and going through village and cultural protocol in order to reach a consensus, rather than challenging the council in court before the public's gaze.

Indeed, it can be argued that the decisions handed by judges in court are not achieved through rigorous processes that such cases between individual and village councils should go through. According to the consensus view and agreement of the participants, many cases are given very light consideration without the courts' ability to predict the future implications of their decisions. This to *Matai* meant the court's decision in favour of an individual's results in *Pule a Ali'i ma Faipule* (traditional authority) being diminished, creating concern for village *Fono* throughout Samoa – particularly as *Matai* play an important peacebuilding role.

During the workshop *Matai* highlighted the norm of Samoa's society in *Fa'asamoa* and *Fa'amatai* that internal conflicts can be settled and mediated within the *Nu'u*, through family *Matai* and village councils. Before western courts were introduced into Samoa, *Pule a Ali'i ma Faipule* was paramount where issues were discussed and resolved this was/is Samoan *Fa'amatai* and *Fa'asamoa*. Considering the impacts of any conflict within the village it was important that individuals and families were delivered a timely verdict, a result of rigorous, thorough and careful assessment of the problem and those involved. The result of such decisions was deemed the best in that it served the best interest of not just a few but upheld the general good, peace and harmony of the village. In most cases the decision was to ensure there was no violence within the village as well as no repetition by other village people of whatever a crime was.

“Well in the village setting, things have been established and put in place, I know that human rights are important but there is also mutual respect, the majority of people will look up to those who are most respected because they are the ones who make decisions and speak on our behalf, for example Pei who is now a chief, regardless of what I know that is different from what Pei wants, I will obey, we will respect what Pei decides on, even though I have a right, but my time will come” (Taupi Itai, Personal Communication, 19th August, 2016).

At the time of the workshops, three families were being punished by the village council due to the unruly behaviour of teenagers and consumption of alcohol, despite a village alcohol ban. Although the whole family was not involved in the incident they were still punished as a result of one family member's misdemeanour. All families were given the same punishment this included, being fined ten sows, 20 boxes of tinned fish and \$SAT500. On Saturday when families presented their fines, there were no sows, only boxes of tinned fish and \$300 from all three families. The village council accepted what they could provide and pardoned the families. According to the *Matai*, this was them practising their *Pule Fa'amalumalu* (protective authority). Not only did this protect the village from future alcohol related problems, but it protected the individuals and families from being harassed and attacked by other village people. Therefore, the provision of goods indicated their remorsefulness but also adherence to village rules and the *Pule* of *Ali'i* and *Faipule of Neiafu*. Thus, collective adherence to village rules and norms are highly regarded as it achieves peace and unity.

Collectivism in the *Fa'asamoa* encompasses a whole unit that can be in the form of an extended family, a village or a district. No Samoan is known or identified as being "an individual". This is because every individual belongs to a family, a village, a district and eventually the country as a whole. Therefore, collective rights are the norm in Samoa as opposed to individual human rights. Claiming individuality is likened to an empty vessel; physically present but with no use. Upolu Vaai, a theologian, makes a welcoming statement regarding Samoans as being part of a collective. He states that an individual is never on their own, as they carry with them their families in terms of honorifics and salutations hence, they represent the collective in which they belong to (Vaai, 2016). An example of this is the practise and offering of a traditional protocol of "*Īfoga*" (the act of seeking forgiveness). When an individual commits a crime against someone from another village, the offender will not offer the *Īfoga* alone. Rather, their family and village

members will accompany them as the particular individual is part of a family, therefore part of a village collective.

Due to the context and environment in which Samoan people live in, the way of life has always been communal. There is a responsibility to help and care for one other. This responsibility is best demonstrated through the role of the *Matai*, one who the family collectively decides. A *Matai* is not considered to be an individual but is responsible for the welfare of their family and village and at the same time is accountable to both the *Āiga* and *Nu'u*. Hence individualism has a highly limited role in Samoan life.

In the case where an individual severs their ties from their family and village, they are known as “*Tagata noa*” an empty person; they are without the support of their family and the village. The decision to break away from a collective identity means they consider themselves unworthy of their family, village and culture; in other words, they have let their collective unit down. When this occurs, there are consequences that such individuals face. There is a traditional Samoan belief that someone who ceases to be part of a collective by choice is known as someone who is *Malaia* (cursed). They face either one or both curses: the *Mala Aumātuā* (familial curse), and the *Mala Aunū'ua* (village communal curse).

It is believed that when individuals are cursed by either one or both curses, there are consequences not only for them but for their children and future generations, unless the individual returns to the village to seek forgiveness and resumes his or her role as part of the collective. The village communal curse carries more weight than the familial one, as families can forgive if the proper protocol is followed through *Īfoga*. However, with the village curse, it takes time for the village council to meet, consider and deliberate on the actions of the individual particularly if it was an act of defiance which challenges the authority and relevance of the rule of *Matai*. In such a case, time heals, and the individual will always be optimistic and consider the Samoan saying of “*E lē po pea sē Nu'u*” – “The village will not live in darkness forever”. The village will forgive

when they are ready for the individual to return and be part of the collective, or when the individual is remorseful of their actions.

“...constitutive authorities which have been well established by our forefathers who have passed on, and we continue to follow these footsteps till this day, even though there is importance in human rights, but in custom and the Samoan way of doing things and mutual respect, I mean whatever the village decides on, the village will obey, Samoa is now founded on Christianity, things are done in God’s time, I know that there will be a time when the village will consider and reassess the punishment given to me, even though I feel the punishment is worse than the crime, I obey, I respect their decision with the hope and faith that God will provide a time when the village will reconsider” (Taupi Itai, personal communication, 19th August, 2016)

6.2.1 *Collectivism vs Individualism*

The village of Neiafu could not emphasize more the importance of collective rights over individual rights. According to them, prior to democracy and what it entails, Samoa’s social and political organisation were run by village councils. This consisted of *Matai* from every family who became the mouthpiece for each one in the *Fono*. The planning, organisation and decision making was delivered to each family via their representative. This collective planning and decision making make it difficult for individuals to challenge decisions.

Their rationale was that an individual’s decision not to partake in a particular event should not stop a whole village or collective from enacting what has been decided upon by a majority. The example they gave was if an individual takes the *Fono a Matai* to the court. If the council as a collective decides to banish a family due to serious wrongdoing such as drug dealing, the family should abide by the villages’ decision. They should not take it to court as that is not the *Fa’avae*

(Foundation) of the village. They should leave peacefully, knowing that there will be a time when they can return to the village having gone through proper village and cultural protocol.

The *Matai* also argued that being a *Matai* and part of the village council, does not stop the collective from doing what is right. There was a consensus that being in a position of authority does not equate to being above the law. For instance, the village council in Neiafu banished their village mayor from the *Nu'u* in 2015 because he was found guilty of wrongdoing. Regardless of his status as the *Pulenu'u* and a prominent talking chief not only in the village but within the district, he was ousted by the *Fono*. In response to this, the *Matai* in particular, obeyed and left the village according to the village order.

In a situation where banishment is a village order, it is the norm for the offenders to accept it as per village protocol and laws, particularly if the offenders have lived in the village all their lives. To them, it is an individual's responsibility to obey and leave. They will then wait on whether the village will decide to allow their return. Nevertheless, there are also people who refuse to take orders or be removed from their land and property. These people are reluctant to accept *Fa'amatai* rules and protocols as the supreme authority within villages. According to observation, these are individuals who have lived outside of the village, either in the urban areas or overseas. They are most likely to also challenge village councils in court over such decisions. For example, a recent case in Tanugamanono, where a family returned home after living overseas for a prolonged period of time and failed to comply with village laws regarding land use.

Despite warnings from the village *Fono* regarding their actions, the family continued to defy the orders, citing their human rights. In response to this and in upholding the legitimacy of the *Fa'amatai* system, the family's property was set on fire and destroyed by untitled men of the village. Instead of following village orders regarding banishment, the family took the matter to court, which ruled in favour of the family's rights and ordered the village council to pay for damages. This highlighted not only a tension between democracy and culture, but more

importantly features a tension in people's understanding of what is considered normal and what is lawful/unlawful and acceptable/unacceptable.

During the workshops, despite being given numerous examples of scenarios where human rights might become more important than collective rights, it was widely agreed that whatever the village decision was, everyone should adhere to it. The consensus was that human rights are only secondary to collective rights particularly in situations concerning village councils as they should be protected and have the authority maintained. This was further supported by the fact all participants agreed if they were to be banished for wrongdoing, it was the moral and right thing to leave the village and heed the council's order. The participants were comforted with the fact and Samoan belief of "*E lē po pea sē Nu'u*" guarantees a time when the *Fono* a *Matai* will allow them to return to their land.

"In terms of culture and village constitutive authority, if the Fono decides I should be banished from Geiafu, I should assess the severity of my crime, which means I should not use my right. I should adhere to the village, obey what the village wants, that shows the sacredness and relevance of culture, also it shows the kind of person I am when I am able to return to the village". (Aunei Samoa, Personal Communication, 18 August, 2016)

The participants of the two workshops, particularly *Matai*, argued that *Fa'amatai* and *Fa'asamoa* have always been conducted by the *Fono* as a whole. This means that they are the majority. This was what democracy was about, the rule of the majority, if this was the case, Neiafu and other village councils within Samoa were indeed practising and only adhering to what democracy upholds in terms of ruling and who has authority. If democracy was rule by the people for the people, this is exactly what *Fa'amatai* is about. This meant that the *Fa'amatai* system was

more democratic as they were acting for the best interest of the people. However, the western democratic principle of human rights does not sit well with *Matai* due to the selfish and unstable implications these may have on families and village communities.

According to the *matai*, individual rights have significantly jeopardised the collective rights of the village council particularly in court cases and challenges in public where there has been huge criticism from elsewhere of *Fa'amatai* and the authority they hold and act upon. Their concern was mainly with the increase and emphasis on human rights, and the influence and effects of this on their rule and authority over village issues and affairs. They argued that for generations the *Fa'amatai* system has enabled stability and harmony within each village with the collective making the decisions to serve the best interest of the village as well as maintain peace. However now with democracy and increased emphasis on human rights, there is potential for the loss of both stability and traditional authority.

Human/Individual rights for them as *Matai* are acceptable if used wisely, for instance when one *Matai* wants to challenge the bestowal of a *Matai* title upon another member of their extended family. This is valid and acceptable because it is correcting a wrong doing or wrongful bestowal which in future could have concerning implications for that particular family and lineage. However, when individuals use their right to challenge and go against the village council, this is deemed unacceptable.

“In my own opinion even if someone takes the village to court and wins they still need to return to the village, because they know very well they cannot return without seeking forgiveness, that is my understanding...” (Taupi Itai, personal communication, 19th August, 2016)

It is evident that many individuals have challenged village council in court for a number of reasons. Most of the time individuals have been given favourable consideration due to human rights, with the courts instructing their return to their respectful villages after a successful court case. However, the collective of the village council will accept the decision, but not the return of the particular person into the village. In this case, the appellant will have to find a way to return to their village. This is usually through proper cultural protocol. The *Matai* were asked whether the person who challenged the village could be accompanied by a representative of the court back to the village. The response was clear, namely that the representative of the court would be allowed into the village. However, this decision was made on the condition that under no circumstances would appellants be allowed into the village without a collective mandate to authorize their return. This was summed up by one of the village chiefs who was interviewed saying,

“There are good things about democracy, but from our perspective the costs outweigh these, and they are inappropriate. Although it aims to protect the country, it should follow where the majority is, like the village. How can they consider human rights of an individual over a village? In our court case with Z in relation to elections, Z won the case, - that was a shocking case, he was only able to exercise his rights at the court, he wasn’t allowed on Geiafu land, he didn’t come to the village. The message from the village was, his rights were only applicable to the court, but he was prohibited from setting foot on Geiafu soil, the moment he was to do that, he would be severely punished”. If he hadn’t returned to kneel before the village and seek forgiveness, he would not have been accepted. Democracy doesn’t have a strong voice in custom and the Samoan way of life, custom is quite powerful. Democracy is confined overseas, its applicable to foreigners, but in Samoan custom and the Samoan way of life are quite powerful” (Tua’iaufa’i Sese, Personal Communication, 18th August 2016)

Tua'iaufa'i alluded to the need for Samoan society to return to the divine right to lead, he went onto say, this leadership as Samoa was accustomed to ensures stability based on constitutive authority.

6.2.2 The Return to Matai's Divine Right

Throughout the discussions on rights, there was indeed the discussion on this need for Samoa to return to Divine Right, which according to *Matai* is what they hold with reference to a popular Samoan phrase of “*Na tōfia e le Atua Samoa ina ia Pūlea e Matai*”: God created Samoa to be ruled by *Matai*. With collective rights of the *Fono a Matai*, this also means the right of the collective to protect the village and its people. They maintain peace both within and outside of the village. The decisions they make is for the benefit of everyone and not just for a few.

An example they described was ordering a *Fa'asalaga* (fines or punishment). When a young man drinks alcohol during an alcohol ban and shows disorderly behaviour, creating chaos and conflict for his family and another, he will be punished severely. As a *Fa'asalaga*, his family will have to front up with 50 sows and have all the produce of their family plantation uprooted.

The *Matai* and participants agreed this was a harsh penalty. However, the rationale for this was to firstly teach the young man a lesson, that his actions were not tolerated but also a lesson to all other young men that this was the penalty if they too decide to partake in such careless behaviour. According to the *Matai* this was the “*Tōfā Fa'amatai*” (traditional knowledge of the *Matai*) originating from their divine right. A return to this was necessary to enable peace and stability in challenging times, especially to curb the increase in unlawful activities from youth.

The ability of a family to provide and present the fine they were given shows their determination to have their family's *Fa'asalaga* be forgiven and be pardoned from banishment. However, if a family cannot afford to provide all of the goods as ordered, the *Matai* again makes

the final decision. In this case, the village council can accept what has been provided and also pardon the family from being banished.

This again reflects their *Tōfā Fa'amatai* (wisdom as or of *Matai*) or better yet *Tōfā Fa'ale Atua*. (Divine Wisdom). The *Matai*'s divine right, believed to be from God, is the responsibility and authority given to them for the welfare of the village and indeed country. Prior to the western system of democracy, *Fa'amatai* was the socio-political organisation that governed everyday life. As a result of this, there were very minimal conflicts and criminal activity within villages, but there was a high degree of responsibility, respect, moral judgement and stability. *Matai* believe this can be achieved when Samoa returns to what life used to be with the *Tōfā Fa'amatai* and divine right.

It is quite evident that although there may be some advantage to human rights, it is widely accepted and agreed upon that collective rights override individual rights. As Tuaiāfa'i mentioned despite its aim of protecting individuals, it should also strongly consider the majority which democracy is and should be about.

6.2.3 Summarising the theme of Human Rights

Democracy places immense emphasis on the principles of human rights and freedoms. The freedom of speech, religion, association, right to information and the right to protest are some of the important aspects of this system. However, there is a limitation to these rights and freedoms in that, citizens are obliged to exercise them in a peaceful manner. In doing so, they express their respect for both the law and the rights of others. The most evident challenge in both *Fa'amatai* and the democratic system today is the expression of these rights, namely the rights of an individual versus the rights of a majority. This extends to the judiciary regarding outcomes from the court favouring the rights of an individual over the rights of a village council.

In a democratic system, such a result is acceptable, particularly if the individual's human rights have been violated. In *Fa'amatai*, an individual who opposes a decision of the *Fono* in court is known as a rebel (*Fa'atu'iese*). When an individual decides to challenge the *Fono* in court, it is likely the individual's immediate family have already been ousted or banished from the village. There is a very high possibility that the village council will not accept or welcome the rebel despite the court ruling in their favour. The courts mandate for a family's return to their village is recognised only within the premises of the court and decisions of what the next steps are, which are normally very different from the former. Whereas the court will focus their decision on the "individual" and the evidence provided the *Fa'amatai* and the village *Fono*'s decision will be about the interests of the whole village. Thus, the two systems illustrate an evident tension both operational, just at different levels. Similarly, evident tensions exist when it comes to elections.

6.3 Elections

The right to vote is a defining aspect for any democracy, giving a country's citizens the freedom to elect who they believe will best articulate the interests and concerns of a constituency in parliament (Held, 1996). The Samoan *Matai* were given this privilege after the country's

independence in 1962 where the government of the day was led by Prime Minister (PM) Mataafa Fiame and Members of parliament were voted by the Samoan people. However not all adults were able to vote due to *Matai* suffrage whereby the only people who could take part in selecting a member of parliament were those whose *Matai* titles were registered (Soo, 1993). During this time, it was very rare for a woman to be a *Matai* as it wasn't widely encouraged nor was it the norm for Samoan society. The political realms for both local and national politics in Samoa was reserved for predominantly male.

In 1990 concerns from village councils over titles conferred as well as the general proliferation of *Matai* titles, paved way for the introduction of universal suffrage which was adopted in 1990 (Soo, 1993). This was not only an attempt at achieving a democratic ideal of voting but also a way of reducing *Matai* titles being conferred for the purpose of voting in election. Despite the move coming after 28 years of democratic independence, it was widely welcomed by Samoans. This enabled adults over the age of 21 to vote for candidates in their constituencies. Although universal suffrage was achieved and considered a step in the right direction for Samoa's democracy, there was still one major issue with elections: *Matai* remained. *Matai* remain the only people who are eligible to become candidates for the country's democratic elections. Herein lies another tension between *Fa'amatai* and democracy (Soo, 1993). This section discusses key 'election' based themes that emerged during the workshops. These include issues arising with regards to:

1. Candidate selection
2. Political engineering
3. Election campaigns
4. Voter turnout
5. Voting behaviour

6.3.1 Candidacy and Selection

Traditionally, the selection of candidates for the general elections was done collectively by the village councils. The selection was based on the criteria of someone who renders service to the village, someone who understands village honorifics and genealogy as well as the ability to conduct affairs of the district. The *Matai* placed little to no “special” emphasis on someone who was well educated or wealthy. As long as a *Matai* was living and contributing to village and church affairs, they were eligible for selection. It was very clear that the participants favoured someone who was serving (*Tautua*).

The government’s change to electoral laws to include Residence and *Monotaga* (contributions to village affairs) was well received by the village of Neiafu. However, the selection of candidates for the elections they believed should fall on the village councils and not be a “free for all” seat to be contested by anyone. This reveals the tension between democratic political equality and the traditional rule of the village. The participants discussed the importance of having the support and blessing of the village when one decides to contest the seat in election time. It was important for the village to meet numerous times to discuss the suitability of each candidate as well as assess their contribution to village affairs. A decision made by the village council on who their preferred candidate is, will not be made lightly, as the Samoan phrase goes: “*E lē alo tamala le filifiliga ma le sa’iliga Tōfā a Ali’i ma Faipule*” (the deliberations regarding the selection of a candidate for elections will not be held lightly).

Despite the new concept of elections, the actual practice of decision making is not new to Samoa particularly *Fa’amatai*. Democracy introduced this practice, done differently, under strict scrutiny and foreign expectations. The *Fa’amatai* and chiefs were not new to deciding who would be selected to become the head of a *Āiga*. The selection was based on someone’s *Tautua* to the family, village and, more recently, church. This decision was based on values such as *Ālofa* and *Fa’amaoni*: someone who had pleased the family with their diligence and work ethics - individuals

who the family as a collective recognise as a leader, who would use their *Tōfā Mamao* (Wisdom) to protect and safeguard family assets and belongings.

Though not every individual family member was able to have a say in this selection, the family rested their trust and hope on their family *Matai* who would select the best person to carry on a title and become a family *Matai*. The belief and norm were that the decision of the *Matai* family was trusted by the family. Immense emphasis and responsibility were placed on the family *Matai* by their extended *Āiga* to make moral decisions and do the best for the whole family.

Hence, when democracy was introduced to Samoa and voting was open firstly to *Matai* only, it was no surprise that voting in elections was conducted in traditional terms. Village *Fono* as a collective decided on who would be the best candidate for national elections. Their decision and recommendation were again like the selections of new *Matai*, based on the concept of *Tautua*. Selecting those who had pleased the village with their service. This includes having served at the house of the *Matai*, working the land, contributing financially to village matters. It was also based on someone who has had in depth knowledge of internal and external affairs, the village honorifics, genealogy and possessed wisdom to represent both village and district in parliament.

As long as a *Matai* was residing in the village, contributing to affairs and possessing knowledge of the village protocols, they were eligible for selection as a candidate for the national elections in Samoa. This decision made by the village *Fono* is done collectively based on their understanding of the person and their trust that the selected individual would be a worthy candidate to articulate their interests in Parliament.

Despite the presence of democracy, this collective selection is still practised in the village of Neiafu to this day. However, *Matai* were also adamant that other nearby villages operate in much the same way regarding selection of candidates for the national elections. This clearly reveals a tension between democracy and *Fa'amatai* in terms of human and political rights.

“That is what you call sacred authority, everyone obeys the authority of the chiefs, whatever the elders decide on, the village adheres, vote for the person who the village has decided on, don’t exercise your right as it jeopardises the village, it leads to favouritism and people will not obey the village authority, what this means is that the chiefs want to encourage village spirit, this harmonises the village... there is no democracy”. (Tua’iaufa’I Sese, personal communication, 18th August, 2016)

Prior to new laws passed by government on elections and candidacy, the only catch for candidates was that in order for them to be eligible for elections, they had to be *Matai*. This meant that they needed to have a chiefly title in order to be considered as a potential candidate. This was and still is the belief and information passed onto the public prior and during elections. However, the constitution of the independent state of Samoa only stipulates that qualification for membership is any person who is a citizen of Samoa and is not disqualified under the provisions of the constitution or of any act (*Fa’avae*).

Nevertheless, candidacy in Samoan elections despite *Fa’amatai* has gone through a process of democratisation. This means that a candidate still have to be a *Matai* to be eligible, but the village *Fono* no longer has a supreme say in who can be a candidate. Individuals who are *Matai* in villages are now free to run in elections, instead of depending on village *Fono* to gather support for them. Individual candidates now run their own campaigns in a first-past-the-post voting system. In many cases one district may have more than five candidates vying to be the MP and running for the same political party. Winning depends heavily on campaign strategy and importantly familial ties. In some cases, candidates receive blessings from the village and district who are usually the preferred and recommended candidates by the *Fono* based on *Tautua*. Others run on their own free will, expressing their commitment to human rights to participate in political affairs and becoming a Member of Parliament.

This influence of human rights in candidacy and elections has arguably also created avenues for greed and materialism in both candidates and voters. As mentioned earlier, the traditional system with the village *Fono* deciding on whom to select had no room for voter gain or bribery and corrupt activities. Those eligible to vote would adhere to the *Fono*, therefore there was no need for a campaign. However, voting has now changed drastically, due to the free will of citizens to run for parliament as well as democratic opportunities to set up a campaign strategy which has been turned into a process of neither traditional nor democratic principles.

6.3.2 Political Engineering

As a result, election time for some is seen as a window of opportunity to gain self-interest. Perhaps it was this personal gain from voters which prompted the government to introduce new laws regarding candidacy that were enforced in the 2011 elections. One may argue it was done to minimise incumbent MP spending on campaigns against standing MPs in order to protect the interests of the current ruling party. This would safeguard the position of the Human Rights Protection Party by creating limitations for new MPs who were seen as a threat to the election process. Regardless, new laws for candidacy, including residency and *Monotaga*, sealed the win for the one-party state which Samoan politics is conducted by today. Some of the key political engineering tactics in Samoa include the manipulation of Samoan concepts for democratic interest –these being *Nofomau*, *Monotaga* and *Malu mai ala*.

6.3.3 Nofomau (Residency)

Prior to the 2011 elections, the government passed a law that in order to be eligible to become a candidate, an individual had to be residing in their village and country for three consecutive years. This immediately created problems for many who had been living overseas and just returning. If a candidate lived in Samoa for two years and travelled overseas for one year, they were not eligible. This guaranteed the repeated and continuous candidacy of those who were still

in government. Therefore, residency not only limited potential new candidates for the 2011 and 2016 elections but was used as a winning mechanism for the old MPs. This was an obvious political tactic by the ruling political party. By the time this law had been passed, it was a little too late for new candidates in the contest, who had spent weeks on their campaigns with large, irrecoverable sums.

Residency, however, was never part of eligibility criteria prior to the 2011 general elections. As mentioned, the constitution only states that an individual has to be a citizen of Samoa and has not been disqualified under the provisions of the constitution. In addition to becoming a democratic country with elections every five years, the introduction of this new criterion was not consistent with any democratic practice or theory. For most democracies, eligibility to be in the contest is based on citizenship, regardless of how long the citizen has lived in the country. The decision to include residency in the eligibility criteria has the potential to jeopardise human rights that are highly recognized and advocated for in a democratic country like Samoa.

In a democracy, a citizen is someone who is a member of a political community and is entitled to a set of rights and also obligations. Therefore, citizenship is a relationship between the individual and the state. They are held together by reciprocal rights and responsibilities. Relevant here are what is known as political rights. These provide an individual or citizen of the state with a vote that will be counted in elections, as well as the right to contest in an election to become a MP. This is known as citizenship performance in democratic societies. When Marshall wrote about citizenship in a democracy in 1950, he did not distinguish between citizens who reside in a state and those who do not. It is widely accepted that citizenship and becoming a citizen entitles an individual to be part of the political decisions within a country (Marshall, 1950).

An example may be found in New Zealand's democracy, where permanent residents are afforded a degree of political rights. They are able to have their vote counted in national elections and other political decision making such as referendums. Their residency is not a limitation to

their political participation. Political candidacy is limited to New Zealand citizens, regardless of how long they have resided in New Zealand. Nevertheless, perhaps it can be argued that residency, which the government inserted into Electoral Laws, is adopted from the traditional *Fa'asamoa* and *Fa'amatai* in selection of *Matai*. This selection is made from those who actually reside and render service to the *Āiga* and *Nu'u*. This could well be a viable argument from the government based on cultural norms and values.

In comparison to each other, this residency issue in Samoa's democracy disqualifies citizens who may reside and work overseas from entering Samoan parliament. In the context of *Fa'amatai* and *Fa'asamoa*, it favours those residing on family land and in the village. Residence then becomes a common factor or shared value between traditional politics and democracy in Samoa. However, the latter has itself been through a process of either modernization or democratization or both. There is now evidence of *Matai* selection not made on residency and just *Tautua* but service elsewhere. This is evident in the changes seen today where people are receiving titles because they bring honour to their family through work or educational achievement. There has been an increasing number of Samoan citizens or residents outside of Samoa becoming *Matai* without the need to reside in Samoa, they may not live in the village but their *Tautua* through remittances takes place from wherever they live and work. It is the service known as *Tautua Aitaumalele* (Service from abroad).

This rendering of service from overseas has become a major contributing factor to the Samoan economy. Perhaps it is too major that it should be considered and recognized as a sufficient contribution to afford citizens abroad their political right to vote. Families and villages throughout Samoa have advanced to recognize that *Tautua* in a globalised era can be done from anywhere in the world, no longer restricted to a village setting. In the same light there are also Samoans residing overseas who send money home on a regular basis for their contributions to the village councils without having to be present. It is the same situation for matai of a village in

Savaii who live and work in Upolu- although they are not physically present in the village, they ensure their *monotaga* is up to date.

6.3.4 *Monotaga (Contributions)*

Monotaga in a cultural sense is a mandatory contribution that is made by *Matai* to the village council for village affairs. It can be in the form of money or goods. The bestowal of a *Matai* title upon an individual obligates them to such contributions as their ongoing *Tautua* having held a title. There is no legal requirement by the government or the village councils to document *Monotaga* made by each *Matai*, but many villages keep a record of this for their own reference and accountability. This is also not a legal obligation for the *Matai* but rather a special and cultural responsibility. One that individuals are aware of prior being bestowed with a chiefly title, hence it is part of traditional *Fa'amatai*, not a criterion for a democratic election process.

Yet there was confusion and misunderstanding during the 2011 and 2016 elections when the PM announced the disqualification of candidacy for those who village councils could not produce records of their *Monotaga*. This, like the residency clause, presented challenges and barriers for new candidates in their quest for public office. Such a case barred Kiliri, a potential candidate who was campaigning against the PM under a different political party in the 2011 and 2016 elections. The argument by the PM was that Kiliri should not be recognized as a candidate as he did not fulfil the requirement of making contributions to the village council. A member of the village council gave evidence of some contributions by Kiliri but this was not sufficient enough to be recognized as *Monotaga*. Given the evidence and perhaps the influence of the Prime Minister on both the court and the *Fono*, Kiliri's candidacy was deemed void.

Similarly, the candidacy of Le Tagaloa Pita, who was running for the Palauli Constituency in Savaii was denied by the courts despite mass support by the village of Sili and the district. Unlike Kiliri, the village council of Sili had no documentation of Pita's contributions. However,

the council explained Pita's continuous support both through monetary contributions and material goods. Yet despite the village councils' plea to have Pita's candidacy recognized it was deemed void falling short of the criteria.

The government's ability to pass such amendments without much political and influence is noted. This was due to the minimal numbers in the opposition party, lacking in power and influence to challenge such changes. Such decision making is similar to one of the theories of decision making, that of incrementalism. This is the theory that sometimes decisions are made through minor adjustments dictated by the changing circumstances. Indeed, there were changing circumstances in Samoa's political arena. Newspapers reported people's hopes for a change of government, a change of leadership. There was vigorous debate on social media about voting rules to be changed. Samoan citizens residing in New Zealand, Australia and the United States wanted their votes counted in the elections, on the basis that they contribute to their families and villages. Those residing in Samoa had mixed feelings, with some in agreement and others in disagreement. With increasing numbers of people becoming active and understanding political affairs, there was a great need for the government to make important decisions in order to either protect their self-interest or avoid the changing political dynamics. This could have saved the ruling party from a highly competitive and contestable election.

Nevertheless, this criteria of *Monotaga* is not relevant to any democratic elections. It is not seen in other Pacific democracies perhaps because it may be viewed as a discriminating barrier to candidates. In addition, it may be seen as a violation of a citizen's political rights under the United Nations Declaration of Economic, Social, Cultural and political rights. Though democratic elections do not require candidates to have made ongoing contributions to their constituencies, it has been made a part of democratic elections in Samoa. Regardless of whether the majority of the country like it or not, agree or disagree, it has been recognized by Samoan law. The inclusion of

residency and *Monotaga* highlight two significant issues in Samoa's political cultural and political status quo.

Firstly, the insertion of such *Fa'amatai* values clearly demonstrates the reliance and dependence of a democratic government on principles of *Fa'amatai*. This shows the importance and value of traditional *Fa'amatai* processes, such values have generated stability and longevity for traditional authority. Secondly, in so far, the entrenchment of residency and *Monotaga* into a western political process suggests another dimension that of "manipulation" by government of traditional *Fa'amatai* values to protect selfish political self-interests.

The village of Neiafu was presented with this issue. Discussions and opinions revealed mixed feelings. One of the advantages of this democratic and traditional collaboration was the acknowledgement of traditional processes and values. The village *Matai* thought this was an act to be proud of despite the western system of government, however there was a consensus that this allowed democracy to pick and choose from values of *Fa'amatai*.

“The status of government at the moment is that of a democracy, but there are times when it reaches over and grabs aspects of culture as a way for them to get support from the people. There is only one thing in mind in doing this it is to maintain their status as the government, democracy takes sacred aspects of culture so that it sustains their status, because Kuilaepa knows that there are many people not supporting government that will go against them, who are smart and strong, so what the democratic government is doing now is they reach over to culture and the village councils and take cultural aspects which they use as their instruments” (Aunei, Samoa, Personal Communication, 18th August, 2016)

The clear winner reaping the benefits of such an act was the ruling political party and government. Yet the village councils and the *Fa'amatai* system were exploited. The *Matai* pointed out that the government is quick to adopt principles of traditional rule that benefit them, but when village councils are taken to court against democratic human rights, there is no acknowledgement of *Fa'amatai* decisions and penalties. This, the village of Neiafu, expressed was unfair and lacked mutual respect and reciprocity.

“What democracy did was wrong, it was totally wrong. It is inappropriate, let's see, democracy was independent then it came and decided to use traditional systems, for their benefit, it is inappropriate, we need to differentiate democracy and traditional systems, let them compete and see which one wins, if traditional system is the best one, it's the best one, but democracy cannot compete with traditional systems, they cannot. There are times when democracy uses dirty politics to manipulate traditional systems to get what they want, but this is wrong...” (Tua'iaufa'I Sese, Personal Communication, 18th August, 2016)

But these are not the only cultural protocols of the *Fa'asamoa* and *Fa'amatai* that the government managed to manipulate for their own political gains. The participants of the research particularly matai could not fathom why the democratic system of government was suddenly invested in the cultural process of providing a *O'o*.

6.3.5 *Malu mai Ala or O'o (Gift Giving)*

The concept of *Malu mai Ala* translates to having a shield or shelter. The phrase was coined by the minister of the Methodist church in Neiafu, the late Rev Paseto Eteuati, whereby *Matai* and the village were in support of. Having a shield or shelter protects an individual from the harsh

elements with which they may come in contact. In Samoan terms, the phrase is used in the context of providing gifts. Thus, when an individual is preparing an "*O'o*" or "*Malu mai Ala*", it usually means entering or committing to something important. Such situations may include elections. It was normal for potential candidates to prepare an *O'o* for the village in which they wanted to be an election candidate. It symbolized one's commitment whilst also acting as a practice of seeking consent and blessing from the village.

The *O'o* was therefore a personal commitment there was no legal obligation to it. The candidates could provide either monetary gifts or goods in most occasions for the village they are interested in representing. Strategically it was best done prior to an election, this way the *O'o* becomes the shield and shelter for the candidate as they go about their promotions and campaign in the village and constituency. In political terms this is known as the tactic of "tit for tat", although in Samoan terms it takes a much more in-depth approach.

Perhaps it is fair to say the provision of this *O'o* makes it easier for the village to accept the potential candidate. This suggests to the village that this person/candidate has links to the village and they offer gifts in return for the village's blessings and support for their candidacy. This may suggest materialism from a western perspective. However, *O'o* is a traditional and cultural norm given as an offering signifying commitment and readiness to be of service. To explain further, whenever a new church minister is called to a village to serve, they come with a *O'o* to the new congregation inclusive of food, money, and material goods. Put simply no Samoan can choose to withdraw from such cultural protocol. *O'o* is thus an acceptable Samoan protocol and practice.

In fact, this was the exception to the rule during election campaigns. Bribery was not tolerated although this is debatable, however the provision of an *O'o* was acceptable by the candidates, the village council and government. This meant that candidates could provide their *O'o* before and after elections, provided they are successful. However, the 2016 elections were a contrast to former elections in terms of *O'o*. Changes were not only confined to residency and

Monotaga (village contributions) but *O'o* as well, where candidates were not allowed to provide such gifts before the election, rather the only person to do this was the successful candidate at a time of their choosing, post-election. The rationale apparently was to reduce the pressure of gift giving on the potential candidates. Perhaps from the courts' view, this cultural act has the potential to be viewed by outside scrutineers as a means of bribery.

This practice of *O'o* was thus discussed vigorously by the village of Neiafu. On one hand, the argument was that *O'o* regardless of whether someone wins or not, should be practised. It is a cultural practice and reflects a candidate's respect and acknowledgement of the village particularly if they have been residing outside of the village and country. It serves as a passage of entry. They explained that a candidate's dignity can be observed during elections. Some come bearing gifts prior and when unsuccessful, they are never seen in the village until the next elections in five years' time. This reflects a lack of commitment and responsibility, values which should be possessed by any candidate with a real passion for the village and district. Another argument is that *O'o* should be mandatory if the other five candidates are unsuccessful at least they have shown their interest and intent to the village as most do not return. It is a cultural protocol that you give something in return for what you want, in this case offering some kind of gift in return for the support of the village and their acknowledgement of recognising a candidate as someone from the village or district.

The participants of Neiafu argued that the government's interference with cultural practices are unwarranted. In this case elections might be a foreign process but the voters, candidates and environment in which elections take place are encompassed, guided and principled on cultural values and beliefs. Candidates should at least have the ability to choose to either provide their *O'o* before the elections. When a candidate is successful, it is again upon them whether to provide another *O'o* as the successful Member of Parliament. The participants also argued that *O'o* and

what it entails should again not be dictated by the government. This is again another example of the tension between culture and democracy.

It should be noted that an *O'o* for pre- election can be totally different from an *O'o* when one is successful as MP. The former can be monetary only, because it is only for one village. The latter perhaps might be a little complex as it is for the whole constituency. How this is prepared is the responsibility of the successful candidate and their extended family. Nevertheless, despite the Samoan people being familiar with these cultural protocols as the norm in the village, democratic processes such as attracting people to vote for a certain candidate is still a work in progress.

6.3.6 Election campaigns

Campaigning for such processes as elections is as old as independence. It was not practised in the institution of *Fa'amatai* due to the nature of leadership selection by *Tautua* and lineage. Leaders of families did not need to spend huge amounts of money to persuade others to vote for a preferred candidate. Each family as well as the village council had the ability to select from observation, knowledge of the individuals and their wisdom to foresee future circumstances and how each individual would handle them. *Matai* depended heavily on their *Tōfā Mamao*, (Wisdom) *Tōfā Fa'aleAtua* (Divine Knowledge) to select the most suitable for leadership, who authority should be given to. Herein no money, food or gifts of any kind were needed to encourage selection as this was seen as unethical by both family and village.

Thus, the practice of campaigning prior to election was new. Candidates gathered family members who would become the campaign committee. Their role was to visit all the people who were linked to a particular village and persuade them to vote for their specific candidate. Whereas selecting family members was unethical in a democracy, campaigning was normal for any democracy, and because Samoa was one of these democracies, persuasion was acceptable.

However, the evil in elections became apparent as both candidates and voters lacked the guidance and information required for successful free and fair elections in Samoa, as a result, candidates were able to offer money and goods in return for voter support. Campaign committees would not only transport voters, food was also prepared after voting. Gift giving was evident in every village headed by campaign committees at all hours of the day. Such actions and practices were highly ridiculed by Samoan artists in their songs while writers and poets revealed them in short stories and poetry. For example, Samoan music artists Misiluki Su'a and Felise Mikaele wrote songs about elections in Samoa and Agafili Tuitolovaa who wrote a short story titled "*Molia ita i Nu'u malolo*" (Defeated) The short story mentioned revealed the reality in Samoan villages before, during and after elections. This relates to voters and even campaign committee members who may be perceived to be supporting candidate A when in fact voted for candidate B, despite asking for monetary and material goods from candidate A.

This indicates that perhaps there are places where some practices of *Fa'asamoa* should not be acceptable at all. Newspapers and local academics such as Afamasaga have written and critiqued elections in Samoa where corruption and bribery were involved. As expected, many commentators opined that the Samoan voting public and candidates are materialistic, naive and corrupt. It is not hard to deviate from such criticism when such actions were evident across the country, hearing peoples' stories of how they were gifted in return for votes. Youth who were eligible to vote, enjoyed evenings of alcohol provided by competing candidates. Families were treated to bags of rice, flour and cartons of tinned fish. Candidates were seen at most if not all village and church affairs, where some used this special period to reunite with families and fellow village men.

As observed in many occasions post elections, the real losers are the candidates. Those who were unsuccessful in the sense that despite thousands of dollars spent and having been told by hundreds their votes would go to them, some results have revealed otherwise. Post-election time

in Samoa is thus never a smooth period. There are numerous court cases with candidates suing each other with claims of bribery and corruption, interestingly, this has become somewhat the norm after any election.

The phenomenon of bribery highlights issues for Samoa. Firstly, there is an acceptance that gift-giving and vote buying is an election norm, this as Neiafu explained was their belief that offering money and goods was practised across the country and was approved by the government as part of elections. In addition, their understanding was that it was the candidates' obligation to provide these goods or money in order for voters to vote. The *Matai* highlighted the fact they had never questioned these practices but had certainly felt empathy for candidates. Some of the younger *Matai* explained that this was their observation too and had believed it to be the norm everywhere else. This suggests the importance of socialisation, whether cultural or political in families and villages. Political socialisation in this case should have been through members of parliament and government communicating the correct information and processes of democratic elections.

Secondly, gift-giving reveals the lack of civic education on such basic tenets of democracy as voting. Despite over 50 years of independence run by a democratic government, with elections held every five years, information on such crucial information and processes is not commonly understood and public knowledge for many. Thus, the voting public have been ill informed of what is acceptable and not.

“...you know that is exactly what you call bad campaigning. It is such a degrading thing when someone comes and buys your vote and your knowledge and brain from God, to make it seem like the right thing, the matai knows how hard it is. My belief is that when a candidate comes to the village, they should inform and tell the village who they are and what they want, that is the right thing, but if they come with empty promises and money, it is not culturally

appropriate. In terms of culture, the village should look to the future, if the candidate has been useful to the village and whether the village will rely on him, those are the important points.” (Aunei Samoa, personal communication, 16th August, 2016)

Another factor which was raised by the *Matai* was the importance of familial ties during elections. Despite seeking a representative to serve the best interests of the constituency as a whole, it is usually defined by family ties. The participants explained the phrase of “blood is thicker than water” where extended families ensure their family member is successful, which meant splurging out on money and goods in return for votes, usually to the detriment of the candidate and their immediate family. When it comes to elections as *Matai* explained, it is firstly about supporting their relatives regardless of what the political party the candidate chooses, or the policies they stand for.

Not only do people support their relatives they also tend to support their village members over members of other villages within the district. This reflects that elections not only become a personal and familial competition it is also a local village competition. For the constituency of Alataua i Sisifo in which Neiafu is in, other villages such as Tufutafoe and Falelima have not been successful with their candidates in the past few elections. This can suggest village size and population but can also reveal other issues such as the number of people from the two villages who do not vote. Interestingly, this can also mean a lack of interest from the other villages to participate if there are no candidates from Tufutafoe and Falelima. They may not feel obliged to vote and take part if there are no candidates to represent their village. Furthermore, if they were not related to a candidate, there was no reason for them to vote.

For the village of Neiafu, all participants indicated they had voted in the 2016 elections. All participants were related to one of the two candidates in the running for the seat. This familial tie made it possible for the participants to vote, in order to support their family members. In addition

to the discussion of relationships, people supporting their relatives had little to no knowledge or understanding of what their relatives intended to offer for the constituency. There was no concern about which political party their relatives were interested in or would join if they became successful. They solely supported their candidate because of family ties.

In addition, participants revealed that a contributing factor to their vote was who could provide help and support to them personally and to their families. The voters' understanding was that if their relative was successful, their whole family would benefit first, the village second and constituency last. The benefits as mentioned included how easy it would be to ask the MP (their relative) for assistance with their children's school fees, bills, funeral costs and other *Fa'alavelave*. This indicates the very contrasting perspectives of beliefs and understanding about elections as well as knowledge gaps within campaigning and elections. This in turn creates confusion and results in tension between democracy and *Fa'amatai* in both a local and national context.

In this case *Fa'amatai* is not at fault, rather it reveals the lack of government responsibility in providing information through necessary means to raise awareness and create understanding about elections, campaigning and voting. The campaigning which has been done by candidate and campaign committees consisting of family members has been conducted with little or no knowledge of campaigning rules and democratic processes.

Researchers in the Pacific have revealed and criticized campaigning and elections in Samoa blaming, culture and traditional systems for corruption and bribery. However, the evidence provided by the *Matai* and participants of Neiafu revealed otherwise. The discussions reflect the democratic system of government in Samoa is indeed fragmented. The members of parliament and government are not doing their job of providing civic education and a rigorous campaigning process in return for people's votes. One of the most important tenets of democracy is for the public to be well informed in order to make decisions such as placing people in the public office.

“It has been a long time since someone has done that, no one has actually done that like we see overseas where people campaign hard, but not here, with the exception of Y who came to the village and spoke about why she wants to run, that was the only person who practised democracy in the process of being elected, but the rest of the others nothing was done” (Lafaitale Faalii, Personal Communication, 19th August 2016)

Indeed, the process of campaigning is an opportunity for the government, political parties and candidates to provide voters with all the information about government policies and records, political parties, manifestos and candidate values and backgrounds. This is provided for the voting public to make well informed decisions crucial to the running of the government, its stability and relationships with the general public.

Samoa's election process does not include vigorous and thorough debating, effective communication and clear policies, as seen in the lead up to elections elsewhere, like New Zealand, Australia or the United States. In those democracies, the campaigning on the government's part consists of candidates answering voter questions in local meetings, debates between different political parties' candidates and speeches. The views, perceptions and ability of a candidate to go through this process, indicates to the voters the values, issues and actions they can expect from them when elected.

Therefore, there is an evident element of exploitation in Samoa's democracy that is reflected in the case of Neiafu. This might reflect similar situations in other villages across the country, where potential candidates and the outgoing MP let the *Matai* do the actual campaigning on their behalf. However, given the *Matais'* little understanding of democratic processes and elections, persuasion through gift giving and vote buying is the inevitable result. This defies the whole process and practice of holding elections, particularly as it can be marred with bribery and

nepotism. But, as mentioned previously, these processes have been taking place under the illusion that both campaigners and voters are aware and trained to conduct their activities, however, even the voting behaviours of the public can be viewed from a western perspective as falling short of the acceptable standard of voting in a democratic country.

6.3.7 Voting Behaviour

The study of political science provides theories of voting which include four different types of models which explain voting behaviour. The party identification model explains that voters tend to vote for the parties which they are psychologically attached to. The sociological model links voting to group membership either of the economic or social positioning of the group they belong to. The rational choice model concerns the voters who vote according to the policies available and relevant to them. Lastly the dominant ideological model places voters on the social hierarchy structure, depending on how the media portrays their social status. However, none of these can identify and explain the voting behaviour in Samoa, as evident in the research and fieldwork conducted.

The voting behaviour in Samoa can best be explained by the *Lotoifale* model, the cultural fraternal model. This originates from the fieldwork in Neiafu, following the discussions around voting behaviour of the Samoan people, which is very different from the behaviours and patterns seen in western democracies. *Lotoifale* means “internal” or “within” hence it can be within the family, within the village or within the district. Voting behaviour in Samoa takes place in a three-dimensional scenario.

Figure 5: Voting behaviour

LOTOIFALE MODEL



Aiga/Family

The first stage is familial. This is when voters first and foremost vote for the candidate who they are related to, regardless of what the candidate’s political interests are or what their preferred political party is. As long as the voters are related to the candidate, they will vote for them. This suggests the importance of family during election time. The candidates’ *Matai* titles play a vital role in attracting voters as the title carries with it cultural weight. For example, if a candidate had the title of “Lafaitale” which has been bestowed upon my mother and previously my grandfather, it is only logical and familial to vote for that candidate as they also represent and bring honour to the Lafaitale title and family.

Family members of other candidates who have a particular title do the same. This reflects the importance of family but also the fact that the individual candidate, although physically competing in the elections alone, he is part of a familial and cultural collective, therefore he/she represents their *Āiga*.

Nu'u/Village

The second stage of the *Lotoifale* model is the village. When voters are not related to a candidate in the familial setting, they move on to vote for their “brother” or “sister” who although they may not be related to by blood, voters can identify with them and have a sense of connection to because the candidate is from the same village. Like the first stage, the political ideology and political party preference of the candidate does not affect the voting. What matters in this case is voting for someone who is representing the village, against other candidates from neighboring villages. For example, in the constituency of Alataua I Sisifo (Alataua West) it consists of three villages including Falelima, Neiafu and Tufutafoe.

These three villages compete against each other in elections as every village may have up to three candidates each whoever gets the majority vote wins the election for their village and the constituency. For example, if Tufutafoe has only one candidate, it is very likely that the majority of the village will vote for their only candidate, although other village people will not be related to him/her, they will still vote because he/she represents their village. When the Tufutafoe candidate wins, they know that they were supported by the familial and the village collective.

Itumalo/District

The third stage which completes the *Lotoifale* model is cultural, historical and political relations. When there are no familial or village connections of voters to the candidates or if there is conflict in the family and the village the voters then start to consider the candidates from the neighboring villages, considering any cultural, historical or political connections between them

which highlights their rationale for voting. An example of this, as the participants of Neiafu explained, was when Tufutafoe and Falelima had no candidates to put forward in one of the elections. Due to the lack of candidates, some members of both villages were still able to cast their vote for one or two of the candidates from Neiafu who the voters felt had strong cultural, historical and political affiliations with. Although there was a lack of familial and village connection, there was still a collective relation of the voters to the candidate and importantly of the candidate to voters from the same district.

6.3.8 Summarising Elections

In summarising the concept and practice of elections, it is evident that Samoan traditional protocols originating from the *Fa'amatai* are being used and perhaps manipulated by the PM and the government to safeguard their position as the ruling party. There is also evidence that there is no clear margin that may separate traditional Samoan protocol from democratic principles and processes. From the analysis there is also an evident knowledge gap that needs to be addressed particularly with campaigning and voting behaviour in Samoa. Unless these gaps are critically examined and openly discussed, Samoa's democracy particularly election processes will continue to be marred by unfavourable activity and behaviour. Nevertheless, as the study has revealed, voting behaviour in Samoa is best described by the *Lotoifale* model where voters primarily vote for their family rather than political party affiliation. An understanding of this helps to reduce the blame about corruption in Samoan elections

CHAPTER SEVEN

FINDINGS AND DISCUSSION PART B

The “traditional” rule of law

“Ia talanoa I fogafala”

“To continue the dialectical exchange”

7.1 Rule of Law

There are a number of factors in Samoa that impact upon the rule of law. In addition to the roles played by *Matai*, there are courts and a range of legal acts that constrain and enable behaviour. This chapter investigates participants’ views on these factors and acts before moving to consider the implications of these views for theorising democracy.

7.1.1 *Fa’amatai*

The institution of the *Fa’amatai* alone is a theoretical frame of reference that is relevant to this study. It is an institution of both social and political significance which governs village life in Samoa. In as much it is known as a traditional system of democracy at the local level. This structure is the backbone of the *Fa’asamoa*.

Furthermore, *Fa’amatai* in this light is an institution of leadership, with its core business conducted in an open *Fale (house)*. Seating arrangement is organized depending on titles and status in the village. Every *Matai* knows their role, place and time to speak, hence why it is a learning institution. *Taulele’a*, (untitled men) are exposed to the realities of village governance, negotiations and leadership through their servitude. The *Fale o Matai* is a place not only where

leaders are nurtured and made through a process of learning and doing, also where village histories, oral traditions and folklore are learned. It was the one place where young boys aspired to be in, as with *Fa'asamoa* all power rested and was vested with *Fa'amatai*.

Within the institution three types of authority are evident and continue to be the guiding principles of *Fa'amatai* power and leadership roles in each village. *Matai* believe they are inherently gifted by the Supreme God for their *Taūtūa*, therefore their *Pule* and how this is managed and exercised need not be questioned. This is the norm in the *Fa'amatai* and it is acceptable particularly by villages who were born and bred within the traditional village life. While the institution is made up of *Matai*, there are certain title holders with slightly more mana than others according to their positions and hierarchy of village honorifics

In addition, as previously mentioned in Chapter 3 there are three main types of authority *Matai* (chiefs) are thought to be gifted with from the Supreme God, because *Matai* believe their title is a reward for their “*Taūtūa*” (service) directly from above. This is enough ground for them to exercise their *Pule* and as history has shown us- this authority has withstood time and contributed significantly to Samoa's stability.

These are as follows.

1. ***Pule Fa'avae (Constitutive Authority)*** this is rested in the founding entity of the whole village.
2. ***Pule Fa'asoa (Distributive Authority)*** is exercised through the distribution of family resources including lands and titles
3. ***Pule Fa'amalumu (Protective Authority)*** is the domain of the village to protect each other when security is an issue.

For the purpose of this study, I have added my own flavour to the three *Pule* in order to expand its context, meaning, functions and allow for further political analysis later on.

Constitutive authority is interesting as it is village based, all villages will have different laws, it may-be written but are mostly passed down from generation to generation. The constitution of Samoa as mentioned a little earlier consists of both democratic values and the preservation of traditional authority at the national level. Each Samoan village and constituency may agree upon the fact that constitutive authority is embedded in their *Fono a Matai* (village council) because where there is “*Fa’amatai*” there is the presence of this *Pule*, however what separates one polis from another, is how this *Pule* is exercised, interpreted and understood by individual villages. This is due to the reality and uniqueness of the “*Fa’alupega*” the Samoan honorifics derived from the depths of history genealogy, political alliances and relationships.

Each village’s honorifics differ from one another, as it contrasts also from one district to the other. Based on a villages *Fa’alupega*, that is also the structure and hierarchical system of the actual village council, therefore it is constitutive, unchanged, and never will be changed because it is simply “sacred”. This then effectively becomes the village *Fa’avae* (foundation) and unwritten constitution. Take for instance the *Fa’alupega* for the village of Neiafu, in the big island of Savai’i in Samoa which acknowledges

Tonumaipē’a – the most honoured title in the district

Tua’iaufai and Ta’atiti (most prominent talking chiefs)

Pei, Aunei, Safiu and Lafaitale (the four high chiefs)

Tauiliili (orator)

Aiga Sa Moeleoi (descendants of the Moeleoi family)

The highlighted names are in fact all chiefs in the village of Neiafu, they are also the main actors and decision makers in the village *Fono*. They are the legitimate holders of *Pule*. Included in these honorifics are *Tulāfale* (Orators, or Talking Chiefs), all of whom play a vital role in the village *Fono*, some may not be written and mentioned, but in practice within the village council, the talking chiefs are well acknowledged and respected for their oratory. The *Fa'alupega* as shown is an example of the foundation the village of Neiafu believes in, it identifies who the highest chiefs and main political actors are, those who exercise and protect the *Pule Fa'avae*. The significance of this *Pule* is its resilience. Despite numerous and dramatic changes in Samoa, constitutive authority is still upheld and practised. Many people perceive the changes are imminent within a matter of time. Nevertheless, there is an opportunity for this *Pule* to be protected in order to retain its sacredness, its longevity and its relevance to the democratic system in operation in Samoa.

To allow society to have a better understanding and give legitimacy to what is known as *Pule Fa'avae* or constitutive authority, perhaps there is a need for local village constitutions to incorporate both systems, as does the national constitution of the Independent state of Samoa. This does not mean the imposition of democratic values and principles, but a document or oral discourse for every village, which could be used as basis for authority and decision making. This gives the opportunity to both rulers and the ruled to realise the meaning of good governance, accountability, equality and human rights to name a few in the exercise of their authority and power. It can act as a system of checks and balances between the rulers and ruled.

Distributive authority or *Pule* is exercised through the ability and responsibility of the institution as a whole or *Matai* as individuals to distribute family resources including lands and titles. Family members inherit lands and titles from their forefathers, enabled and legitimized by the *Pule Fa'avae* as discussed earlier. The rationale behind this authority is based on the premise that the *Matai* have acquired enough knowledge, wisdom and understanding of the institution of

Fa'amatai to distribute resources according to the foundation of the village. As *Matai* are caretakers of their family possessions, there is a belief they have been well nurtured and equipped to effect this *Pule*.

The institution of *Fa'amatai* today exists to honour the traditions and governance of Society developed by ancestors. Minor changes have been evident in some villages with the belief in the Samoan proverb which states that “*E sui faiga ae tumau fa'avae*”. We change the way we practise albeit foundations remain intact. On this apriorism there is scope to introduce new meaning to the distribution power of the institution. This may allow for some flexibility and chance to prolong the relevancy of the *Fa'amatai*.

This is the authority of *Matai* to land and resources among the family, including *Matai* titles. One of the *Matai*'s core roles is to distribute their family resources to those who are entitled to them as well as those who render service to the *Matai*. This role of the *Matai* also includes the distribution of material goods gained from family actions of gift giving for Samoan ceremonies such as weddings, funerals, and the blessing or dedication of newly built churches.

This is a product of the cultural value of reciprocity where a family will provide gifts for another, and the receiving family is obligated to reciprocate the action out of mutual respect and *Osi Āiga*. In the village end, the *Matais* have the authority of distributing goods gained from ceremonies, government help and goods produced by those who have been fined. These may include but are not limited to cartons of tinned fish and beef. In the distribution of goods and resources there is no certain criteria that *Matai* follows, it is based on service first and foremost. This service used to be action based, working the family land, ensuring there was a supply of food. It also included the ability to uphold the family title through participation in village affairs such as serving the village council during the *Ava* ceremony and food preparation, both internally and externally when the village needed to travel elsewhere. As discussed above, this role has drastically changed with time.

However, it could also be expanded to not only allow for resource distribution but more importantly for the distribution of knowledge, sharing of ideas, perspectives and expertise within the village, an exchange between the rulers and the ruled, and more importantly amongst the villagers themselves as well as within the *Fono*. As Plato suggested, this enlightens and encourages understanding amongst the *polis* (state) in the *Fa'amatai* case, the *Nu'u* or village. The exchange of knowledge as proposed here is through village workshops, debates and rigorous discussions.

Protective Authority in the *Fa'amatai* context is limited to protecting each other, the family's resources (land and titles) and the village as a whole. The word *Fa'amalumalu* (protect) in Samoa also includes to nurture and to guide. Thus, it is the *Matai's* role to look after the family, to nurture the young and equip them with the knowledge needed to become *Matais* themselves in the future. However protective authority has also changed in the way that some *Matai* have neglected their role in protecting their land and their family's *Matai* titles. This is evident in the media where families' customary lands have in some villages been reported to be leased and sold to either the government or foreigners. It is evident in the numerous people with *Matai* titles, some families allowing for more than 30 people to be bestowed the same title at one given time.

Thirty years ago, this would not have been the case, and only one or two people from a family would have been bestowed with a family title; only rarely would it have been a *Matai Ali'i* title. Now there has been a proliferation of *Matai* titles, with some government departments requiring a *Matai* title for senior management positions. In recent cases, one family now has three to five people with the same title, and can be siblings, or parents and their children sharing the same title. This would not have been the case 30 years ago, where a family only had one *Matai*, and all other members were to serve this *Matai* until they passed away.

This *Pule* demands the institution of *Fa'amatai* to protect its people and resources from both internal and external conflict. Like other countries, Samoa has experienced civil conflicts in search

of lands and titles from one district to another. In addition, Samoa's history is marred by colonialism with the exploitation of its resources and efforts by overseas administrators to reduce the relevancy of the institution of *Fa'amatai* itself. The scope of protection with which *Fa'amatai* are vested also includes protecting the village and its laws from being challenged by village people and external parties. This is evident in court cases where a village person may be allowed by the court to return to their village albeit the council/institution disagreeing. This disagreement may reflect their strong will for the appellant to follow and abide by village protocols and laws. Moreover, it relays the message that *Fa'amatai* exists and part of their *Pule*, is to protect the village and interests of the majority.

This *Pule* is retained and guarded by the institution can be expanded to protect a wider spectrum of not just people and their resources. Rather, it can be redefined in order to include the protection of individual rights, as well as safeguarding the village from corruption, inequality, injustice and abuse of power. The Samoan saying as mentioned earlier of "*E sui faiga, ae tumau fa'avae*" (We change the way we practice, albeit foundations remain the same) enables people to invent new methods to improve an old or past tradition. I count on this to support the twist I make to the three *Pule*. This is not an act to challenge the status quo, or to disprove it, rather it is an opportunity to showcase that flexibility may improve the relevance and longevity of the traditional systems even with minor changes. The authority within the *Fa'amatai* highlights the requirements and what necessitates leadership in a traditional and social political system. It shows what is relevant to Samoa, how this *Pule* is in operation and how it serves the interests of the society in creating peace. This creation of peace was achieved through village councils and the *Pule* they hold including the embodiment of what currently equates to a democracy's "separation of powers" with the executive, legislative and judiciary. However, with the establishment of the Samoa Lands and Titles court, the power shifted from what was a traditional led peacebuilding process specifically for lands and titles to a one of western democracy established in the early 1900s.

7.2 The Lands and Titles Court of Samoa

The Lands and Titles Court of Samoa was established in 1903 for the purpose of hearing disputes specific to Samoan customary lands and chiefly titles. This creation saw the separation of what was seen as cultural and those of criminal nature. At present the judges of the Lands and Titles Court consists only of Samoan *Matai* who resolve disputes concerning land and *Matai* titles. They also observe succession of *Matai* titles and administer a register for all chiefly titles in Samoa. The Lands and Titles Court has become a pivotal part of the legal order of Samoa, despite being governed by principles of customary law. Therefore, the court operates a second system of law in the country, second to that of statute law. Its values and governing principles are recognised within the constitution. However, it should be noted that the Samoan constitution remains the supreme law of the land.

Recently, a commission of inquiry was set up to investigate the work of the lands and titles court judges. This revealed numerous issues in terms of resourcing, processes and efficiency. The report was published in the Samoa Observer 29 January stating the lengthy wait by parties for a court hearing and decisions due to a lack of staffing. The report also included incidents of conflict of interest between judges, the President, and parties involved in a case. In his response the president replied that in many instances, cases are complex and therefore require lengthy deliberations. Other cases take time as evidence needs to be provided or fieldwork is required in order to make a satisfactory decision (Samoa Observer, 2018). Another important issue raised in this report was for the judges to provide not only verbal court rulings but also written ones. However, the president highlighted the reservations held by the Lands and Titles Court as customary lands and titles were highly contestable. This meant that careful consideration and prolonged reviews were required in understanding genealogies and histories of parties involved and whether they match with records.

The tension between *Fa'amatai* and democratic rule of law was evident in this inquiry as it discussed the functions of the lands and titles court. In Neiafu, the research participants/co-researchers agreed one hundred percent that the court is at many times problematic in terms of court hearings and delays in their resolutions. The *Matai* stated that the establishment of such a court based on western principles for decision-making pertaining to Samoan customary law was not favoured nor supported by the village. There was a collective consensus that the court should be abolished entirely, due to reasons similar to one raised in the inquiry report. According to Neiafu, there is a lack of trust and faith in functions and processes of the entity, particularly in some of its rulings.

Numerous *Matai* discussed their negative experiences and dissatisfaction with the rulings concerning their family lands and titles and had pity for other families around the country who had dealt with the Lands and Titles Court. Their concern was that some rulings as a result have created conflict and tension within families and unravelled revenge between others. It has also created immense misunderstandings of familial lineages as well as eroding constitutive authorities of many villages. For example, the Lafaitale family of Neiafu had gone through a case in the Lands and Titles Court in 2015 and 2016. The appellants have agreed they are the direct heirs of the title, whereas the respondents have agreed that according to genealogy and genograms, the appellants' appeal should be disqualified. Therefore, they have no rightful claim to the Lafaitale title. This case has been ongoing, with extended family members not on speaking terms with each other. It has caused pain and hatred amongst family members because the Lands and Titles Court cannot provide the right decision for the case, especially as this was a case already heard in court twice within the last few years.

Most *Matai* reflected on their own experiences trying to settle claims to titles and lands by their own family members, who had either manipulated the *Gafa* (genealogy and history) or created their own. In some cases, as the *Matai* pointed out, these alterations and false claims are

made by alien people, who are either married into the family or receive what is called a *Matūpalapala*, a "Special honour" in either title or lands that is offered to the person only for their service. It is not continuous to their children as it is an honour of recognition of a particular person only at a given time. Hence, when an individual passes away, their children cannot have claim to this "honour". Circumstances such as these as explained by the *Matai* can only be fully understood by the village councils as titles and lands pertain to each village. Furthermore, the handling of such cases by the Lands and Titles Court have led village people to believe that their identity and heritage is slowly slipping away from their grasp, as decisions are based on the evidence each party is able to provide.

Genealogies and family lineages were understood and passed on through oral communication within families and villages. To have *Matai* from a village in Upolu decide a case about titles in a particular family and village in Savai'i, is an insult. Therefore, the lands and titles court have confused many people with its rulings, resulting in alterations and changes to family histories causing problems to village normalcy. In addition, *Matai* explained that there is nepotism and favouritism with some judges during hearing of lands and titles cases. Many records are altered in favour of who the judges know, resulting in family records and genealogies being inaccurate.

"You know there is nepotism in the decisions made by the court, the judges are in favour of those they know. Another thing is the registrars - they are the ones who are benefitting from these and altering the decisions made by the court, disregarding the truth when families come to court in search for the truth and claim what is rightfully theirs, at the moment we are losing our culture, we are certainly losing our culture. At the moment custom and tradition are disregarded, we are losing our heritage, our

culture, because of human rights and democracy our customs are fading away...

(Tu'aiaufa'i Sese, Personal Communication, 18th August, 2016).

Regarding such cases, this study concurs with the village council and participants that the settlements of such cases should thus rest solely with village councils, including the heads of families. Within the village councils, *Matai* are able to clearly identify family lands and boundaries, recite their genealogies and history. There were minimum claims to lands and titles as everyone understood their identity with the help of the *Fono* to iron out and solve issues as they occur. However, the Lands and Titles Court has enabled others to have access and claims to what is not rightfully theirs. Thus, it was highly recommended by Neiafu to have the Lands and Titles Court abolished. This will enable the *Pule* and power to be returned to families and communities through the village councils.

“... it is a must to return such decisions to traditional systems where they are handled by people who know, the people who know the origins of things in villages, who will deliberate and discuss village issues internally. It is a must to return these things, but these days, if we look at it, some decisions have been wrongly done, like a decision might be to pack and leave, that's a huge impact of democracy these days, the government has even got influence on Samoan customary land, they may tell the family head chief to lease their lands, but the head chief might not understand this, but the reason they want families to lease their lands is because a lot of people are coming and the government makes money out of this, they use the money to build the government, where they are doing the things for themselves in parliament but it doesn't mean everyone benefits from it.” (Aunei Samoa, Personal Communication, 18th August, 2016).

Nevertheless, Dr Fanaafi Le Tagaloa in her PhD thesis stated that the Lands and Titles Court helps to resolve the disputes resulting from lands and titles they are associated with. In addition, Le Tagaloa argues that the court has been accepted as a vital institution in which social cohesion is upheld. In this case, Le Tagaloa sees value in having the Lands and Titles court which in her own words she describes as “*becoming an integral part of the Samoan legal order, having been entrenched into the Samoan constitution*” (Le Tagaloa, 2009). This view is perhaps one that is shared by many Samoan people particularly those who have had the decisions of their cases in their favour.

However, in Neiafu's case, the Lands and Titles Court is seen as merely another instrument dictating Samoa's culture and norms. In their view, the establishment of this was a way of debilitating the authority and strength of Samoa's social and cultural cohesion manifested in the village councils. What this awakens is the debate around colonialism. Although the German and the New Zealand administrations left Samoan shores many years ago, their influence remains, certainly through the Lands and Titles Court, which although administers customary claims but is not independent of the judiciary.

For *Matai* of Neiafu, the departure of the Germans in 1914 and NZ administration in 1961 should have marked the disestablishment of the Lands and Titles Court. The two colonial powers wanted a central government with little to no input and influence from the country's traditional system of authority, *Fa'amatai*. They saw the *Matai* system as a threat to stability and power of their administrations. Nevertheless, when Samoa was to become independent in 1962, the constitution encompassed the lands and titles court in 1960. Instead of abolishing it, the government did not change the status of the court. Samoa's constitution clearly states the government will be governed by both principles of democracy and values of *Fa'asamoa*. However, insufficient value and authority was left with the village councils, to resolve their internal disputes concerning lands and titles. These, as the Constitution and Lands and Titles Act

1981 imply, should be centralized, perhaps for transparency and accountability. However, for *Matai* of Neiafu, the lack of authority for them to intervene in disputes pertaining to their own lands and environments is an insult, and a step back from the belief that “*Na tōfīa e le Atua Samoa ina ia Pulea e Matai*” – it was God's will to have *Matai* lead and administer Samoa. This includes the authority to solve local issues relating to lands and titles within each village council.

The government’s divergence from this cultural belief that Samoa was gifted by God for *Matai* to govern is a concern for *Matai*. They state that the government's continuation of the Lands and Titles Court and interventions by non-villagers is discriminating and disrespectful in terms of Samoan values and custom. The lack of village council input in such matters erodes their legitimacy in society and gives credence to the Samoan proverb “*Ua tāfefeā Pulu i Vai, Tofi o Āiga ua leai*” – “identities have been stripped bare”.

This research argues that village issues relating to lands and titles are the responsibility of the village council. They understand their village protocols, history and genealogies. They are able to thoroughly assess and mediate, “*Lauliliu ma Teuteu*”. They do not take prolonged periods to come out with a decision as all the evidence will be in the village. Their training and socialisation in the institution of *Fa’amatai* has equipped them with the knowledge and wisdom to settle disputes and maintain stability and harmony in their village, something the decisions of the Lands and Titles court can and have at many times failed to achieve.

“It is useless to take these issues to court as it is unfair for a chief from Palauli to make a decision regarding something belonging to Neiafu. It brings shame to the family and village. Even judges I believe are not comfortable with making these decisions around the sacred treasures of others, but they should be returned to the authority of the village council for decision making” (Lafaitale Faalii, Personal communication, 19th August, 2016).

In addition, while judges of the lands and titles court are paid for their work, village *Fono* on the other hand work for no pay as their objective is to achieve peace and stability. Although it is agreed by some that judges of the Lands and titles Court are well-trained and equipped with customary knowledge to make decisions, it is also strongly agreed by the *Matai* of Neiafu that such knowledge cannot be applied everywhere, hence one size does not fit all. The special knowledge of a *Matai* from Fagaloa surely does not mean they understand the protocols and norms, history, genealogies, lands and titles of Neiafu, and vice versa. This also follows the Samoan phrases of *Aganu'u* (Culture) and *Agai'fanua* (local norms of individual villages). One can be well versed and skilled in Samoan culture, but not necessarily in local affairs, “*E ese le Aganu'u, ese le Agai'fanua*” - culture and village norms are different.

“It seems to me like there is no authority of the village, there is no significance in our identity, precious values passed on from generation to generation and family heritage, they have all been snatched by the courts.” (Tua'iaufa'I Sese, Personal Communication, 18th August 2016)

An attempt by the government to give the village councils a form of legitimacy and authority over their local authorities particularly in village related issues and conflict saw the establishment of the Village Fono Act in 1990.

7.3 The Village Fono Act 1990

The role of the Village *Fono* Act 1990 is crucial as it is the mechanism that legitimizes and upholds the authority and decisions made by each village council. It is described as an act that “validates and empowers the exercise of power and authority by village *Fono*”. It is done so under village custom. This Act is not administered by the Lands and Titles Court, but rather by the

Ministry of Women, Community and Social development. Community relates to villages to which this Act refers.

This Act grants power and authority to each village *Fono* to deal with and provide punishment for misconduct with respect to village affairs and norms (*Agaifanua*). Such powers include imposing fines of any kind, including monetary compensation, fine mats, animals and food, or a combination. It also grants the power to village *Fono* to order offenders to undertake community services in the village. In addition, showing a degree of collaboration, the act maintains that a sentence by the court for criminal activity may be considered if an individual has already been penalized by the village *Fono*.

Given assent on the 30th July 1990, this Act came into effect in October of the same year. There was undoubtedly immense support by village councils towards this Act, as it reserved a place for traditional authority to be recognized and validated within its own jurisdictions. The limitations of the jurisdictions of the village *Fono* is that village authority does not extend to individuals who do not reside on an everyday basis in the village. It also excludes those who reside in the village but on government or freehold land. For example, the village of Asau in Savai'i, where government land is situated with government housing to accommodate officials who work in this area. These individuals who despite residing in *Asau* they live on government land. Therefore, they are exempted from the Village *Fono* Act 1990.

The potential of this Act to facilitate harmonization between *Fa'amatai* and democracy is significant. It allows the separation of cultural and village affairs to be administered by each council, with what at first implies little or no government influence. However, the Village *Fono* Act accounts for little else. An appeal by an individual who may be adversely impacted by the *Fono's* punishment is allowed but it will not be directed to the village *Fono* but appealed directly to the Lands and Titles Court. Once an appeal is made, the Village *Fono* Act no longer comes into practice – rather, the court has jurisdiction over the matter to hear and decide on an outcome.

Therefore, the Village *Fono* Act gives *Pulega a Ali'i ma Faipule* (village councils) authority to impose fines to local criminal activities, so as not to overload the courts with petty crimes. Yet it does not grant the *Fono* the authority and power to mediate and negotiate with appellants for a win- win outcome. Such outcomes are ones that the *Fono* are capable of achieving through collective wisdom (*Tōfā Mamao*) and consensus (*Soālaupule*). This not only has the potential to maintain law and order, but also to develop stability and social cohesion through residents' adherence to the village *Fono*. For *Matai* and the *Fa'amatai* institution, this displays cultural and social values which may determine relevance, legitimacy and longevity of the traditional system of authority.

The discussions with the participants of Neiafu regarding the Village *Fono* Act were met with mixed ideas and beliefs. Firstly, the Village *Fono* Act was not public knowledge. Only two *Matai* had some understanding of it through attending meetings, but what the act contained and meant for village *Fono* was unknown. Secondly, the participants having been informed of what the act entails, established that the government is perhaps the barrier that the system of democracy and traditional leadership cannot be interwoven. This is based on the premise that the government has the upper hand to pick and choose where they want *Matai* input as well as matters where *Matai* authority is not required with little or no consultation. According to the *Matai* of Neiafu, it is a case of “*E togi le moa ae u'u le 'afa*”: “They want to act, but also have reservations”.

7.3.1 Village Fono Act Amendment Bill 2016

In 2016 the Ministry of Women, Community and social development introduced the Village *Fono* Amendment Bill 2016. The purpose was to amend the Village *Fono* Act 1990. The bill's objective states it is to “*Strengthen our culture to ensure stability in Samoa*”. This, the Ministry states, will be achieved through “strengthening the role of the village *Fono*, whilst ensuring the processes of the village *Fono* are in accordance with the constitution of Samoa”.

Two missing aspects of the *Pūlega Ali'i ma Faipule* in the original Village *Fono* Act 1990, were the power to impose curfews for each village, and direct punishment for its members. Despite the number of banishments in villages, this was not included in the Village *Fono* Act 1990. It is the authority of the council to order an individual or the family out of the village for a specified period of time as a result of absolute defiance of council laws and order or having committed a crime such as rape or murder. The length of time for such banishment is decided upon by the whole *Fono*.

Curfews are agreed times upon which each village administers in either a “no entry” into a village or inspection of visitors entering the village. These are usually observed in the evenings between 6-7 pm, in line with family devotions. The purpose for the village *Matai* to know incoming and outgoing people is to minimize incidents of conflict. This helps to reduce any trafficking of drugs and alcohol into the village from non-villagers. Many villages observe curfews however people who do not ordinarily reside in the village may defy village norms.

The Amendment Bill seeks to have these powers included in the *Fono* Act. This can be seen as a diplomatic way of acknowledging the *Pule* of the *Fono*. However, curfews and banishment will be met with tension and court cases particularly with people who "do not ordinarily" reside in villages, such as the example previously provided in Asau. The exemptions of these people create inconsistencies and tensions between *Pule a Matai* and democratic principles. The rules will apply to others but not all, creating a power struggle and or mockery of the *Fa'amatai* system. Perhaps the Amendment bill could have covered all people residing in the parameters of the village to be included in any of the granted powers to the *Fono*. This way the bill will be able to achieve its objective of strengthening the role of village *Fono*. The inclusion of limited *Fono* jurisdiction over particular people in areas will only create tension and conflict within the village.

Another aspect of the Amendment Bill 2016 seeks to allow village *Fono* the power to develop their own *Faiga Fa'avae* (constitutions and memoranda) of understandings or *I'ugafono*.

Once these are done each *Fono* is able to register them at the Ministry of Women, Community and Social Development (MWCSD) to enable its recognition by the court. Clearly stated in the bill is the fact that despite *Fono* registering their *Fa'avae* with the Ministry and being recognised by the courts, it does not legally align it with the country's constitution. In simple words, village councils are welcome to create village constitutions, but the courts will decide whether they are useful or not. On the one hand the perceived tensions this will create are significant, particularly following how the village of Neiafu perceived the Village *Fono* Act 1990. The clause creates an illusion of the legitimacy of the powers of the *Fono a Matai*.

On the other hand, the *Faiga Fa'avae* as proposed by the bill is not new by any means. This argument is founded on the grounds that every village particularly *Nu'u Mavae* (traditional villages) have always had a *Faiga Fa'avae* also known to the village *Matai* as *Pule Fa'avae* or constitutive authority as discussed in the previous chapters. It is based on principles and grounds each village was established with and what is seen by the village *Fono* as acceptable and unacceptable behaviour. Henceforth, allocating the penalties and fines for each one to be observed by everyone and administered consistently with the village *Fono's* support.

The village of Neiafu passionately discussed this aspect of *Pūlega Fa'avae* acceding that constitutive authority is the glue which holds society together. In their case, it is the foundation of Neiafu that has been unchanged and will remain that way if peace, stability and harmony is to prevail in the village. In fact, the village celebrates its 104th anniversary since their ancestors decided to establish a special annual service to celebrate village cohesion and accomplishments of its people. This as the *Matai* explained has been recognised as an aspect of the *Faiga Fa'avae a le Nu'u*. (cultural aspect of the village's Constitutive Authority). It is an ongoing celebration from generation to generation. There is no debate in its continuity and sustainability as changing it will no doubt bring a curse to the village if the *Faiga Fa'avae* is altered.

Hence the *Faiga Fa'avae* will not be new to village *Fono*. The only issue for each village council will be to have its constitution in writing as this was not the norm in *Faiga Nu'u*. The institution of *Fa'amatai* generates and passes on knowledge and wisdom regarding *Pule Fa'avae*, *Pule Fa'amalumalu* and *Pule Fa'asoasoa* through oral language “*Sā tu'u gutu ma tu'u taliga*”. This aspect of tradition and power were never written, but this also never changed or altered the information that was communicated from one generation to the next.

The villagers of Neiafu were supportive of having a written constitution, The *Matai* explained this as a significant factor that could bridge the gap between *Pule Fa'amatai* and principles of democracy. For example, if the *Fa'avae* of the *Nu'u* prescribes banishment as a punishment for adultery, this individual should not take the village to court, but adhere to the penalties stipulated within the village *Fa'avae*. This was evident in a case of a *Matai*, who did just that. The *Matai* understood his actions as well as the *Fa'avae* of the village. Upon the *Fono's* verdict and penalty, of which he was to be banished, he adhered to the decision and left, after a period of time he was allowed back into the village without the need for the court to intervene. Neither did it require a case of human right versus collective rights.

The unwritten constitutions of each village are highly respected as the supreme law-making mechanisms in the villages, to have these registered with the ministry will no doubt be celebrated by each village *Fono*. However, registration will not be enough for village *Fono*. Each villages' *Faiga Fa'avae* should be registered, acknowledged and given legitimacy by having them as the law-making instrument which governs the villages' everyday affairs.

“...it is appropriate for each village to have a constitution, have a written constitution to protect cultural protocols so that the government does not have any influence in village affairs and how things are run, that's the reason why there should be written

constitutions, for things like Samoan protocols, culture and lands and titles...” (Aunei Samoa, personal communication, 18th August, 2016)

In this case the court’s decision on village matters brought forward by individuals appealing village ruling should be based or aligned to the *Fa’avae* and *I’uga’fono* of that particular village. This forms a relationship between *Fa’amatai* and democracy through strengthening the role of village *Fono*. The courts may offer an alternative form of punishment, for instance a period of imprisonment in lieu of banishment. Using the village *Fono* and the constitution of Samoa, the courts are able to create a win-win situation which is able to satisfy the legal penalties as well as cultural and constitutive authority within each village.

Village decisions and punishments based on *Fa’avae* of a village are regularly questioned, challenged and criticized by the media, particularly on media outlets such as Facebook and Twitter. At times, *Pule Fa’amatai* are praised but in most cases are ridiculed and criticised for being greedy and materialistic particularly when penalties include provisions of food and money. In cases of banishment, village *Fono* are accused of *Pule Pule Tutu*, or authoritarian behaviour. For example, a recent photo taken at the presentation of gifts as a result of a village punishment in Neiafu was met with mixed feelings. While some were sympathetic to the perpetrator, directing their anger at the *Matai* for *Mana’omea* (greed), others accepted the village decision because it was seen as teaching youth a lesson, for such offences not to be repeated in the village.

“...whatever issues between the village and individuals it should be resolved within the village with the knowledge and wisdom of the chiefs and the person involved. The aim of the village council is to resolve the issue and maintain peace. When one seeks the help of the court it creates conflict between the two systems, but the reason why the village does not want issues like these ending up in court is to maintain the peace, that

all issues within the village are solved in the village, but if someone wants to take it to court then they are able to do so, but the outcome will determine their fate” (Lafaitale Faali’i, Personal Communication, 19th August, 2016)

7.3.1 Establishment of Village Constitutions

In light of this, *Faiga Fa’avae* (Constitution) of any village seeks not to make *Matai* greedy or materialistic. *Faiga Fa’avae* rules and penalties are established to achieve unity, peace and stability within the village. Penalties are directed to minimize criminal activity. For example, heinous crimes are given harsh penalties in order to teach a lesson which may sometimes include the punishment of the whole family. It also sends the message to the whole community that such actions will not be tolerated or lightly penalized. It is perhaps fair to say that *Pūlega/Faiga Fa’avae* and the respect of the majority of the Samoan public reserves for *Fa’amatai* and their leadership, is one of the key elements which holds the fabric of Society together. More importantly these are the rules and type of alternative power that have maintained and sustained the political stability of Samoa's democracy to date.

“...we grew up in villages where authority was well established during our parent’s time, but we do not see that anymore. Because of this, human rights, democracy, but within villages everyone gets along with each other which is why it will always be highly regarded in days to come” (Taatiti Manoa, Personal Communication, 19th August, 2016)

Indeed, the German and New Zealand occupations of Samoa in the early 1900s were marred by the evident defiance of Samoan *Matai* towards both administrations. Despite foreign systems of authority that were hugely localized within the Apia area, elsewhere *Fa’amatai* was respected

and practised. There were efforts to disestablish *Pule Fa'amatai* by the colonial powers. However, *Faiga Fa'avae* and *Pule Fa'avae* formed the one system that Samoan chiefs knew was relevant and applicable to the environment and context of the *Fa'asamoa* and their way of life.

This was also the mandate of the *Mau* movement, which fought to return the socio-political affairs of Samoa to that of traditional *Fa'amatai*. As described and discussed by Samoan academics, in 1923 New Zealand officers opened fire on Samoan *Matai* who protested against NZ administration by way of passive resistance, non-violent and unarmed. With nothing but their *Mau* uniforms, *Matai* were equipped with patriotism and commitment to self-determination. Simple *Matai* who wanted nothing more than a return to *Faiga Fa'avae* were shot dead with numerous others injured in the process.

Samoan *Matai* became victims of power supremacy, colonial mentality and cultural molestation in their own land, by none other than the West. Hence, the celebration of Samoa's independence in 1962 placed emphasis on ensuring the *Pule* the *Mau* movement fought for was upheld from generation to the next. Suffice to say, albeit the efforts by the *Mau* movement, the West later returned armed and equipped with yet another new system, that of democracy. It is a system that traditional leadership and *Matai* are still grappling with, as it has changed and challenged institutional normalcy. As a way of trying to align and reassure *Matai* of their *Pule*, such Act as the Village *Fono* Act and recently the amendment bill 2016 sought to highlight this.

In fact, another proposal to be included in the Amendment Bill is for village councils to give their approval before any building or activity can be undertaken in the village, such as building a shop or a church building. The bill states that if the *Fono* declines the proposed activity, an appeal can be taken to the Lands and Titles Court. The intention of the bill serves its purpose of strengthening the authority of the *Fono*. Seeking their approval reflects that *Matai* still play a critical role in managing everyday village life. Currently, there is no law which forbids families from building a shop, especially if it is on land owned by an *Āiga*. It should be noted that perhaps

the bill recognizes that there have been occasions where disputes have erupted over such activities. While shops may be a minor factor, the erection of churches and other developments such as beach *Fales* evidently requires *Fono* approval.

The rationale for this based on the research is for the village *Fono* to enable good management of village activity and relationships. Notifying and receiving approval from the *Fono* to erect buildings such as shops and churches may also guarantee the owners and operators of their safety. This means the *Pule Fa'amalumu* (protective authority) of the *Fono* will not only extend to them, but in order for this to occur, they must adhere to village rules.

Recent activity and decision making by the village of Saleleoga, has proven that village *Fono Pūlega* have the upper hand in laws within the village environment. The announcement made by the *Fono* to ban all Chinese-owned businesses reflects the *Fono's* authority and their desires to not only support their local Samoan business owners but also to protect their land from being leased to non-Samoans. Interestingly, Siumu village has also followed suit to ban any Chinese-owned and operated businesses from being established in Siumu. This can be the result of either *Pule Fa'avae* (constitutive authority) as well as *Pule Fa'amalumu* (protective authority) as *Fa'amatai* is concerned for the welfare and wellbeing of the collective and what best serves the interests of the village as a whole.

Nevertheless, this clause of the Amendment Bill will no doubt be contentious particularly by those in favour of democratic human rights and in opposition to village *Fono* rules. For an operator of a beach *Fale* resort, it may mean specific hours for the selling of alcohol within their premises and perhaps limited freedom for their guests on particular days and times. The same might apply for churches, such as those which require bands for their worship. Some obvious village rules which such activity may threaten include a ban on Sunday swimming as well as a ban on new churches allowed in the villages except for the three main denominations consisting of the Methodist, Catholic and the Congregational Christian Churches.

Constitutive authorities of each village *Fono* will have a specific set of rules around churches and other activities for the sole purpose of protection and ensuring stability and harmony amongst village people. A particular example is Neiafu, where according to the *Matai* the only church ever allowed in the village was Methodist. This is evident in the three Methodist churches which operate within different parts of the village and have been in existence for more than 100 years.

With the growing establishment of different and new churches around the country, one Neiafu family decided to set up a new church, an LDS congregation. Despite tension and conflict between the village *Fono* and the family, a church building was allowed as the family were considered "half caste". The building was only allowed to be built in a particular part of the village. Initially it was made up of the Burgess family, but today consists of other families and neighbouring villages.

However, the *Matai* of the village argued that for many years, as more and more Methodist families moved to the new church, in the practice of exercising their freedom of religion, problems had arisen. It was hard for the men to work the land, as vegetation and plantations were not bearing usual fruits. Taro and ta'amu became difficult to harvest, despite hours of labour in planting. In addition, the village's untitled men found it hard to find fish where it was usually abundant in the olden days.

Furthermore, the *Matai* revealed the increase in the number of deaths within the village, particularly those who had converted from Methodist to LDS. According to the *Matai*, this was a sign that the village was moving away from its constitutive authority. In doing so, the *Matai* were not able to exercise their protective authority, the *Fono* were not able to protect village protocols, resources, rules and its people. Despite Christianity and its values, cultural and indeed village ancestors and deities will always be present. Therefore, such *Faiga Fa'avae* need to be respected and adhered to, as such rules were determined by ancestors for the stability and cohesion of society.

Hence, the relevancy of the Village *Fono* Act to *Pule Fa'amatai* is tremendous. It is one piece of legislation which places emphasis on this traditional leadership and authority and recognizes it as a basis for ensuring harmony in the village. The effort by the ministry to use this as an avenue to strengthen ties between *Fa'amatai* and the government is commended. There has never before been a robust and clear relationship with government as well as bargaining power to negotiate with village people in terms of curfews, constitutive power and establishment of new buildings.

However, the so-called power of the *Matai* and village *Fono* that the Ministry alludes to via this bill may need more than just amendments in the Act as it is without its limitations. What the Act offers is goodwill between village *Fono* and the government. The village *Fono* will administer curfews to minimise crimes, as well as protect government officials and assets. The *Fono* will use their authority to manage minor and local conflicts but when such activities are taken to the next level through appeals, the democratic court system will no longer need the services of the *Matai* and village *Fono*. Despite village *I'ugafono* and *Fa'avae*, democratic processes, principles and values will prevail, and village constitutional documents may or may not be necessary to consider.

In addition, without effective civic education and workshops occurring around the country to inform village *Fono* of democratic processes and importantly the limitation of their *Pule* under this act, it may at some stage cause more strain rather than strength in the relationship between *Fa'amatai* and democracy. The limited power of the *Fono a Matai* to highlight the collective right of the village to settle a dispute or challenge the appeal of an individual in court thus becomes evident. This then also questions the significance and legitimacy of village *Fono*. If the influence of the *Fa'amatai* is only recognized at a particular level, does this have the potential to signal the end to their relevance as an alternative type of authority in Samoa? Certainly not as many village people rely on the authority of the *fa'amatai* to curb youth lawlessness, conflict and crime in public.

In relation to lawlessness and an absence of *Fa'amatai* there was great concern from the *Matai* regarding the increase in crime rates and criminal activity, particularly in urban towns and villages, has been a result of the proliferation of human rights, specifically with youth. The group's view was that, with a strong sense of these individual rights and the influence of the law, there has been an undermining of *Fa'amatai* which results in diminishing roles, responsibilities and authority of the *Matai*. The participants believed that this diminishing of functionality has created room for youth to engage in criminal and lawless activities.

This has also been illustrated by recent cases reported by the *Samoa Observer* around gang-affiliated activity among the youth of Vaimoso, an inner-city village. There was much concern by the villagers as well as nearby villages. The youth were acting carelessly under the influence of alcohol, leading to intimidating behaviour in the town area at night time. When the village council of Vaimoso heard of this punishment was ordered for the families of the youth involved. A few days later all the youth involved approached the village council and knelt before the *Matai*, asking for forgiveness. Their plea was accepted but the village mayor was adamant there would be serious consequences for future behaviour.

The Samoan police stated that gangs had indeed reached Samoa, but that the limited numbers of police meant they could not maintain peace in urban areas. They were very much dependent on village councils to help them deal with youth and minimise crime. This strongly shows the importance of the village council and the *Pule* they hold and practice that has the power of maintaining stability.

The types of punishment for crimes, depends on circumstances and village protocols. An example may be found in the village of Neiafu, where an altercation between two youths ended with a stabbing. The village council punished the perpetrator and his family ordering 20 sows and boxes of tinned fish. The case did not reach the court as it was handled by the *Fono*. However, a different village might deal with the same situation differently. The village council may order the

same penalty but also allow the victim's family to take the case to court. Such is traditional leadership, where there are alternative ways of solving conflicts and the court system is seen as the last resort only if the village council cannot come to a decision.

“But in the village the chiefs know which penalties will match the crime, if the crime is bad it calls for worse measure, but with democracy its very lenient with people getting away with a minor fine, but in the traditional system, we want to make sure that if it is something bad, it should receive severe punishment so that it doesn't happen again. That is what the traditional system is all about” (Lafaitale Faali'i, personal communication, 19th August 2016)

However, as the *fa'amatai* subsume executive, legislative and judicial powers and responsibilities all in one, there is a clear separation of the same powers within a democratic system.

7.4 Separation of Powers

The separation of powers within a democracy is necessary to avoid biases and favouritism. It proposes that each of the three functions of government should be entrusted to a separate branch of government. These powers include the judiciary, the executive and the legislative. Separating these three branches enables independence from one another keeping checks on corruption whilst protecting individual rights. However, although there is independence there is also interdependence in order to keep a system of checks and balances at bay for all powers and personnel.

The judiciary is the branch of government that has the power to make decisions on legal matters. In this sense, this arm of government is tasked with interpreting the law, thus the judiciary encompasses the courts in the country. The legislative arm of a democracy is parliament, also known as the debating chambers where policies and political matters are discussed and debated. This is also where laws are made. This arm is made up of members of parliament elected by respected constituencies.

The third arm is the executive whose function is to implement the law as well as execute the law. It is believed that a political system can operate in the absence of a constitution and assembly however it cannot operate without the executive arm, which has the power to formulate and implement policy. This branch becomes the face of leadership in the form of its chief executive officers. These include government ministries with whom the public mainly come in contact. Despite their interdependence, the separation limits the power particularly of the legislative to influence the judiciary and the executive.

In Samoa, again there is very limited public awareness of the separation of powers more so, for the *Matai* leading and advocating for the traditional system to be upheld. This was the case in Neiafu where *Matai* and participants expressed frustration and concern over their lack of knowledge about the different arms of government. They considered the government's

indifference to discussing these topics openly within *Fa'amatai* institutions to be a betrayal. The government had instead chosen to keep village councils and people in rural areas in the dark. The fact this was the case since independence was seen by participants as an insult and a total lack of consideration for traditional systems and perhaps the general public.

According to the participants it was one thing to be governed by a Western political system that they were oblivious to at no fault of their own, but it was another to operate within a democracy, and not be informed of what the system entails, including this separation of powers. One of the most important questions raised from one of the participants was that if the government had not done anything to address this in the last 30 years, when will it be done? It was agreed by them that huge amounts of details were not necessary, just relevant information that could enable them to discuss with other village people and within council. This was crucial for *Matai* to know, so they too could provide some guidance at the grass-root level.

In addition, the importance of the provision of enough information for the general public is crucial in order to be accepted and included in this democratic government of Samoa enabling them to identify what is under legislative, judiciary and executive. It was significant to the *Fa'amatai* to know what the functions of the three powers were and how they would be able to identify if one branch was abusing their powers.

It is evident that there are significant changes between the traditional rule of law as established and enacted by the *Fa'amatai* in their capacity to be the judiciary, legislative and executive branches all in one and the rule of law in a western democratic system. The most notable one being the emphasis of traditional rule of law on collective rights, whereas democracy focuses on the rights of an individual. Despite this contrast, there are implications for both systems to enable better understanding and awareness of the values and tenets they offer to create harmony within Samoan society. An in-depth analysis into participants' understanding of democracy and

ways *fa'amatai* operationalizes these western tenets in a Samoan context is discussed in the next chapter.

CHAPTER EIGHT

FINDINGS AND DISCUSSION: PART C

Democratic Understanding & Samoanizing Democratic Theory & Practice

“Ua a’e i fanua faiva o tausala”

“To conclude a successful dialectic discourse”

8.1 Constitutional Democracy

Although many will argue that constitutional democracy is a rather new term as well as a conjunction between two concepts, it has been used since the early seventeenth century, emerging in various forms in revolutionary times in England post 1640. It again appeared in the United States of America in 1776 following its Independence and again in the drafting of the constitution in 1787 (Dahl, 1998). It later re-emerged after the Second World War, a time when a democratic regime needed to be a constitutional regime at the same time. In contemporary political systems, democracy can be seen as constitutional in a variety of ways. In turn, constitutional democracies also continue to differ in contrasting ways. For example, the United States of America and the United Kingdom have constitutional democracies, but their legal and political institutions along with their practices reflect two separate entities (Held, 1996).

Despite this, constitutional democracy and its practices have been adopted by many states in North America, Europe the Commonwealth and most recently in the Pacific including Samoa and has perhaps become what we may call a “regime legitimator” (Dahl, 1999). In fact, countries have certain ways of incorporating democratic values and principles into their constitutions and finding

ways in which their constitutions can become democratic. In this regard, constitutions and democracy work in concert with each other. Democracy debates and validates the constitution, while constitutions provide a system of checks and balances for the conduct of democratic political activity and the separation of powers (Dahl, 1998).

Hence, a constitution is a legal document which refers to a set of rules that determines a state's practice as well as how institutions are organised, run and monitored in order to sustain internal equality, peace and stability (Held, 1996). Constitutions vary depending on the countries and what they see as priority and crucial to their governing system. As Bellamy pointed out, these "rules can be formal or informal, principled or pragmatic, written or unwritten, rigid or flexible entrenched or easily amended, and can either represent a higher form of law or be part of ordinary legislation" (Bellamy, 2010). They include rules which govern the Legislative arm of government, the political system or structure and elected members of Parliament. It also includes rules that allow the Executive arm of government to perform tasks and duties that enable safety and stability, as well as the Judiciary, which enables citizens to have the right to justice and a fair hearing (Bellamy, 2010).

There are countries which make claims to have superior and internationally recognized constitutional status because their rules are written and entrenched, like the US. However, this is hardly sufficient ground to be deemed superior. The most important fact is that the constitutional norms and rules whether written or unwritten requires ample acceptance, relevance and legitimacy among state officials and the wider population, whom the constitutional rules apply to (Lutz, 1982).

There are also countries which model democratic practice based on an unwritten constitution where rules therein are no less important than those bound in writing, like New Zealand (Willis, 2015). In countries that faced colonialism, decolonisation and a transition into self-determination with the adoption of western political systems, constitutions have also found ways to include and

accommodate indigenous peoples' traditional leadership systems, like the case of Samoa (Soo, 2008).

The relationship between the constitution and democracy is mutual. It ensures that democracy and the state operate in certain ways, to be inclusive, deliberative, transparent and accountable. It also promotes individual liberty, as is always the common priority in contemporary constitutions, and ensuring that in prioritising this, it may be done in a way that it depicts equality and fairness for all parties, and not just for the privileged few (Lutz, 1982).

The nature of this interaction therefore sees the constitution on the one hand as a mechanism which aims to support and promote the democratic process. On the other, democracy can be described as a working process which itself promotes certain constitutional goals. In this case it is safe to borrow the lens in which Rawls used to describe the link between the two concepts. According to Rawls, "democracy and constitutionalism are equi-primordial in the sense that the one entails the other" (Rawls, 1971). It is noted that in order to understand constitutionalism and how it effects and promotes democracy, it is necessary to acknowledge the origins of democracy which the world has come to recognise as both a concept and a practice that has enabled political systems to operate in.

8.2 Origins of Democracy

The term democracy has been so widely used, reused, invented and reinvented, that it has come to mean different things to different people in different places around the world (Dahl, 2015). Once again, the meaning can be grasped depending on the lens used by individuals. Robert Dahl (2015) makes the obvious point that democracy is not new; it has been discussed for about 2,500 years. Within these discussions, democracy has been debated, supported, attacked, ignored, destroyed and at many times has been established and re-established according to time, place and changes. (Dahl, 2015)

For the purpose of this study, I will stick with Dahl's definition and criteria for democracy as it is contemporary, and it is along these lines and the criteria he draws upon that many of the democratic systems around the world are based on. Although there are different kinds of democracy depending on political systems and structures, such as presidential and parliamentary democracies, unicameral or bicameral democracies, they all share the same liberties and virtues as common ground. For the origins of democracy and how the world has come to view the term, this research adopts the Platonic political philosophy to shed light on how it developed from what it originally was to how it is practised and viewed today. It is true that Plato was opposed to democracy, so he could not have been a so-called "father of democracy" (Dahl, 2015).

However, Plato's aspirations and desires for a functioning political system and government paved the way to arguably the embodiment of what a democratic system looks like today. Moreover, many democratic values and principles originated from Plato's Ideal State, as well as his philosophical beliefs and observations (Foster, 1935).

In its early years, philosophers theorized about the concept of democracy. It was not considered to be an actual political system for people to adopt and practice, but more of an "idea" for the government. But around 500 BC, systems of government providing for popular

participation by the majority of citizens were first established in several Greek states. These early democracies were built on foundations so solid that despite occasional changes and challenges, they lasted for centuries (Dahl, 1998).

In 507 BC, the city-state of Athens adopted a system of popular government that lasted close to two centuries. It was the Athenians who first coined the term *demokratia*, coming from the people (*demos*) and rule (*kratos*); therefore, it was “rule of the people”. At the time, “the people” only referred to the poor who made up the majority of the Athenian citizenry. In choosing their Assembly, which would be equivalent to the current legislature, everyone was able to participate except women, from therein the majority would select a few citizens for other public offices by way of lottery, in which all eligible citizens stood the same chance of being selected, without the hint of favouritism (Annas & Waterfield, 1995).

These are the primary characteristics of what is commonly known as Athenian Democracy. In contemporary terms, it is equivalent to participatory democracy. Greek philosophers, Plato in particular, saw that there would be a better opportunity for the participation of citizens. Furthermore, he saw that citizens tended to make better decisions if they were well informed. He therefore argued that with adequate understanding, people can act to preserve and more importantly advance political ideas and practices (Sartori, 1994).

As the Athenians adopted and enacted their system, a new system was also developed at the same time in Rome: that of a Republic. This term originates from the Latin word for an affair (*res*) and public (*publicum*). Therefore, a Republic was a structure which belonged to the people (Hansen, 1991). Unlike Athens though, the Italian system only allowed for aristocrats to participate and make decisions. However, with much struggle and public calls for participation by the majority, the plebeians, also known as the common people, eventually gained entry to participate in the city’s public affairs (Jones, 1957).

Despite the attempt of the Athenian rulers to create a system which satisfied the city-state, Plato himself was dissatisfied with the system. He saw the system as responsible for various problems in his city: battles, a great division between the rich and the poor, and more importantly the decline in freedom and absence of law and justice (Jones, 1952). In developing his political philosophy through *The Republic* and *Laws*, Plato explains that citizens of a state need to participate within their state actively; not only to promote life, but a good life (Annas & Waterfield, 1995).

Plato goes on to say that a state must be able to offer its citizens a degree of participation, because citizens have played their part by becoming a part of the state. In turn, it was ideally the responsibility of the state to raise citizens to the status they deserve (Klosko, 2006). Aristotle adds that a human being can achieve their full potential only through participation in a state. Thus, “man is a political animal- an animal by nature meant to live in a polis”. In this case, Plato assumed that individuals, who were capable of achieving their full development without having participated in a polis, must be either “more or less than human, perhaps either beast or a god” (Klosko, 2006).

Other elements of the Athenian political system which Plato was not satisfied with but yet hoped for was for the state to bring into existence the concept and value of virtue, the logic of equality, and to return to the path of justice and righteousness. Also important to Plato were the political values of stability and harmony, along with moral reform and institutional structure (Lutz, 2012).

Platonic thought also included values and principles that were desirable and obtainable only through philosophy, when philosopher kings are afforded the chance to rule and govern. The ideas and reinventions of democratic ideals which we have also come to familiarize ourselves with as “the universality of democracy”, had indeed found its roots in Greek society (Dahl, 1998). Athenian democracy coupled with the ideas of Plato and other philosophers such as Aristotle and

Alexis de Tocqueville have played a crucial role in shaping and buttressing democratic values and principles which we have come to know and practice today (Klosko, 2006).

8.2.1 Democratic Benefits

Many may argue that democracy produces desirable outcomes that have become defining aspects of many democratic governments. It enables citizens to avoid tyranny, establish essential rights and liberties, encourage self-determination, initiate moral autonomy, and enhance human developments. In addition, democracy protects essential personal interests, enforces political equality and in an increasingly globalized world, aims at achieving prosperity and peace (Held, 1996).

However, in parts of the world which have their own traditional socio-political structures, such democratic benefits may not be too attractive and convincing, in fact, they may even be seen as threats to the order and normalcy of society.

8.3 Research Participants' Understanding of Democracy

According to the participants, democracy is a foreign concept and practice that has eroded *Fa'asamoa* and *Fa'amatai*. The understanding from some participants was that democracy was an outside force, changing Samoan norms to conform to western ways. Another group claimed they had heard of democracy but had no knowledge of what benefits the system offered Samoa. The third group consisted of those who questioned when, why and how this democracy made its way onto the shores of Samoa, as well as questioning that if this was the system governing Samoa, what would become of *Fa'amatai*?

The participants, although aware of independence over 50 years ago, were not well informed to a level where they can fully participate in affairs of the country and decision making. This dilemma raises the epistemological question posed for this research about the nature of reality. It

becomes clear that the reality is the lack of information being disseminated to village *Fono* and to the general public concerning democracy. There have been little to no opportunities for the *Fono* and village people to discuss this foreign concept. In addition, there is a claim from the village of Neiafu that government officials only approach village *Fono* when they need assistance from the village. For Neiafu alone, there has been no record of any government officials or the members of parliaments approaching them to discuss or share information about such practice or ideology as democracy.

“...Democracy doesn't have a strong voice in custom and the Samoan way of life, custom is quite powerful. Democracy is confined overseas, its applicable to foreigners, but in Samoan custom and the Samoan way of life are quite powerful” (Tua'iaufa'I Sese, Personal Communication, 17th August, 2019)

Some conditions of democracy have already been discussed in previous chapters particularly elected officials and elections. These discussions revealed the difference between the traditional way of conducting elections and that of a democratic nature. It also discussed the understanding and interpretation from a traditional perspective of what elections entailed. In both cases, it revealed that the tension is a result of the lack of understanding and availability of information for the *Matai* and village to make informed decisions in a way that was deemed acceptable for a democracy.

What is acceptable to democracy however is the importance of the notion of freedom of expression, a democratic tenet that has yet to be discussed, yet one that requires attention as having the freedom to express anything clashes with cultural values and beliefs of Samoan society.

8.3.1 The Dilemma in the notion of Freedom of Expression

Freedom of expression as discussed with the participants is a crucial factor for a democracy. There was some agreement from the village on the value of being able to express oneself, however, like human rights the freedom of expression should not be used to question and challenge collective decisions. It is culturally recognized that in the expression of opinions, the individuals should be aware of the Samoan saying which is phrased "*E mau e fa'alele, mau e maitau*" While one expresses and discloses, there is one who is observing. In this case, trouble does not tend to brew with the expression, but with the content of what is being expressed. The village *Matai* of Neiafu explained the dangers of freedom of expression when expressing false claims to certain issues such as authority of the village *Fono* and outcomes of court decisions relating to lands and titles. This means challenging and questioning the legitimacy and relevance of such cases has the potential to create conflict between family members and create division in the village. Ensuring facts are correct prior to expressing opinions, is crucial as this may avoid harsh penalties and consequences of such democratic activity.

The village used the example of a certain *Matai*, who in this case will be referred to as X. In 1990, X made a national announcement declaring he was the *Sa'o* highest chief of his *Āiga Sa Moti* and claimed his lineage and connection to the title and the land associated with it. Where this might have been perceived as expressing X's opinion, his claims to the *Sa'o* were highly challenged by his extended family and the village *Fono*. As a result of a collective decision, X was faced with very harsh penalties that *Matai* still remembers today. They were confident the events which happened to this particular *Matai* would certainly be repeated if they too decided to express their opinions in such a public forum as national radio, particularly without the family or the village's knowledge or support. In traditional authority freedom of expression exists, albeit in a different form. For the village of Neiafu, like other villages, families are represented by a *Matai*. In a family setting, members express their views to their *Matai*, who then considers the opinions raised

and presents them to the *Fono*. The village of Neiafu, as the *Matai* expressed, has a certain structure and set up for the order of speeches and articulation of ideas.

Once the 'Ava ceremony is completed at a village *Fono* gathering, the first chief speaks, *Tuiaiaufa'i* he represents his *Āiga*. Second to speak is *Ta'atiti* representing the *Ta'atiti Āiga*. The order continues to the other four high chiefs. This has been the order chiefs have taken to express their opinion and those of their families since the village was established. The sequence of events and order of speakers not only represents honour and authority but also reflects discipline, stability and cohesion in society.

It speaks of a traditional authority that has withstood time. A system of organization and leadership that has persevered despite colonial and western influence. It is a very unique socio-political structure that is relevant and applicable to the context and environment only of Samoa. It was made clear by the participants that their *Fa'amatai* will not be applicable nor relevant elsewhere. The way *Fa'amatai* governs everyday affairs in its own environment is applicable only to Samoa. It may be used as a model for socio-political structures for other island nations but not all elements of *Fa'amatai* will apply as it depends on a nation's context, values and environment, much like how freedom of expression takes place in a traditional sense that may not be consistent with freedom of expression in the democratic sense.

“Samoa is based on traditional systems of authority and we are founded on God, so if traditional systems and Christianity are strong, democracy cannot beat that, plus democracy is for overseas, but for Samoa, no. The only reason why democracy has influence in Samoa is through the law, but there is no democracy in rural areas. Their democratic power will not reach us, unless a village has no traditional system of authority, then their customs and traditions will slowly disappear, and then they will

use the law, but for us in the rural areas, traditional systems have the authority”

(Tua'iaufa'I Sese, Personal Communication, 18th August 2016)

8.4 *Samoanizing* Western Democratic Criteria in Theory and in Practice within Village Fono

Dahl (2015) argues that there is a criterion to meet for a political system to become an effective democracy, this includes, associational autonomy, inclusive citizenship, civic education, representation and the availability of information to control the agenda. There is clear evidence that *Fa'amatai* in its processes and cultural protocols better effect and implement the criterion of this western system of democracy.

8.4.1 *Current Associational Autonomy in Samoa*

The right to form an association or an organisation with other citizens who share the same interests or goals leads to associational autonomy. It can be in the form of interest or lobby groups, independent political parties or activists. The study of political science classifies citizens into three types of groups which is usually evident in society and indeed democratic countries. Institutional groups are known to be part of government therefore they have influence in the system. An example of this is the military however Samoa does not have one.

The second group is the associational group made up of people who are vested in uniting together to pursue shared goals. These are known as interest groups which can differ in variety and are concerned with issues ranging from cultural, social, economic or political. Their influence is reflected and evident in participating on boards, administering government programmes or organising campaigns to challenge the government (Galston, 2001).

In Samoa's democracy, such groups are very limited in numbers. There is Samoa Civil Society, which seeks to influence the government, but with only limited success. At the time of the research, Samoa civil society, led by Fiu Mataese, was delivering a programme to inform the public about the government's proposal for the sale and lease of customary land. Their campaign is to provide options and discuss disadvantages of such proposals and its effects on Samoan land. In New Zealand's democracy, interest groups such as trade unions, Greenpeace and others play a vital role in influencing government policies relevant to their goals. An example is the government's consideration of the proposal to raise New Zealand's living wage to \$20.10, which the state made effective in April 2017.

The participation or the lack thereof of the Samoan public in such groups is not because of the lack of interest or public ignorance. Rather, it is due to the lack of public awareness understanding and knowledge of such groups' activities and their purpose and effectiveness as well as the people's lack of knowledge about how to participate in such forums. In other democracies citizens understand their rights and the numerous ways they can exercise them to influence the government. Samoa's democracy presents a very different picture. Perhaps if Samoan citizens were well informed through civic education regarding their rights and platforms they can use to challenge and influence the government, Samoan politics and democracy would not be in its current situation.

8.4.2 Associational Autonomy in Samoa's Fa'amatai

The third classification of the different associations is communal groups. Herein, characteristics are reflected in membership by birth and are embedded in the social, and in Samoa's case political fabric of society. These groups are established on the basis of traditional values and shared heritage. With such definition it seems village councils can be placed within this category of group politics.

Whereas institutional and associational groups are formed with voluntary membership, *Fa'amatai* is not just a group, it is one where membership is mandatory. Arguably *Fa'amatai* can perhaps be categorised within the institutional group as it is part of the machinery of government (provided the government approves) in terms of the Village *Fono* Act 1990. However, the institution of *Fa'amatai* seems displaced in this category because although it has absolute influence in local society, it fails to have the same effect in national politics. This is not by choice of *Fa'amatai* but because there is a huge gap evident between the highly centralized democratic system in Samoa and the significantly localized traditional system of *Fa'amatai*. The latter with the ability to influence the local system, while the former lack the same power in return.

However, a shift of *Fa'amatai* from the institutional group to the communal one does not allow it to influence policy. Unlike such groups in Italy where common values in Catholicism enable influencing powers, *Fa'amatai* is conservative and reserved in their approach. Due to the nature of *Fa'amatai* it is confined to its local village settings. Village *Fono* are aware of national political activities however without knowledge of what they are capable of contributing to, policies will proceed without *Fa'amatai's* influence and voice.

The structural organisation of a *Fono* means *Fa'amatai* are able to influence other groups such as *Faletua ma Tausi* or *Taulele'a*. They are autonomous within the village in its authority and power but are directly impacted on and influenced by government through policy and legislation. Thus, village councils enjoy the freedom to operate and collaborate internally but lack the avenues to do the same externally.

The village participants of Neiafu commented on a handful of issues which they wish the government would adhere to following advice from village *Fono*. They noted that the MP can be the avenue to get their message to the government but know of no alternative ways they can impact decision-making, such as exerting their influence as a collective communal force. An issue that was current during the fieldwork was the proposal by the government to sell or lease customary

owned lands. Being informed of how they can oppose this bill without violence, *Matai* of Neiafu were adamant that a petition would be written up for all to sign. This would inform the government that Neiafu Savai'i was not interested in their proposal.

An increase in such activity from other villages will stir up political normalcy in the government and no doubt call for more democratic ways in which citizens and in this case, groups can be involved in decision-making. However, it is noted that without an Opposition party in government, there is little chance for influence. Samoa currently has only one political party in Parliament. This means that all decisions by cabinet will go unchallenged as there is a majority vote from the ruling party.

In the 2006 elections, four political parties contested for seats in Parliament. These included the Samoa Progressive party led by Toesulusulu To'alepaiali'i, which failed to secure a seat after the elections. The Christian Party was led by Falenaoti Tiresa made up of mainly female candidates, which also failed to secure a seat. The Samoa Democratic United Party was led by the current member of the council of deputies Lemamea Ropati. After the 2006 elections, leadership had shifted to the late Saleimoa Asiata Vaai. This party managed to secure ten of the 49 seats in the house. The last of the four parties is the current ruling Human Rights Protection Party, securing 39 of the 49 seats.

Two years after the elections, a new party was established. Its primary purpose was to oppose the government in its plan to switch the road side from left to right in order to coincide with New Zealand and Australian driving rules, as the government allowed vehicles from NZ and Australia to be shipped to Samoa. The Samoa People's Party was formed and led by Toailoa Solomona, at that stage in 2008 its leader was adamant that their presence would be known in the 2011 general elections, as they wanted to challenge the government's decision making. By 2010, it had merged with the Samoa Democratic United Party, under the new name of Tautua Samoa party.

As a consequence, the 2011 elections saw a decline in the number of political parties from four to two, with the Tautua Samoa Party challenging the HRPP. This election saw HRPP take 36 of the 49 seats with 13 to Tautua Samoa. In the most recent elections of 2016, the same two parties vied for the 49 seats, which saw HRPP win by a victory landslide taking 35 of the 49 seats. The remaining 14 saw 12 join HRPP as they had run independently, while the other two were for Tautua Samoa. As the numbers were not sufficient to form a political party it was disestablished. Thus, Samoa was left with a single political party.

There was obvious party hopping evident prior to the 2011 elections, with members from Tautua moving to HRPP. However, this did not cause a stir as the voting public do not vote based on the party system, as argued in one of the previous chapters, according to the voting behaviour, Samoan voters vote for their relatives first and foremost. The recent 2016 elections could have been the same case, the 14 independent candidates had competed knowing exactly which party they would join, the winning HRPP. However, running independently meant they had no obligation to any of the two parties until after the elections. This also saved them from possible challenges or questions from voters. In addition, running independently meant they wanted to see which party would be victorious and then join to avoid party hopping.

As the decline in political parties has shown since 2006, it reveals either the lack of interest from the public to influence the government or the lack of knowledge on ways the general public can do this. It certainly does not help when every bill is passed by the HRPP government with little to no opposition, leaving no room for smaller groups to influence any of the decisions in parliament. There is very little hope for other smaller groups to do the same.

It is correct to say there is associational autonomy evident in Samoa. However, the activities of the past ten years also signify a shift in the attitudes and behaviour of the Samoan public. One theory is that the people's attitudes can be affected by factors including the lack of information for informed decision making, lack of political socialisation and lack of trust. All of these factors

occur when citizens are not informed; therefore, they are disengaged. In educational pedagogy, disengagement occurs because students are not receiving the message or lesson delivered by the teacher. In order to encourage participation and inspire engagement, alternative methods of teaching are developed. Alternatively, the old techniques need to be reframed to fit the context and environment of the students. Perhaps such techniques are required for Samoa's democracy in order to encourage interest, engagement and participation in political matters (Dewey, 2004).

Regardless, the decline in Samoa's political participation in associational groups and political parties confirms the social capital theory by Robert Putnam. He argued in his book titled *Bowling Alone* that the United States indeed suffered from a lack of engagement with the public. This led to a decline in voter turnout and political activity as a whole, suggesting that one major factor was the lack of trust in the government. Due to this, people are "bowling alone", living without the political discussions and debates that could encourage a shift in attitude and behaviour of a political nature (Putnam, 2000). In traditional systems of authority, there is sufficient evidence of engagement and participation during meetings. However, there is a lack of civic engagement at the national level. This can be a result of the lack of knowledge and capability in contributing to such political matters. Furthermore, where there is a lack of inclusion of all levels of society, there is a limited participation by the general public.

8.4.3 Inclusive Citizenship

Inclusive citizenship enables a country's citizens to be included in political activities and decision making. This inclusion occurs through debate, discussions, deliberations, decision making through voting and standing for office as well as influencing government policy. This as previously highlighted can be through association and participation in interest groups, lobby groups, non-government organisations and political parties (Battistoni, 1985). To be included as part of a country's citizenry, also reflects the extent of belonging to a particular government or

society. Not only does this ensure a connection is made between an individual and the government, it also creates a platform for the expression of political rights. The way these rights are practised can suggest the extent in which engagement and participation are occurring within a country which in Samoa's case is a concern.

In the *Fa'amatai* system however, there is inclusiveness of the village people through the families' matai, who represent their aiga into the village fonofono. Like the role of the MP, in a democracy, the *Matai*, serves to raise concerns and advocates for their family. Where representation in a democracy is concerned with national politics and parliament, *Matai* in the institution of *Fa'amatai* is mainly dedicated to local politics and village councils.

Decisions and local village laws are established within the village councils therefore all information concerning the smooth running of the village is shared amongst chiefs, other subgroups and families. Village people understand their roles in the *Fa'amatai* system and the institution plays their role of informing the village, training future leaders, advising on local laws, safeguarding village residents, resources and wellbeing.

The measure of successful inclusive citizenship is thus through the public partaking in activities that affect their everyday lives – namely through political activities, whether done directly or indirectly. In some cases, people can be socialised into participating in politics if individuals had an upbringing around families who engaged in political parties, interest groups, or protesting, then it is highly likely they would participate and take interest in similar events (Galston, 2001). On the other hand, for those who lacked political socialisation and little civic education about political matters, the chances of gauging political nous become very minimal if any at all. Thus, civic education plays a crucial if not the most vital role in increasing interest and engagement of a country's population. Therefore, it is fair to argue that without civic education there is limited inclusive citizenship.

8.4.4 Civic Education

Civic education is the key to successful democracies as it limits opportunities for government corruption. With politically educated citizens it becomes their duty to ensure that government is transparent in its processes and decisions, furthermore that members of parliament are held accountable for their actions and importantly inactions (Dahl, 1998). In this case, civic education is not merely about classroom teaching, although it could include this. Civic education is having the knowledge and understanding in government. It encompasses understanding civil liberties, citizen's roles, responsibilities and obligation to the government (Carnes, 2013).

In addition, civic education must impart to its citizenry the ability to fathom government's roles, functions and obligations. This knowledge means that citizens can be involved in their own governance and political affairs actively, no longer passively believing and accepting the dictums of others. Socrates explained that education done publicly is an act that has a “formative effect on the mind, character and physical ability of an individual”. John Dewey also argued that education is the development of all capacities in the individual which will enable him to control his environment and fulfil his possibilities. Advocates of democratic systems also highly regard civic education as not just schooling, rather encompassing civic education to include public discussions, deliberations, debates, controversy, availability of information and presence of other institutions of a free society (Battistoni, 1985).

This is where the bond between inclusive citizenship and civic education comes to light. They are interdependent in that in order for inclusive citizenship to progress, civic education is required. In order for civic education to be effective, citizens are needed. They both inform and measure the success of the other through actions, knowledge and practice. Therefore, inclusive citizenship and civic education have become not only tenets of democracy, but a requirement for a democracy (Dahl, 1998). Indeed, the opportunity to be knowledgeable and enlightened regarding

political matters should be deemed indispensable. It should be the government's duty to provide all the necessary means for the public to be well informed to participate in a political arena.

8.4.5 Civic Education: A requirement for Democracy

Civic education is therefore a requirement for a democracy, as it concerns the promotion of understanding of the ideal of democracy as well as commitments to values and principles of the system (Dahl, 2015). It is particularly imperative more so if democracy has been introduced into a country which historically has been operated by a traditional system of authority. In such circumstances it is deemed necessary to promote the new system with thorough discussion and questions by the public. In addition, it is also vital to negotiate and compromise effective avenues whereby the new system can be grafted in with the traditional system and vice versa. For countries that have moved away from the colonial period, their governments are tasked with finding a holistic approach to identifying and solving problems this political and social mixture brings.

It must be noted there is no need to promote democracy as the ultimate system without flaws, however, as it is accepted and adopted by many countries, it is vital to promote an understanding of its values and principles along with its responsibilities to its citizenry. In light of this, Aristotle stated in the *Politics* that for a democracy to fully work and be completely accepted and realized as a working political system, every member of the community must share in its governance. That is, citizens have a civic role to participate in government whereas government has a duty to provide civic education in return (Carnes, 2013)

The centre for civic education and organisation whose mission is to promote an enlightened and responsible citizenry for democracy in the US, categorizes civic education into three phases. Not only are they vital for a democratic country, but they are also required for critical, informed, and effective participation and decision-making. The three categories include: Civic Knowledge, Civic Skills and Civic Dispositions.

Civic knowledge is concerned with the level of understanding and what citizens should know about the democratic system by which they are governed. This understanding could include knowing what the system entails, its responsibilities to the people, its purpose, and how the public could be included (Gutman, 1987). It should also give citizens an understanding of the country's constitution and how this is relevant to the government, the purpose and functions of a constitution as well as rights and responsibilities of the public under or within the constitution.

Samoa as mentioned earlier has been praised by neighbouring countries in its ability to sustain their country under a democratic system, albeit influenced by traditional *Fa'amatai*. However, what the region fails to recognise is whether the population fully accept this “democratic system” and whether the citizens are fully informed of civic life, rights, and obligations.

According to social media, Facebook comments, Letters to the Editor in the *Samoa Observer*, and conversations with families and friends as well as the village of Neiafu, there are major concerns around the knowledge gaps people have in relation to democracy in Samoa. The constitution of the independent state of Samoa is an old document. It stands as the nation's code of ethics in governance, documenting individual rights and liberties, the separation of powers in government. It highlights the role of cultural values, including the place of Christianity in society. In all, it is the supreme law-making document in the land, enabling stability, predictability as well as order to the actions of government.

Nevertheless, this is not general knowledge as would be hoped, particularly in a democracy tasked with ensuring this is understood by its population. Perhaps it is fair to argue that because democracy is a foreign system promoted as beneficial, it suppresses the public from questioning what it entails. Much like the belief of a substantial proportion of the Samoan population who knows that there is a constitution, but never questions how it might apply to them. This was indeed the case in Neiafu, where participants understood there was a *Fa'avae* (Constitution) but were not aware of its importance and whether it was applicable to village life, in particular *Fa'amatai*. This

highlights three vital facts. First, due to the lack of understanding of the constitution, there is no national connection of the individual to their government. In contrast, the *Fa'amatai* may not have a written document as their constitution, but there is still constitutive authority. They are bound by this constitution locally and, importantly, understand the role as they are constantly reminded and have been socialized into it through the institution of *Fa'amatai*.

Secondly, without complete knowledge of the constitution, there is no inclusive citizenship where citizens understand their rights and how they fit into the political spectrum as part of the governance system. In traditional authority, the social structure that organises individuals into groups provide villagers with a sense of belonging and inclusivity. Herein, they are part of a functional organisation with clear roles and responsibilities which defines them as a *sui ole Nu'u* (village member). This is evident in the social strata, grouping *Matai* together, women, untitled men, unmarried women and children. Not only does it form a local bond but provides a system of safeguard and security.

Lastly, what the limited understanding of participants show in relation to the constitution reveals, is one of the major reasons why there is tension between democracy and *Fa'amatai*. One example is freedom of religion. The constitution states individuals have the freedom of religion. Whereas this might go against village rule, without the council's knowledge of this, can lead to severe punishment that has the potential of being escalated to a court case of individual rights versus collective rights. However, if there was prior knowledge of the *Matai* regarding this fact in the constitution, village *Fono* may find alternative ways of dealing with this in a manner that serves the best interests of both the village and the individual involved.

In fact, there have been cases like these, for instance in the village of Salamumu where one family was ostracized due to their exercise of freedom of religion. This family was severely punished because the village council neither accepted nor understood what the constitution stipulated with regard to religious liberties. The village *Fono* were served with a blunt reality

check when the court ruled in favour of the family, citing the inclusion of this in the constitution of Samoa.

This has become a real problem in Samoa where the lack of knowledge creates confusion that has led to conflict and violence, but it is an issue that can be addressed politically and culturally through the Members of Parliament.

The roles of Members of Parliament in each constituency are critical as they are responsible for articulating the concerns and interests of the constituency. Members of Parliament become representatives of each district. Their role in the debating chambers is to advocate, negotiate and compromise for the good of all. Although they represent a particular constituency, once they are in Parliament they act as a representative for everyone. If they are in the ruling party, they advocate for the welfare of the nation. When they are in the opposition, they argue and debate to safeguard the public, particularly if bill proposals are too ambitious and unrealistic, with the negatives outweighing the benefits.

As discussed earlier, because the participants were not informed of this, the result is voting for either family member or village candidate. The belief among participants that voting for their relatives would benefit the family was a result of a lack of information regarding elections and representation. One of the concerns that the village participants highlighted was their belief that the constituency representation was only in government to serve them, not the whole country.

“The government will never be able to inform the public well about these things because then we will know what they are up to, it takes a smart and reasonable chief to know these things.” (Aunei Samoa, Personal Communication, 16th August, 2016)

This shows the failure of the government for over 50 years to provide adequate civic education to the public. In fact, it should have been an element of postcolonial nation-building to

fully educate the country in preparation for democratic ideals and principles. In Greece, Plato's observations during political turmoil in Athens convinced him to turn his back on the Athenian system of governance (Galston, 2001). He proposed a system whereby the government was responsible for equipping its citizenry with knowledge of government affairs. In return the citizens, having acquired this knowledge, would play their role in participating in society, being able to identify flaws in a political system. Plato stated that if the institutions of civic education are weak, there is only one satisfactory solution: “they must be strengthened” (Klosko, 2006).

Fa'amatai in comparison to democracy has operated in Samoa for generations. The *Matai* make up village councils much like the legislature. Village *Fono* becomes a place of discussion, debate, negotiation compromise and at times ridicule. The only major difference is where democracy has a separation of powers, *Fa'amatai* serves as the three powers in one. There is no such doctrine as the separation of powers. All decisions, deliberations and punishments are collectively made in the best interests of the village. In doing so, all *Matai* become accountable to the village if they are seen as biased and unfair.

Though the *Fa'amatai* system does not distinguish between the three branches, there are however, certain tasks and responsibilities allotted to certain groups. For instance, the talking chiefs decide punishment, while the *Taulele'a* (untitled men) ensure that penalties are administered. The high chiefs ensure that external village relations are upheld while the talking chiefs (orators) are responsible for oratory and gift-giving. While democracy's executive branch provides different services to the nation, *Fa'amatai* also provides a range of services through other groups such as *Taulele'a* who tend to the land and ensure the village is fed. The *Faletua* and *Tausi* are responsible for health, welfare and beautification activities.

8.4.6 Civic Skills

Civic skills as framed in a Western context include both intellectual and participatory skill. These can be attained and learned by a citizenry after early and effective civic education or political socialisation. Any democracy's objective is to achieve development within a country – not just economic development, but more importantly civic and political (Gutmann, 1987). When citizens are developed and equipped through deliberations, economic development becomes inevitable.

To participate and be engaged in any political matters, an individual must know their role in a discussion, to voice their opinion and concern, to challenge and question the given topics. However, to actively take part in politics citizens are required to understand their civic rights which include their personal, social, economic and cultural rights. These rights entitle them to participate effectively in decision making as well as influencing government choices and proposals (Battistoni, 1985).

Personal rights belonging to any individual includes the right of expression and thought, the right to be at liberty of movement, travel and residence. This is pertinent to discourses in Samoa around the right to religious affiliation. These are rights that can be expressed both privately and publicly, provided that the expression of such freedoms does not violate the rights of others.

Political rights are the freedoms afforded to citizens of a country enabling them to speak out freely, assemble and protest peacefully. It enables people to present submissions to Parliament, as well as rights to vote in elections and contest as a candidate. These rights can also be expressed privately and publicly (Galston, 2001).

Economic rights of individuals comprise the rights to employment, use and purchase of property, establish a private business and be a member of a union or organization. It enables a population eligible to work to gain money and access to wealth and entrepreneurship.

Social and cultural rights are not mentioned in many definitions of citizen freedoms perhaps because not all western democracies have “cultures”. In contrast to societies onto which

democracy has been forced, such communities have had traditional systems which govern socio-political affairs. Samoa is one of these societies, where history and context reveal the significance of social and cultural rights. These consist of rights to observe and practice traditional norms. It also gives people the right to maintain and preserve what is left of their traditional leadership systems, as this is a significant part of their Samoan identity.

Though these rights are necessary and required for an effective democracy, in Samoa's rural areas, and in particular Neiafu, apart from voting rights, others are unfamiliar. For *Matai* of Neiafu, there is no such thing as a sense of entitlement, rather the freedom they enjoy at the local level are God given rights. Therefore, they are earned from the divine creator.

The village participants had heard of protests against the imposition of Value-Added Goods and Services Tax (VAGST). However, none of them participated as they were not employed by the government at the time. They did not know that VAGST affected them as well through the increase in prices of everyday items such as sugar and flour. The protest against the road switch was reported through the radio, and again the participants felt they were not able to join as they were not business owners and operators in Apia. Such interpretation due to the lack of clear information may have been the exact case elsewhere in the country, thus, limiting the people's chances of participating effectively in crucial political matters. The lack of understanding and knowledge of how democracy can work in favour of the people has the potential to widen the gap between democracy and traditional authority. A result this conundrum may produce is the enabling of "manipulation" by the government of both democratic principles and traditional values to suit their interests. This then highlights how important it is for the general public to have the ability to identify corrupt and unethical behaviour of those who represent them in Parliament, as well as their own ability to negotiate with the government through activities such as lobbying.

8.4.7 Civic Disposition

The last tenet of civic education consists of the behaviour and characteristics of citizens, both private and public known as civic disposition. Recognition and knowledge of these traits enables society to work together and provides the opportunity for democracy to function well (Galston, 2001). Having understood the first two tenets in civic knowledge and civic attitudes, dispositions can be achieved. As discussed earlier, civic skills can be acquired through the different life stages of an individual and their surroundings.

In the context of democracy, civic dispositions in the private sense include self-discipline, moral responsibility, judgement and respect for all human beings regardless of age, sex, and culture. In the public realm civic traits are considered as having public spirit and the ability to relate to others within Society. It also encourages people to respect the law and examine and analyse the law critically, as well as the ability to listen, negotiate and compromise for the good of all (Dahl, 1998).

These public traits are quite visible in a democracy, where its citizenry is well informed of government operations and affairs. The most notable was the will of the public to negotiate and compromise with the government. This is invaluable albeit only societies and the public who have acquired knowledge through the process of civic education. This is not to say private traits are naturally acquired. It is possible to learn these traits within the family. However, its effectiveness can be measured significantly when individuals deal with others in both public and private forums. Moral responsibility can be an individual virtue, yet perhaps this trait will only be realised when something is done for another person that is deemed to be morally responsible (Galston, 2001). An example of this is telling the truth and paying the penalty for actions rather than lying and letting an innocent person be blamed and face consequences. Not only is the individual doing what is moral, but they are also being morally responsible. It involves aspects of the disposition in both a private and public manner.

These traits nevertheless can be obtained and improved significantly to deal with people and government if they were delivered through civic education. This may be accomplished by providing information and discussion forums, identifying what is moral and ethical, commenting on actions as well as acknowledging this good behaviour with praise. Thus, understanding personal and public dispositions can lead on to acquiring personal and civic responsibilities. The combination of these traits becomes an integral part of a democracy, and indeed being part of this institution (Battistoni, 1985).

Arguably, some may agree such traits and responsibilities are learned and nurtured from within the home and should not be the responsibility of the state. On the other hand, if it is a new phenomenon with a certain structure and foreign beliefs and practice, it is therefore the state's obligation to discuss, inform and negotiate on how best to accommodate such practices. It should be more so in cases such as Samoa, where not only is democracy a foreign notion but also because of the country's traditional socio-political institution. Despite this there was and still is an absence of actions taken by the government to prepare for such forced insertion of democratic values and principles.

8.4.8 *Fa'amatai and Civic Disposition*

Nevertheless, *Fa'amatai* as a social institution continues to inform, equip and prepare its local citizens/residents to become caring, nurturing and morally responsible people. In addition, these institutions are nurturing young men and women to be attentive to public issues, decision making, voting and to take on leadership when appropriate. All of these personal and civic responsibilities and traits are learned within the realm of the *Fale o Matai* (House of Chiefs), without the help of central government. The appealing aspect of this is the fact that the institution of *Fa'amatai* seems to be well ahead of democracy in terms of structure, principles and practice, particularly in terms of an inclusive and informed citizenry.

Notwithstanding the fact democracy has a separation of powers like that of *Fa'amatai*, perhaps it is fair to say that the government seems to focus on the promotion of democratic tenets with little knowledge of the foundations and why they are important. On the other hand, *Fa'amatai* are premised on the notion of *Soālaupule* (Consensus) and *Talatalaga* (Dialogue) where *Tōfā Māmao* (Wisdom) and knowledge are sought to inform and share information with its village people. This means it is not in so much as just promotion, rather it is discussing and negotiating for effective understanding that is usually passed on from one generation to the next. For the *Fa'amatai* the effective way of sharing this understanding and information is through its own structure, where not only is information available but there are also alternative ways of passing this on.

8.4.9 Alternative Sources of Information in a Western democracy

The availability of information regarding government political policies or political processes is a debatable issue. On one end, where the government is concerned, there is enough information particularly with the government owned newspaper *Savali* and Samoa broadcasting radio station which serves the whole country. They may also argue that there are numerous private television and radio stations as well as the most read newspaper, the *Samoa Observer*. These media channels present current affairs and up-to-date news. However, matters concerning laws for the general public, political processes and government accountability and transparency are reported by the media but rarely addressed by the government.

The *Samoa Observer* is the most active media outlet in reporting government affairs, alerting the Samoan public to government policies and the rule of law, in particular when they are abused by officials and Members of Parliament. It is the only media outlet willing to challenge and question government actions, processes and decision-making in the country. Whilst there is a government owned newspaper, *Savali*, this is arguably the avenue which highlights government

affairs nationally and internationally. Being government-owned, bias and censoring of content is easily detected. Hence the media plays a pivotal role in informing the public locally and internationally. But apart from media outlets there are very limited avenues available and accessible for dissemination of information relevant and useful for public decision making.

Apart from direct reporting via the media, democracies come up with other ways of dissemination of information with the public. Regular meetings set up by members of parliament for their respective constituencies are an effective way of sharing information with the public. These sessions are open to everyone who wants to understand and ask questions about government priorities, what laws have been passed and policies which have been signed off. In New Zealand, newsletters by MPs form another avenue for notifying voters of upcoming political events and ways to participate in politics. In addition, there is also a face to face opportunity for people to ask local MPs questions regarding political affairs. Thus, in New Zealand democracy, local MPs are very visible in local fairs, cultural festivals and community events.

In Samoa's democracy this is not the case. Apart from the media, some information is shared during meetings requested by a particular government ministry where one representative of each *Fono* attends. Given the number of participants in such meetings it may well be a challenging time for village representatives to ask questions or ask for clarification. Not only does the size of the gathering affect the time government officials present and answer questions, it can also become an opportunity for village *Fono* members to claim honour and modesty. That is, there may be unasked questions in fear of being embarrassed, that the question might bring shame to a particular village *Fono*.

The *Matai* of Neiafu agreed. According to them, these meetings can be complicated, especially if there is no prior information provided to them so they can attend and be prepared. As a result, representatives arrive unaware of what to be expected. As there is little time to process given information, it is very difficult either to comprehend the extent of the given material or

formulate questions. Moreover, there is a belief amongst participants that asking questions or challenging government officials in public may lead to misperceptions of them as being ungrateful and disrespectful to government.

The importance of alternative sources of information gives the public awareness of not only being informed but access to it in a timely and convenient manner. This was seen by the *Matai* of Neiafu as critical if the government wants cooperation and support from the village at grass root level. At the time of this research, there was a meeting scheduled for the representatives of each village *Fono* to congregate in the village of Salelologa. The meeting was regarding issues around customary land, this was the understanding of the village representative. There was no agenda provided or any summary of what was to be expected.

Nevertheless, these central meetings as governments may argue, reduces cost and saves time by attempting to contact every village *Fono*. However, a village representative will not have the same concerns and questions other village people may have. Given there is no information provided prior to such gatherings, village *Fono* have no way of meeting to gauge any village concerns or questions for the representative to take. This may limit the effective flow of information.

As a matter of fact, one of the issues raised by the village of Neiafu was the quality and quantity of information government officials and the MPs disclose to village *Fono* representatives. *Matai* at the workshop were adamant that perhaps there are times when the government picks and chooses what information is shared and what is kept secret. This is dangerous and an unethical act as it can lead to uninformed decision-making, creating problems within Samoa society.

In light of this, in the past three years the government has encouraged Samoan customary land to be leased to companies, government and foreign corporations. The government claims that this practice makes use of the land for development whilst the family in ownership receives money. When the lease comes to an end, the customary land will be returned. This has been the sales pitch

by the government to date. Despite numerous questions and criticism in the media, the government has affirmed there is no intention of misleading the people of Samoa.

This argument by the government though, has been met with scepticism and concern from the Samoan Civil Society (SCS), led by Fiu Mataese. Whilst the government is encouraging the lease of customary land, SCS discourages the practice for various reasons. Nonetheless, the information and reasons provided by Fiu Mataese are crucial as it questions whether lease of customary land is legal and for the best interest of the family. Hence the government in its own interests promotes and encourages *Matai* to lease their land as it bears advantages for families. However, no information is provided regarding the potential disadvantages of this practice, such as families losing their customary land forever if head *Matai* are not well-informed regarding land lease.

In contrast, the SCS group in response to the government's land initiative have also started calling meetings. Fiu Mataese has appeared in the media, both television and newspaper to share information relevant and pivotal to Samoan customary land, specifically advising *Matai* to hold on to their *Measina* (Treasure) and *Fa'asinomaga* (Heritage). Mataese has also spoken at numerous conferences to promote and share the information, more importantly he has started to conduct meetings with village *Fono* to make contact with those whose future may be affected by leasing their customary land. Such *Fono* brings *Matai* together in a spirit of *Fetūfaa'i* (sharing of information), not merely government passing on what they want the people to hear. This has enabled questions and concerns to be raised as well as giving people time to think and understand the reality of leasing land.

8.4.10 Alternative Information in Fa'amatai

In contrast, the traditional leadership of *Fa'amatai* has the ability to not only provide information for its village people but also enable mentoring within the institution. The structure

of *Fa'amatai* and indeed the whole village setting is also the way information is communicated. This ensures information is effective and timely. In the *Fale o Matai*, information is passed from the *Pulenu'u* and talking chiefs to the rest of the *Matai*. As *Matai* are the heads of each family the information is passed from them to the extended families. In the women's group it is the same. As a result, all sub groups of the *Nu'u* are well informed of local activities.

Village decisions, proposals, rules and laws are announced in village *Fono* with occurrences varying from village to village. Others prefer regular weekly meetings, other villages fortnightly or monthly. When announcements and urgent meetings need to be called outside of the village's usual meeting time, a messenger is called upon. Their role is to ensure every family in the village receives the specific message, the *Matai* themselves refer to this as "*E Tū Manu ae le Tū Logologo*" (When a message needs to be delivered, it is guaranteed it will be delivered regardless of time and place).

No information is hidden or withheld from the village people. An example of the practice of *Taulogologo* (Inform) was the research in Neiafu. Once the *Pulenu'u* was informed and access was accepted, the *Fono a Matai* was informed to gauge their interest and participation. It was announced in the *Matai* only *Fono* and passed on to the women's group as well as the untitled men via the leaders of each sub-group. In addition, it was also followed up by a *Matai* delivering the message to families who were very interested and wanted more information. Hence the turn up was significantly more than the required numbers. This reflected the effectiveness and willingness of the village *Fono* to keep everyone informed as well as ensuring the correct information was provided.

When a *Fono* is conducted it is done so in an open *Fale* (house) although the *Fono* requires *Matai* only, speeches, negotiations and decisions are made public. The village *Fono* of Neiafu agrees on a *Matai* to document village meetings as well as all other activities the council is involved in. To assist with future reference and to avoid any confusion and conflict- decisions of

court cases in the lands and titles court are also recorded in writing. These records are easily accessible by going through the village *Fono*. Village *Matai* expressed that the council has nothing to gain or lose by withholding any information that may be useful for the village as a whole. When there are questions and concerns regarding their actions, they are open to answer them. During *Fono*, concerns and pending decisions are brought to the table in what is known as "*Lumamea*" (Chamber). "*E folasia manatu i lumāmea aua lona Soālaupuleina.*" (Pertinent issues are brought to the chamber for discussion and deliberation).

Due to this process the village *Fono* do not require any other alternative sources for the provision of information pertaining to the *Nu'u*. Records are accessible and *Fono* meetings are audible with decisions announced to heads of families. *Matai* of Neiafu argue that their *Fono* processes are transparent but this will not stop them from providing or creating ways of obtaining information required by residents. This shows the importance of dialectical exchange in Samoan Society- a process that is normal and cultural to enable the sharing of information and passing of knowledge from elders to the emerging *matai*. In this sense *Faamatai* is well ahead of western democracy.

Interestingly, Plato delved into the importance of sharing information amongst a population as it helps to generate discussions, debate and inform decision making. The case of Samoa seems to be the kind of challenge that can be faced by any democracy whether new or old. If citizens are uninformed, misled and participation is obscured by a lack of knowledge of politics locally and internationally, it may lead to occasions of believing and voting on the basis of uninformed promises and the desire for money and assumptions (Klosko, 2006)

A proponent of effective and efficient information, James Madison, a democratic theorist argued that understanding and knowledge through the dissemination of information is crucial to an effective and active democracy. Information was indeed necessary to be provided and accessible for any country's citizenry without government censorship. Madison claims that

without relevant timely and consistent sharing of information, the citizens would lack any interest in being active in the political affairs of any state. However, such alternative sources of information or sharing of knowledge are non-existent in Samoa's democracy (Gibson, 2005). As summed up by one of the participants;

“In my opinion if there is understanding, the village will cooperate with the government, if we are well informed and the information is transparent, there will be a good outcome...”.
(Aunei Samoa, Personal Communication, 18th August, 2016)

8.5 The significant role of Christianity in *Fa'amatai* and Democracy in Samoa

One of the most interesting elements which surfaced during the research albeit very unexpected was the role Christianity plays in both the *Fa'amatai* and democratic government. In the *Fa'amatai* environment it is very visible in how church ministers interact with the village, as well as the influence they have as representatives of God. They assume the highest positions within village affairs. This is a changing dynamic from the cultural and historical environment where the *Matai* held this status until western influence reached Samoa through Christianity and colonisation. It is therefore no surprise that Samoa's national motto is “Samoa is founded on God) (*E Fa'avae I le Atua Samoa*), despite Christianity being a western concept and influence.

Decisions by the village *Fono* prior to the arrival of Christianity were final and unopposed, regardless of its severity. Yet, with *Faife'au* in each village, *Matai* have been at most times forced to evaluate their decisions and punishments given pleas from church ministers to reconsider their penalties. This reconsideration as they request is based on the Christian value of forgiveness (*Fa'amāgalo*). The belief remains that people learn from their mistakes and should at least be given a second chance as Jesus has sacrificed his life for humanity to receive forgiveness. Indeed,

this principle of forgiveness originating from Christianity becomes the common factor which bears an eloquent influence on both *Fa'amatai* and democratic practice in Samoa. Nevertheless, theologians may argue that in truth forgiveness is not included in the seven virtues of Christianity. The Samoan socio-political context proves otherwise, but this might be related to the fact Samoa had its own process of seeking peace from another party when there was wrongdoing. This was known as *Ifoga*, where one party offered gifts as peace offering to another which was highly influenced and emphasised by the principle of forgiveness in Christianity.

In the village of Neiafu, the *Fono* reserves space and time within the *Fono* for the *Faife'au* to have their say if they so desire. When there are talks of banishment, the *Faife'au* not only plays the role of spiritual adviser asking for leniency from *Matai* but can mediate between the affected individuals and another party. Each village *Fono* operates differently from the next as they seem to consider what is best for the interest of all as well as what is relevant to the context and environment. Whereas Neiafu chooses to reserve space for the *To'oto'o ole Faife'au* (Minister's time to speak) other villages might not have this specific opportunity open to the *Faife'au* in their village community. A significant number of cases and decisions by village *Matai* have been overturned because of *Faife'au* asking for forgiveness on behalf of the affected individuals. Older chiefs of Neiafu remember how one particular *Matai* was saved from being burnt alive only through divine intervention. The church minister of the village knelt before the village mayor to beg for forgiveness. Only then was the individual removed from the earth oven.

In the absence of *Faife'au* in detrimental decision making, there will be at most times the element of *Fa'amagalo* which goes hand in hand with *Ālofa*. This is reflected in all stages of Samoan society, from families at the local level right through to the national level. This reflects how much Christianity is embedded in the Samoan way of life influencing decision making in both a traditional and national sense. For example, when the former Minister of Finance Faumuina Liuga was criticised and questioned by the general public for corruption, the government did not

hold him accountable for the inappropriate use of funds. Instead he was pushed to resign where the element of *Fa'amagalo* surfaced. The PM was the first person to ask the public for forgiveness, because Samoa was a nation founded on God. No charges were laid against him and there were no restrictions against his political candidacy in the 2016 general elections, where he regained his seat. However, a handful of people in the district of Palauli might argue that Liuga's win was secured only by election "match-fixing".

An important part of the research was the open discussion of how the democratic system influences *Fa'amatai* in Samoa. There is indeed a power struggle between the two, with democracy winning at the national level. However, it became very evident there were not just two systems vying for power, but also the significant influence of Christianity.

The participants were adamant that Samoa is first and foremost governed by *Matai*, who derive their authority from God. Christianity goes hand in hand with *Fa'amatai*. Therefore, the country was governed by democracy, and *Fa'amatai* in concert with the churches. In fact, the participants were confident that Christianity and *Fa'amatai* should be the only systems governing Samoa, instead of *Fa'amatai* and democracy. Their rationale was that the values of *Fa'asamoa* were similar and at most times in sync with those of Christianity, and vice versa. The *Matai* explained that both *Fa'amatai* and Christianity are enveloped with *Ālofa* (Love), *Fa'aaloalo* (Respect), *Fetausia'I* (Compassion) and *Fa'amagalo* (Forgiveness). These values, they argued, are not found within the democratic western system of government. Another argument was that Christianity and *Fa'amatai* are largely compatible and interdependent for the smooth operation of everyday affairs in Samoan society.

"It is only because of culture, the church depends on culture, culture also gives the church authority, these two things go together they cannot be separate. If the village decides on 100 sows but the church minister requests leniency, it can be changed. You

know our meetings at the meeting grounds, there is the opportunity for the minister, that is where many crimes are forgiven, but if the minister does not make a request, then they agree that the penalty is appropriate” (Aunei Samoa, Personal Communication, 18th August 2016)

An illustration of this dependency and compatibility can be seen during the process of *Fa’afotu Tupu*, the ceremony of bestowing a *Matai* title. In this ceremony, the main people include the *Matai* of the village who provide cultural legitimacy to the title being bestowed. Their oratory acknowledges their history, genealogy and provides hope for the future as new *Matai* holders. However, this traditional *Fa’amatai* process is never complete without the influence of Christianity through the blessings and service provided by the *Faife’au* to officially confer the title. In this sense, the essence of the relationship between *Fa’amatai* and Christianity legitimises the other. In the same sense, one becomes relevant to the other in a way which is impossible to separate. Nevertheless, perhaps this is not new given Samoa had its own traditional way of worshipping, albeit not to the one God, as the religious status quo.

Christianity, like democracy, was a western influence which managed to weave itself gracefully into the Samoan way of life. However, Christianity was perhaps more acceptable than democracy, perhaps it brought with it not only enlightenment through the Bible, but also literacy. Missionaries who arrived in Samoa, introduced a number of new changes. The most notable was writing, which was an avenue for missionaries to communicate with the local people. To this day, the Samoan *Faife’au* have taken over the role the missionaries played in assisting children with learning. *Aoga Faife’au* (Sunday schools) continues to play a significant part in teaching children the alphabet, literacy and numeracy. It is one of the most precious and invaluable influences Christianity brought to Samoa.

In addition, the change from traditional clothing made of leaves and tapa cloth into the *Pālagi* and western dress was enabled by missionaries. The westernisation of clothing was informed by Christian notions of modesty. Many Samoan village norms were also changed with the arrival of Christianity, such as curfews. These were introduced by the missionaries in the evenings to allow village people time to devote themselves to prayer. Many villages still practice this, evident by men on roadsides, dressed in black and white, who monitor incoming traffic to the village during evening devotions.

Despite Samoa not being a “religion”-centred society prior to the arrival of Christianity, its people have always been spiritual. There was certainly a belief in a higher power from whom the Samoan people believed created them and the universe. Particular birds became the guardians of different families and individuals would call upon their spiritual guardians for assistance and guidance when faced with challenges. An example may be found in the legend of Leutogitupa’itea, the sister of a prominent *Matai* of *Alātaua* district. She had married the Tui Toga and resided with her husband in Tonga. After years of marriage, the couple found it hard to conceive a child, however another wife was able to bear a child. In jealousy, Leutogitupaitea killed the child. As punishment she was tied to a tree on one of Tonga’s uninhabited islands. The Tui Toga’s orders were to burn her alive. Leutogi’s brother in Samoa looked after a *pa pe’a* (bat sanctuary) in Neiafu. Oral history explains that Leutogi in desperation as the fire was reaching her called to the bats and sought their help. In response to her spiritual call, the bats flew from Samoa to Tonga and put out the fire, enabling Leutogi to escape. These tales emphasise the spiritual tradition of Samoa. The arrival of Christianity cemented the Samoan people’s belief that there was indeed a Creator God. Thus, worship took a new form, a transformation from a traditional method to that of a western system in what was perhaps considered a civilized way of praise.

Regardless of this, Christianity is a significant if not the most defining factor of Samoan life today. So much so it accommodates more than ten denominations, with the Baha’i faith and Islam

as non-Christian religions. Every village in Samoa is defined by large buildings dedicated to God, generously funded by villagers and their relatives

Since the arrival of the first missionaries there is still a very high number of Samoan men both young and old choosing to be *Faife'au*. There are at least five theological colleges in Samoa training men and their wives to become men and women of the cloth to spread the word of God, albeit to an already converted society. It is not uncommon to come across three to four different churches within one village, unmissable due to the enormity of both the church buildings and the houses of the ministers, in total contrast to the modest dwellings in the rest of the village. This is however the norm in Samoan society, where the *Faife'au* and the church have become the epitome of *Fa'asamoa* along with *Fa'amatai*.

While democracy is at odds with *Fa'amatai*, Christianity continues to thrive in Samoan society and is met with great honour, respect and afforded the highest status within Samoa. This is evident in the *Faife'au* now accorded the highest honour, which used to belong to the highest chief of a village prior to Christianity. In special gatherings such as weddings and funerals, where high chiefs received the most gifts, with the most beautiful fine mats, however this has now been replaced by men of the cloth who are commonly identified as representatives of the Lord himself.

In traditional Samoan life when men returned from fishing or hunting, the best catch would be given to the eldest chief of the village. This has now changed with the *Faife'au* receiving this instead. This does not suggest *Fa'amatai* has lost its mana or status as the paramount institution. Rather, it reflects Samoa's acceptance of a higher perhaps superior being who gave Samoa its land, history, people and resources. Therefore, the best way to acknowledge this was to confer this respect and utmost goodness to those who are deemed *Faife'au* (men of God).

It is no surprise that participants of the village of Neiafu, claimed there are only two systems of authority they know of. One was the *Fa'amatai* and the other was Christianity, through local churches. In addition, those were the only two systems needed in Samoa, not only do they depend

on each other in terms of preservation and maintaining both Christian and Samoan values, they also complement each other. An example the participants offered was the Samoan phrase of “*E mamalu le Fa’akerisiano i le Aganu’u, e mamalu foi le Aganu’u ile Fa’akerisiano*”. There is honour and respect in Christianity because of the Samoan culture and vice versa

In this case, the concept of *Mamalu* has a double meaning, not only does it mean honour, it also means refuge. Thus, it means the Samoan culture takes refuge as it is protected by Christianity, in return Christianity takes refuge as it is protected by the Samoan culture. As explained by the co-researchers of Neiafu it is impossible to imagine one entity practising and continuing without the other. Wherever there is a *Matai*, there will be a church, vice versa. A true depiction of this relationship is evident outside of Samoa. For example, there are many Samoan churches in New Zealand established by Samoan chiefs with their families, intending that the church be a source of community where they find identity and a sense of belonging. Without *Matai* and their families’ efforts to gather a congregation, there will be no *Faife’au* or Christianity. In return, the establishment of churches gives authority and status to Samoan culture, where it is practised within the church community. This can be seen in New Zealand, Australia and the United States.

Christianity is expressed in a Samoan idiom, having imbibed local culture. For example, the Catholic Church has artistically incorporated Samoan tradition into their services as a church norm. The Bible is welcomed into the church at the beginning of Mass. This has included a Samoan *Taupou* (Daughter of a Chief) in full traditional attire as part of this symbolising the inseparable relationship between Christianity and *Fa’asamoa*. In 2017, Christianity was declared an integral part of the Samoan nation, and the state has officially declared Christianity as the national religion. As Christianity has already been a crucial institution in the country since its arrival in the 1800s, this recent declaration has not been met with any protest.

In fact, without media reporting it would almost have gone unnoticed. Such a huge addition to Samoa's commitment to Christianity can almost be likened to New Zealand's consideration of change to its national flag. Both are subjects of national interest. Yet there is a difference in how the decision was made. While New Zealand had a national referendum to reach a consensus, the Samoan government made this decision on its own. The rationale for the bold move is to solidify the nation's belief in God. The Samoan Prime Minister Tuilaepa Sailele commented that declaring Samoa a Christian nation would assist in fending off religious wars such as those which have destroyed so many Middle Eastern countries. Due to this, the national motto will no longer just read that Samoa is founded on God, but that "Samoa is a Christian nation founded on God, the Father and the Holy Spirit". Though the declaration for the nation is commendable, it may also have some serious ramifications. The reassurance by the government that other religions will not be banned is respectful, although this should not be a surprise. This means that freedom of religion is still observed as it is written in the constitution. It will however possibly threaten what can be termed as progressive issues and rights. These include but are not limited to LGBT rights, same-sex marriage and the rights of same-sex couples to raise children.

Some democratic countries like NZ have been opened to same-sex relationships even marriages. Whilst this may have been met with disapproval from some religious factions of society, gay rights people are still upheld. In Samoa's case, *Fa'afafine* are widely recognised as they contribute to arts, crafts and entertainment. However, the prospect of same sex-marriage will no doubt be met with discern and disgust particularly from *Faife'au*. As Christianity cannot be detached from culture, it will become impossible for same sex-marriage to be accepted in a now Christian Samoan state. The teachings of the Bible are based on the marriage concept between man and woman. Any other declarations will be deemed a sin, and culturally and spiritually unacceptable. The influence of *Faife'au* and Christianity on these so-called progressive rights are crucial and definitive. The declaration by Christianity of something to be evil or good requires

little to no efforts to obtain support from the majority of the Samoan people. As participants of Neiafu had mentioned, to them there are only two systems that will work in Samoa: *Fa'amatai* and Christianity.

Nonetheless, the influence of Christianity that is most concerning for democracy is perhaps the notion of forgiveness. As a previous example has highlighted, at the national level, Members of Parliament are not being held accountable for their actions, instead citing the scriptures which serve to protect them and their interests. Democracy and good governance as observed in other countries are based on being accountable and transparent so that there is trust from the majority. Members of Parliament are law-makers and no one is above or beyond the arm of justice. However, with Christianity as the national religion, concerns over more cases of unethical behaviour and misuse of their roles and funds will increase, covered up with the notion of forgiveness.

This is evident in all parts of Samoan society, even in the village *Fono*. One of the pressing concerns which should be considered is although there is forgiveness, this should not mean immunity from being held accountable and serving the consequences of both actions and inactions. Recently, the *Samoa Observer* has reported cases of assault by two men, both *Matai* in their villages and devoted churchgoers. Despite the charges being serious, which should have seen the two men serve long sentences, the concept of forgiveness came into play. This was made worse by the fact the *Faife'au* of the two men wrote support letters for them to reduce their sentences as they were church going people. Considering this, both are now serving sentences of only two to three years.

Where there are positive elements in *Fa'asamoa* and *Fa'amatai* in conjunction with Christianity, there are also concerning gaps which must be addressed to achieve what is crucial under democratic values. These include human rights, particularly the rights of women and children. These are complicated to protect and promote when Christianity plays as the defender

of wrongdoing. Christianity proves to be food for thought for the Pacific region as it continues to be an identifiable and common factor that offers cohesion to Pacific societies. However, like every western and foreign force, it takes years to fully realise and try to fathom what negative effects these forces bring. Democracy for Samoa took more than 30 years for the nation and the region to start seeing flaws and its incompatibilities with Samoa and the region. For the first 30 years, much of the focus was on the aid and how this provided for the economy.

Perhaps this may be the case with Christianity. Its arrival brought such benefits as education and new tools. It strengthened and solidified the beliefs of Pacific people, particularly the Samoan belief in a Creator deity. With no material goods to offer the missionaries, as a reciprocal gesture, Samoan people started to offer their best produce. The growing influence of trade and commercialisation developed opportunities for people to have money to buy goods. This fortunately, or perhaps unfortunately, proved to be one of the best ways for the Samoan people to show their appreciation to God through the *Faifeau*. In fact, there is so much appreciation that a lot of everyday life is controlled and dictated by the *Faifeau* and the churches.

Research by Western scholars such as Lawson and Lamour have pointed out that tradition and culture contribute to the Pacific not being able to fully incorporate democratic values into their systems; they blame Pacific heritage and norms and people not being open minded. However, they might be mistaken, and perhaps it is the western concept of Christianity which is the most debilitating factor that hinders the ability of Samoa to fully become a democratic country and adhere to all the human rights conventions. Much if not all of Samoan beliefs now are based on interpretations of the Bible, including the belief that men are superior to women and that corporal punishment is good for discipline. These were not traditional beliefs, as women in particular were considered the covenant; they were not to be harmed. Human rights frameworks are the hardest ones to be accepted by Pacific nations including Samoa, possibly because notions taught by missionaries have undermined traditional beliefs. Nevertheless, Christianity will continue to be

part of Samoan society as the two are inseparable. Although the influence of the churches has been discussed in this research, it is a topic that necessitates its own study as it is a very broad issue for discussion. It is important to note the growing influence of democracy in Samoan society as yet another western belief; like Christianity, one which the *Fa'amatai* may eventually accept and assimilate. Moreover, with the presence of democracy, *Fa'amatai* and the increasing influence of Christianity in both systems, it is important to note that perhaps Samoa is the world's first Tripartite state.

8.6 Summary

Chapters six, seven and eight have revealed the key findings which have emerged from the field study. Findings and analysis have been combined to enable a thematic analysis and discussion from the themes collated. Significant to this chapter are key findings which may have the potential not only to address the gaps identified earlier but also in the creation of a process towards harmonization. These key findings fall under different umbrellas such as the lack of knowledge and understanding and the need for both civic education and effective political socialization within Samoan society. Law and Order has revealed the significance of the existence of traditional systems not only in upholding peace and harmony but also in reducing lawlessness within communities. The section on elections discussed the manipulation of Samoan protocols for democratic purposes and the need for MPs to play a more interactive and collaborative role in information sharing within their constituencies. Lastly, the research reveals the emerging influence of Christianity within Samoan society impacting on village councils' decisions and impairing the MPs code of conduct as politicians and representatives of the majority.

CHAPTER NINE

ARCHITECTONIC THROUGH POLICY IMPLICATIONS: A PROCESS OF HARMONISATION?

“Pi’ipi’i ama, vaevae manava”

“Collaboration creates a masterpiece”

9.1. Introduction.

One of the purposes for conducting this study was to determine from the findings possible avenues and solutions that can be used to address the tension between *Fa’amatai* and democracy as identified throughout the study. There is evidence that suggests the two systems are able to work together through compromise and power sharing. These are best achieved through the policy implications as will be presented in this chapter. Some of the key implications include the introduction of civic education both in formal and informal settings. It suggests changes to the role of MPs to be more informative and engaging with *Matai* and village councils. There are realistic and practical opportunities for power sharing in allowing villages to establish their own constitutions. In addition, a call for the disestablishment of the Lands and Titles court is proposed.

Lastly it is suggested, based on evidence, that there is a need for clarification and perhaps stipulation of Samoan protocols used in democratic processes, as well as the recommendation for elections to be more rigorous with candidates showing evidence of their eligibility to ensure voters are well informed during elections.

9.2 Architectonics: The process of Harmonisation

The architectonic process occurs when two or more parts fit together in perfect sync, therefore working in concert with each other. For this study, it is the ability of *Fa'amatai* to achieve cultural excellence based on the excellence of democracy and its principles. In this case it is achieved through thorough negotiation and compromises both at local and national level. It requires dialogue through *Sa'iliga Tōfā* as practised during the field study and importantly the participation of not just a representative of the village but the whole village. It requires the members of parliament to work with constituents and the government. Possible ways of implementing the ideas behind the process of architectonic include

The idea of a local village constitution that can be used by the court in their decision making and consideration is an example of architectonic. This is when democracy represented by the court is able to consider the guidelines and village laws in their democratic decision. No longer is a decision based on individual rights alone, rather it acknowledges the laws established by village councils as a collective on what is acceptable and not acceptable behaviour within a local village. The court's support in allowing part of the village's decision to be upheld will highlight that the excellence of the *Fa'amatai* is dependent on the excellence of democracy to consider traditional village laws. The excellence of democracy depends on traditional leadership considering what is important for Samoa's democracy particularly human rights, without the same individual rights violating what is best for the common/collective good.

This was highlighted in the discussions with the incident of unlawful behaviour by some of the youth in the village of Vaimoso. If this particular village had a law which banishes anyone whose behaviour threatens the safety of others it should be written in their village constitution. When an individual is banished and decides to take the matter to court, under the process of architectonic the court should first and foremost consider what the Vaimoso village laws are pertaining to the particular behaviours and the penalties this entails. If the village law for example

is banishment it should be the court's duty to find a way to work with the Vaimoso village in order to honour the village constitution and the *Fono*'s collective authority and rights.

Another example of *Fa'amatai* and democracy working in concert with each other in the process of architectonic is elections and the rules relating to it. Democratic processes of the eligibility criteria for candidates include being a citizen of the country and being a member of a political party. Post 2006 elections, there were changes to electoral rules such as

- 1) *Having resided in the country or village for more than three years*
- 2) *Having evidence of making contributions to the village council within the past three years*
- 3) *Banning the provision of any sort of gift giving to the village/constituency prior to elections*

This shows a clear tension between the democratic process of elections and *Fa'amatai* as the principles of both systems overlap each other. To achieve a state of Architectonic, it should be the requirement of the government to choose which system the elections are based on, either democratic or the traditional way using cultural protocol and practices. The excellence of democracy in this situation is not having the influences of any Samoan protocols in the process of elections.

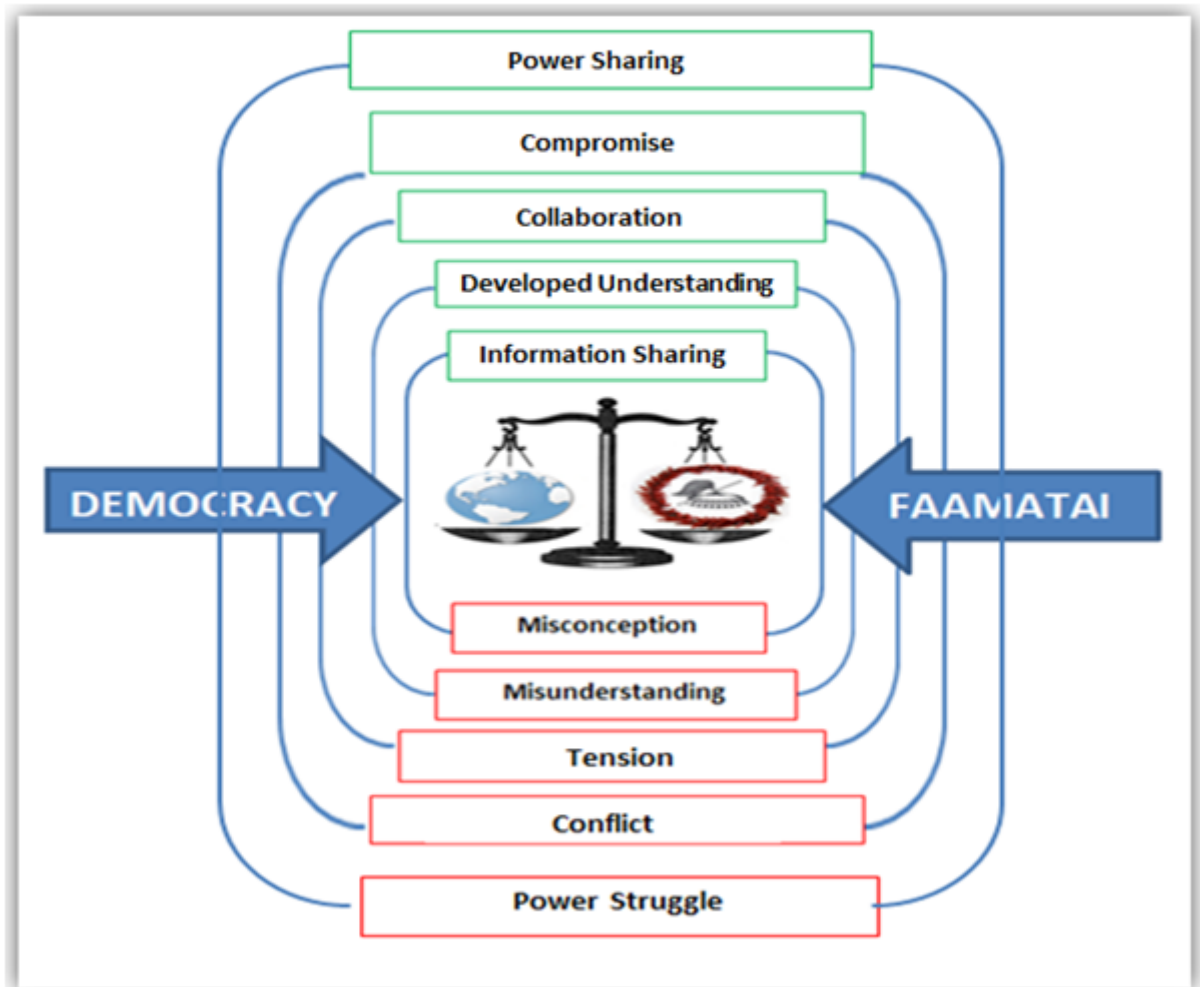
Furthermore, in cases of issues relating to lands and titles, democracy should not be involved at all. As these are cultural issues, they should be solved by village councils alone without any such democratic influence such as the courts. The ability of democracy and the courts to give village councils the authority to handle these matters on their own portrays the state of architectonic where democracy maintains its role of not intervening or influencing cultural or traditional matters. In doing so, the excellence of both systems are maintained and respected.

On many occasions, architectonics is necessary to achieve harmonisation, by allowing both systems to accept their differences and with one system enabling and empowering the other. An

example of this is the encouragement of democratic principles during elections as will be discussed in this chapter. To encourage participation and involvement from the *Matai* and village *fono* in the campaigning process, it is necessary for the Electoral Commission to conduct specific workshops to equip and inform *Matai* about what is acceptable and ethical in democratic elections. This enables the *Fa'amatai* and village *fono* to contribute to the excellence of democracy, whilst democracy contributes to the excellence of *Fa'amatai* through civic education and knowledge.

Moreover, the Model of Understanding clearly depicts the process that can be achieved by the process of architectonics which includes information sharing, collaboration, compromise and power sharing, values of which contribute to the excellence of *Fa'amatai* and democracy

Figure 6: Process of Harmonization Completion of Model from Chapter Two
Model of Understanding



In chapter two of the thesis, this research proposed a model to reflect the progress of the research going into the field work. The following encapsulates the purpose of this study, which was to identify the tensions and why these have been persistent despite over 50 years of democratic government in Samoa yet clashing with the traditional *Fa'amatai* in Samoa. The field study conducted in the village of Neiafu gave rise to some of the findings that were revealed relevant to this study, more importantly it addressed some of the concerns and questions about the relationship and the tension between *Fa'amatai* and democracy in Samoa. As shown, with adequate

knowledge and understanding, it can provide both systems with the answers to the research questions posed in the early stages of the research.

9.3 Civic Education

The findings of the study revealed that knowledge about democracy and *Fa'amatai* was very minimal. Therefore, civic education delivered formally and informally is important to address this gap.

9.3.1 An Introduction of the study of Political Science in High Schools as a component of the Arts and Social Sciences field of study

In a formal education setting it is necessary that local politics including the machinery of government and the processes of *Fa'amatai* are taught at the college level. This is to ensure students are introduced to the science of politics so that they are able to fully understand the nature and reality of the coexistence of democracy and *Fa'amatai* in Samoa. A positive result of this would be having an informed citizenry who are able to identify unethical actions and behaviours and are able to call for *Matai* and members of parliament to be accountable for their actions or inactions.

9.3.2 Information Sharing and informal civic education to be a compulsory role for the Member of Parliament

Delivering civic education informally to every village and constituency should be the compulsory role of any Member of Parliament. Their role would be to report back to their village and constituency about matters discussed and passed in Parliament. This gives the voters the chance to be informed about government and parliament matters at the national level. Any

concerns, questions from the constituency can be reported back to parliament through the MP. In this role of information sharing, they are linking the government to the grass root level and vice versa.

9.3.3 Building capacity and capability for Matai and village members involved in Election campaigns.

Given the tension that arises during elections due to the lack of understanding relating to democratic elections, it is crucial for the Electoral Commission to conduct election workshops and training for the *Matai* and village members involved in campaigning to help differentiate ethical and unethical campaigning and voting behaviour in a democracy. This will help minimize misunderstanding and misinterpretation of what is democratic. These informal educational sessions will allow the *Matai* involved to understand and share the information from the training with members of their family and other villagers. This has potential to reduce corruption before and during campaigning and lessen the number of court cases post-election.

9.3.4 Initiating a monthly newsletter by the MP for village councils

As lack of information and knowledge has been identified, it is necessary for the government to provide a monthly newsletter that is delivered to each village council informing them of bills that have been tabled, laws that have been passed and projects proposed by the government. This would inform village councils of what is happening in the democratic machinery of government. Any concerns and disapproval by village *Fono* can be presented through submissions or via the MP.

9.4 Law and Order

During the study, participants expressed their concern regarding the increase in crime rates in the urban areas, particularly in areas where there is freehold land, and an absence of a *Matai* system. The participants in the study provided their rationale for giving harsh penalties to people who commit crimes that jeopardize the safety and stability of the village as a collective.

9.4.1 Establishment of Village Constitutions

Each village would benefit from having their own written village constitutions. Within this they can include processes the village *Fono* has in place to deal with crime in the village, the types of offences and their punishment guidelines. This is for the village *Fono* to have their authority written so that their decisions are consistent and adhered to by villagers. More importantly, villages can cite their criteria or terms and conditions written within their constitutions when an individual takes a village *Fono* to court. In this case, the courts can deliver their verdict after considering the village constitution in which case the decision will be made based on both democratic and *Fa'amatai* principles. This also ensures that the village *Fono*'s collective rights as per their decisions are not overridden by decisions made in the democratic courts. Through this collaboration of both systems there is very minimal room for tension between the two systems.

9.4.2 The Introduction of the Philosophy of Fa'amatai, as a compulsory cultural component as part of the Professional Studies/Exams for law graduates in Samoa

Participants expressed their concerns about new lawyers not being able to make ethical decisions and judgements regarding matters which involve village *Fono*, more so if they have never experienced and are not familiar with the process and philosophy of the *Fa'amatai*, particularly in relation to collective rights versus individual rights. It is important for Samoan

lawyers to have completed a cultural competency component as part of their training particularly within a country with both a democratic and traditional system. This will allow them to consider and understand the *Fa'amatai's* rationale for the decisions they make. It will also enable them to have the knowledge to navigate between the two systems.

9.4.3 Returning all Lands and Titles disputes to be managed by village Councils

This was an issue about which participants, particularly *Matai*, were very vocal. Their concern was that many cases had been unfairly dealt with by the Lands and Titles Court, involving judges who do not know the full history and origins of titles and lands within villages. Lands and titles are specific to each *Nu'u*, which have their own documentation and recording of issues pertaining to them. The accuracy of information regarding lands and titles and the evidence to support claims and solve disputes can be found in each village as it will have physical evidence oral histories and genealogies passed down from generation to generation. Dealing with such claims had originally been the responsibility of the village councils. As per the research findings it is time to return this responsibility to the village *Fono*. This will ensure family *Measina* (treasures) are safeguarded and distributed to rightful heirs and owners, by the village *Matai* who know their lands and titles best.

9.4.4 Tabling a Bill for the disestablishment of the Lands and Titles court

The disestablishment of the Lands and Titles court will limit any tension between the authority of the village council and that of democracy. Lands and titles are cultural aspects, meaning that they belong to village councils for their deliberation and decisions, in doing so, it restricts democratic influence in cultural matters.

9.5 Elections

As highlighted in the findings section of the research, it is obvious that tension between *Fa'amatai* and democracy occurs in the process of Elections, the lack of understanding can obscure what is democratically and traditionally acceptable or unacceptable.

9.5.1 Clearly stipulate the Fa'amatai and Fa'asamoa protocols and practices used in the eligibility criteria for candidates running for elections

This is a result of the government's power to quickly pass a law prior to the 2016 elections which disadvantaged candidates which were viewed as threats to the ruling party. This revealed gaps in this process as it was very easy for the government to influence and manipulate Samoan *Fa'amatai* protocols for their own advantage. In addressing this, it is necessary for the Electoral Commission to review and tighten their guidelines and laws in relation to Samoan protocols and practices which are part of the eligibility criteria, these include *Monotaga* (village contributions) *O'o* (gift-giving) and *Nofomau* (residency). It is essential for the specific terms and conditions of each practice to be clearly stipulated to avoid gaps which can be manipulated by the government at the last minute.

9.5.2 Constituencies and Village Fono to be given the authority to decide what constitutes Monotaga, O'o and Nofomau in their respected villages, without government influence

To avoid the government having an influence on the eligibility criteria, it is logical, ethical and culturally appropriate for the village and constituency to decide what they consider as relevant and appropriate for village contributions, gift giving and residency. As these are cultural practices and protocols, it should be finalized by village *Fono* as democracy is recognised in giving the

candidate the individual right to contest a seat in the election. This policy has the potential to minimize the tension between the two systems, through each side realising and accepting the limitations of their authority.

9.5.3 Development of a Rigorous Selection Process at the National level for candidates running for elections

It is noted that there is an absence of a rigorous selection process for the elections in Samoa. The voters are not given the opportunity to hear from the candidates about their interests and purpose of wanting to become the Member of Parliament. This lack of delivery and presentation leads to voters not being able to make informed decisions as they have nothing to base their decisions on.

The development by government and village fono of a rigorous selection process gives the voters the opportunity to make well informed decisions based on presentation delivery and knowledge of the candidate. Components of this process may include interviews, speeches, debates and questions and answers where every candidate needs to take part in, in order to attract and gain interest and votes.

9.5.4 Establishment of a village-based selection process

The purpose of this, similar to the previous point is that a village-based selection process enables candidates to attract voters by going through the process as per the above components. At the end of the process, which can perhaps take a week long, the village residents vote for their preferred candidate. The successful village candidate becomes the village's collective selection therefore exercising their collective right. This person represents the village and contests the constituency seat against the representatives from other villages within the constituency. This process reduces the tension between collective rights and individual rights as the successful

candidate from each village is a product of collective decision making. One of the benefits of this is it reduces vote buying, nepotism and corruption during election campaigns.

9.6 The need to preserve and maintain *Fa'amatai*

Evident from the study is the fundamental importance of preserving and protecting the traditional system of *Fa'amatai* as it is the epitome of *Fa'asamoa* and Samoan identity. This needs to be clearly written in the constitution of Samoa.

9.6.1 The proposal of an Act to amend the Constitution for the purpose of strengthening and safeguarding Fa'amatai as the traditional system of government, working in concert with democracy.

The Samoan constitution states: “Whereas the leaders of Samoa have declared that Samoa should be an independent State based on Christian principles and Samoan custom and tradition”. However, it does not specify exactly what Samoan customs and traditions are included. It may imply *Fa'amatai*, but a specific definition of “*Fa'amatai*” is not stipulated within the document. It is noted that in order for the Samoan traditional system to be protected and safeguarded from Western influence, it is necessary to have it included in the constitution. This can be done through an Act to amend the constitution for the purpose of strengthening and protecting the *Fa'amatai*.

Data collected throughout the research cements *Fa'amatai*'s status as being “more democratic than democracy itself”. This is evidenced from the way in which *fa'amatai* conducts its traditional rules and protocols. In comparison to the criterion required for an effective democracy inclusive of associational autonomy, inclusive citizenship, civic education and alternative sources of information- there is clear evidence as per the research analysis that Samoa's *Fa'amatai* is ahead of democracy. *Fa'amatai* is more efficient and effective in making sure there is the presence of

social-political socialization, civic education and alternative forms of information where citizens are actively engaged and well –informed of what is happening within faamatai and local communities.

9.7 Summary.

This chapter has identified policy implications which were born out of the discussion during the field study coupled with the analysis of the findings. The purpose of this chapter is to recommend and suggest possible yet practical efforts that can be considered to address the tension between *Fa'amatai* and democracy. The significance of such implications enables the two systems to work in collaboration with each other, to form partnership which will not only achieve democratic principles but also help preserve and maintain traditional Samoan systems of authority. The recommendations as presented create a balance within the two systems, where the excellence of *Fa'amatai* will highly depend on the excellence of democracy and its principles, vice versa, this creates the process of "Architectonic" which is possible and realistic in the realization of democracy in Samoa as well as the longevity and relevance of *Fa'amatai* within Samoan society.

CHAPTER TEN.

CONCLUSION

“Ia tala faasolo aua ua silimea le seuga”

“Packing up the research tools as this particular search for knowledge comes to an end”

10.1 Conclusion

The purpose of this study as evident throughout the different chapters was to explore the experience and the knowledge of *Matai* in relation to democracy with a specific focus on investigating the questions: What is the understanding of *Matai* of the concept and practice of democracy? Why are matai protective of their traditional system? How can both systems work together towards a process of harmonisation? How can both systems work in concert with each other?

As mentioned in the research, it has been argued by non-Pacific scholars that *Fa'amatai* continues to be a barrier in Samoa becoming a full democracy. Hence, the study was intended to capture the experiences and knowledge of *Matai* regarding democracy whilst operating under a traditional system of authority. This enabled democracy and its values to be contextualised within the *Fa'amatai* environment. To obtain qualitative data the study was conducted within a village setting, using a culturally appropriate methodology and method of data collection. This enabled the study to be framed using Holistic philosophy inclusive of the theory of knowledge and a cultural theory of *Sailiga Tōfā*. Combined they asked the ontological question of “What is reality?”, the epistemological question of “How do we know what we know?”, and the ethical question of “Now that we know what we know, what now?”

10.1.1 Research Questions

For the purpose of this study key questions included,

Ontological Questions: What is the Reality?

1. What are the participants' understanding of the concepts and practise of democracy and *Fa'amatai*?
2. Why is there tension between these two systems?
3. Which system is the most practised in Samoan society and why?

Epistemological and Axiological Questions: What is the Rationale?

1. How do Matai know what they know?
2. Why are Matai protective of their traditional system?
3. What experiences has *Fa'amatai* had with democracy particularly with human rights, democratic elections and rule of law?

Ethical Questions: Now that they know what they know, what now?

1. How can both systems work in concert with each other to achieve harmonization?
2. How can the process of Architectonic facilitate a practical relationship between *Fa'amatai* and democracy?
3. What are the implications and benefits of harmonizing the two systems?

The responses to these questions provided logical and ethical platforms for the discussion of findings and results. Some of the research findings as discussed in Chapters 6, 7 and 8 are significant in that they may well be the key factors which can create a process of harmonisation between the two systems of democracy and *Fa'amatai*. Perhaps the most revealing finding is the *Matai*'s lack of knowledge around democracy and what it is about as a system of government that is other than their own.

10.1.2 Human Rights

Human rights remain a contentious issue in Samoa particularly the tension between collective and individual rights, where democracy has emphasis on the rights of the individual, the essence of *Fa'amatai* is on the majority and what is best for the community as opposed to an individual. Harmony and unity of a community as this study has discovered is achieved when rules are made for the collective, this unity is challenged when an individual takes a Village *Fono* to court. A decision by the court in favour of an individual not only undermines the authority of the village *fono* but also questions the relevancy of *Fa'amatai*.

To address such issues, the research findings reveal that there is perhaps the need to return to the Divine right of the matai to rule as they have been mandated to lead Samoa. However, the tension between the two systems is also a result of the lack of understanding of what Human rights really mean and what it entails. This also emerged through a documentary on Human Rights in Samoa which revealed misunderstanding and misconceptions of what human rights are- with most arguing that there are negative connotations for relationships between children and their parents and village people and village councils. Hence, addressing knowledge gaps in relation to Human Rights is a priority.

10.1.3 Rule of law

Another key finding as revealed by the study is the fact that *Fa'amatai* is still very much the rule of law in Samoan society, where in villages the council still acts as the Executive, Legislature and Judiciary all in one as opposed to democracy's separation of powers. Village rules derived from constitutive, distributive and protective authority aims at serving the interests of a collective rather than an individual. In doing so, it creates unity and maintains peace and security within

society. In addition, this study argues that where there is an absence of *Fa'amatai* there is prevalence of crime as highlighted by the village of Vaimoso which had been in the media due to allegations of village teenagers being involved in crime in and around the city centre.

The *Matai* argue that villages without a *Fono a Matai* are at higher risk of experiencing crime and violence, as there is no system of authority that holds residents accountable. This is a contrast to villages which have strong constitutive authorities where the *Fa'amatai* system ensures harsh penalties including banishment are given to avoid offender repetition in turn maintaining harmony within the village. This is in concert with the government's decision to establish the village *Fono* Act 1990 which was a way of the government giving authority to village *Fono* to mete out punishment for local crimes.

10.1.4 Elections

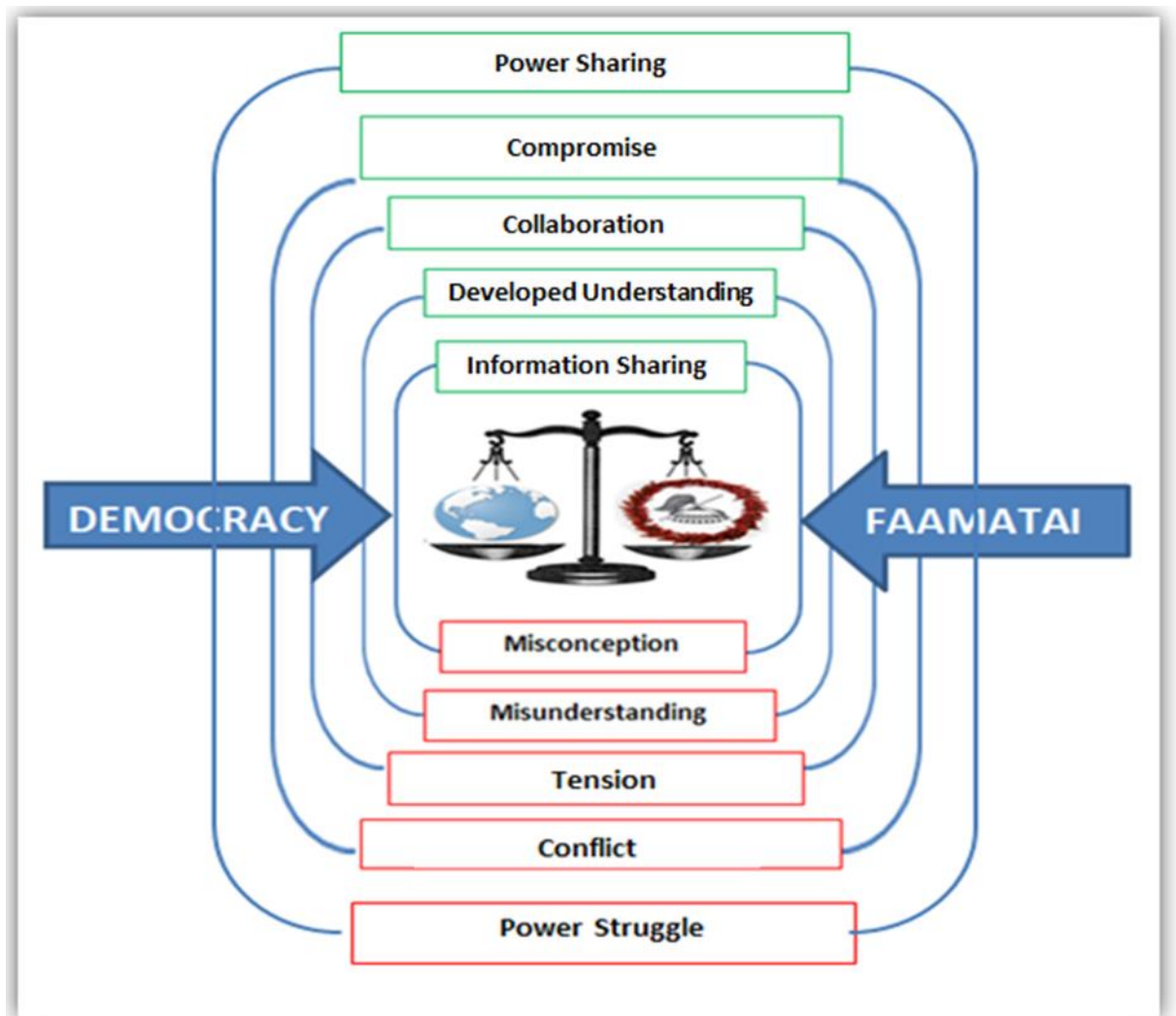
Another distinctive finding from the study is the fact that the government has used Samoan traditional values and *Fa'amatai* protocols of *monotaga* and *O'o* for its own use, thus exploiting Samoan practices for democratic interests. Traditionally, Samoan candidacy for election is based on an individual's service to the family and village, the village would select one person from their village they supported to contest the constituency seat with those of nearby villages. However, with the current emphasis on democracy and the notion of human rights, there has been an increase in the expression of this "right" for candidacy, some without the support of the village councils. This then results in the tension between *Fa'amatai* and democracy. In addition, emerging from the research was the contrast in voting theories and behaviors. Where the West found it easy that their voters behaviors could be explained by western voting theories- these theories had no place in Samoa. Indeed, there was a contrast in both voting theory and behaviour for Samoans under a traditional system of authority. This has been thoroughly elaborated by the *Lotoifale* Model as discussed in Chapter 6 where Samoan voters do not vote for policies or political parties. Rather

voting is done depending on who they are related to, whether the candidate is from their village, or whether the candidate has any cultural connection to them.

10.1.5 The lack of Democratic Understanding

Democracy in Samoa is as old as Independence, however as a result of the study it was discovered that there is still lack of understanding and awareness by village people particularly matai of what democracy is, its principles, implications of democracy on *Fa'amatai* and vice versa. As this study has argued, the tension between democracy and *fa'amatai* is a result of people's lack of understanding of the effects of both systems on each other. There has been an absence of information sharing and capacity and capability building through dialectical exchange and rigorous discussions. This is evidence to showcase the government's inability and perhaps ignorance in providing civic education for the people of Samoa, although civic education is a requirement for a successful democracy anywhere in the world. For any attempts at harmonising both systems and allowing understanding of democracy to take place in Samoa and anywhere else undergoing a process of democratisation, it is integral that civic education is a priority for every citizen. Achieving democratic understanding through civic education is best illustrated by the stages of the "Lack of Understanding model" as presented in Chapter 3 and the "Model of Understanding" which is the completion of the former model as shown.

Model of Understanding



10.1.6 Samoanizing Democratic principles in Theory and in Practise within the Village Fono

In the discipline of comparative politics where political systems are compared and contrasted either against each other or against a certain criterion, it is almost certain that there is always one system that is disadvantaged because it does not fulfil the expected criteria. In the case of Samoa, this study has examined democratic requirements not only against democracy itself but importantly against Samoa's *Fa'amatai*. Through this comparison and evaluation, it was discovered that *Fa'amatai* is more effective in performing the requirements of democracy, than democracy itself

as thoroughly discussed in Chapter 8. In the *Fa'amatai*, there is strong associational autonomy whereby different groups of society including *Matai*, *Faletua ma Tausi*, *Taulelea* and *Aualuma* manage their own groups. Within these groups under the umbrella of *Fa'amatai*, there is emphasis on civic education and inclusive citizenship where there is engagement from all groups in relation to village matters and rules and where learning is encouraged through observation and practise.

In addition, within this traditional system village people are certain that information is always available, village meetings are held openly with decisions announced in public. Furthermore, the essence of *Fa'amatai* as this study has identified is based on serving the interests of the collective- in democratic terms the “majority” which is what democracy is fundamentally about. This is precisely as *Matai* point out, is what *Fa'amatai* is about. Their selection is based on consensus and rules based on collective interests, community unity and cohesion– hence, rules and processes are for the benefit of the majority. Moreover, when *Fa'amatai* is compared to the democratic criterion, *Fa'amatai* is well ahead in terms of theory and practice than western democracy. Therefore, as this research has revealed, Samoa’s traditional system is more democratic than western democracy itself.

10.1.7 Samoa’s Political System a “Traditional Democracy”

After carefully analysing the data collected from the workshops and interviews coupled with my personal experience and knowledge of the state of affairs in Samoa, it can be concluded that the political system operating in Samoa is that of a “traditional democracy”. There is significant evidence of the intricacies of democracy and traditional *Fa'amatai* blended together to make Samoa’s current system. There is very limited literature on any other country in the world that can be labelled as a traditional democracy because the tensions between traditional leadership and a foreign political system are too complicated to try and bridge. Notably in Samoa’s case, no one can be a member of parliament unless they are a *Matai*, in addition it is embedded in the

Constitution that the Independent State of Samoa shall be based on Christian principles and Samoan custom and tradition. As clearly highlighted in the analysis- there is dependency between both democracy and *Fa'amatai* on each other to prolong the relevancy, legitimacy and longevity of both systems. Samoa's political system can be solidified and strengthened with the grafting of the two systems, which can strengthen stability and security not only from internal conflict but more importantly from outside threats as a result of the ever-increasing technological age and globalization. *Matai* are ready to negotiate and discuss the best ways they can contribute to making Samoa's political system one that is fit for purpose and serves the interests of the majority- as is the mantra for democratic systems around the world.

10.1.8 Christianity

An unexpected but significant finding from the study is the increased influence and presence of Christianity within traditional systems of authority. Although the *Faifeau* do not make decisions or have much say in village *Fono*, (in some villages for example Neiafu, they are reserved the right to speak) their influence is highly regarded and respected and in some cases their presence is viewed as divine intervention with the mana to save people's lives. The value of Christianity in the *Fa'amatai* and *Fa'asamoa* is profound, which led *Matai* to argue that perhaps it is time for Samoa to return to divine right and divine rule and leave western democracy behind.

Within divine right, emphasis is on the right to live, which according to the participants was the most important right, and the only one which should matter. In divine rule, emphasis is on the right as a collective to rule in order to protect the people's right to live, through adhering to village laws and operating under their constitutive, protective and distributive authority. This gives legitimacy and authority to the *Fa'amatai* and ensures such rules are for the benefit of the majority rather than individuals.

Hence, the profound influence of Christianity on both systems cannot be ignored. It is noted that the values of Christianity such as love, care, compassion and empathy are invaluable in leadership of both systems. But in some cases, Christianity can also be used for personal interests, particularly when the notion of forgiveness is used as an excuse for inappropriate actions and activities. Despite this, considering the inseparable connection between Democracy, Fa'amatai and Christianity, this study has argued that Samoa is very much a Tripartite state.

10.1.9 *Process of Harmonisation*

As a result of the field study conducted, discussions of findings and analysis of key learnings, it has revealed that the tension between *Fa'amatai* and democracy is existent because of the lack of civic knowledge and education around democracy in Samoa. Such gaps as agreed by *Matai* and participants need to be addressed. Nevertheless, as a product of the study there are practical ways which have been discussed that may have the ability to bridge the gap between the two systems. The best way, as this study has explored, is through the process of "Architectonics" where the excellence of one piece is dependent on the excellence of the other. Hence, the relevance and longevity and excellence of *Fa'amatai* is dependent on the same values democracy offers. This creates systems of authority which are no longer in conflict with one another, rather two contrasting systems which are able to work in concert with each other.

Such grafting through Architectonics include civic education and introduction of Political Science in schools, information sharing, capacity and capability building for *Matai* and enforcing MPs involvement in local village *Fono* to exchange information relating to both systems. In Law and Order, this includes the establishment of village constitutions as guidelines that can be used by the courts in their decision making in cases pertaining to individuals versus a collective village mandate. In addition, for democracy to uphold its excellence in democratic principles, Lands and Titles disputes pertaining to *Fa'asamoa* and *Fa'amatai* should be returned to village councils to

manage, reducing the tension between the two systems. Lastly, in Samoa's elections, there is a mixture of democratic principles and cultural protocols which has caused tension particularly relating to Residency, Village monetary contributions and Gift giving. To avoid misunderstanding, this study argues that Electoral laws need to be tightened to stipulate when cultural protocols can be used in elections and when they are unwanted. In addition, as this study has also argued, rigorous processes need to be established for candidate selection, whether they are selected through a cultural or democratic process where voters can have confidence to make a well-informed decision at the ballot box.

10.2 Relation to Previous Research

Some of the findings of this study are consistent with previous research, particularly the argument from Aiono and Vaai that *Fa'amatai* is more democratic than western democracy. In addition, Soo eluded to a lack of democratic knowledge in Samoa as perhaps a barrier to full democracy, the findings of this study are in concert with the lack of civic education as Soo mentioned, however instead of being a barrier to democracy, it is the main reason contributing to the continued tension between both systems.

On the other hand, other findings are to some extent at odds with other researchers such as Lawson, who argues that traditional systems are becoming irrelevant with strong democratic presence in the Pacific. It is clearly evident from the findings that this is not the case particularly with *Fa'amatai* in Samoa. Other key findings of this study are neither consistent nor at odds with previous research as the data is not only new it is current and relevant to the environment and context of the *Fa'amatai* in Samoa.

10.3 Implications of Findings

This study offers current evidence is highly some of the problem areas particularly when dealing with democracy and democratic values in Samoa. In light of the study it suggests there are huge knowledge gaps in both theory and practice of democracy. This calls for culturally appropriate processes and solutions in order to bridge the gaps as identified.

What has been discovered imply that for solutions to be accepted and recognized, it is crucial to adapt more than one perspective, importantly analysing matters not just from a democratic lens but also from a traditional view. In addition, the findings suggest that research undertaken in the Pacific especially if it concerns custom, in this case *Fa'amatai*, in depth qualitative data is best acquired and collected in person through interviews and observations. This is not to say that archival research is irrelevant, however first-hand experience is absolutely crucial as presence is more intimate. This way the researcher observes and feels connection to the co researchers, feels their passion, understands their concerns and accept their frustrations.

Lastly the findings as outlined have potential to be developed into policies which can work both at the local (village) and national levels. From the findings and discussion section of this study it is evident that there is indeed room for the scope of realistic policies that can help address the gaps as previously identified.

10.4 Recommendations

It is without a doubt that further research into the phenomena of traditional authority and custom will be conducted by interested students in the future. Previous research has covered traditional systems and their practices and beliefs which hinder the democratisation process. Others have argued for the relevance of traditional systems to be maintained and protected. This research as noted has attempted to explore these phenomena through holistic philosophy in order to find the reality of *Matai's* experience and knowledge, why there is a tension between the two systems, and what can be done to harmonise them.

My recommendation for future research in this area and topic in particular is to explore one of the key findings that came to light during this study which was not expected or anticipated, that of Christianity. It would be particularly useful for future research to delve into the increased influence of Christianity and its values and how this can contribute to the maintenance of the relevance and longevity of the *Fa'amatai* system in Samoa.

10.5 Contribution to Research & Policy Implications

This study has contributed to this research through a number of ways including a key contribution to Policy Implications which may be of use to address issues that have been identified. Therein, I have suggested possible practical and ethical means of addressing the knowledge gaps evident in this study. Nevertheless, this study has also contributed through the introduction of original material, theories and a cultural methodology and method developed and tested during the research process, which include:

- 1) The introduction of *Holistic Philosophy* and *Sailiga Tofa* as a cultural research framework
- 2) The *Model of Understanding*

- 3) The introduction of *Sailiga Tofa* as a research methodology and *Fa'atofalaiga* as a Research method
- 4) The Introduction of the *Lotoifale model* to explain Samoa's voting behaviour
- 5) The use of the process of *Architectonics* to achieve harmonization

In addition, this study has provided a platform for *Matai* to voice their concerns and fears. It portrayed the vulnerabilities of the *Fa'amatai*, which calls for measures to ensure their leadership system is maintained and protected. Thus, my first-hand experience with the *Matai* as discussed can help to inform both theory and practice of future researchers, who have the desire to conduct qualitative research within Pacific communities.

Furthermore, my contribution certainly throughout this study has been the provision of a view from a different lens, specifically a traditional one, which explores the study from an inside-out perspective rather than that of the usual outside-in view. I believe this is unique and invaluable for this area of research given the growing number of non-Pacific, non-Samoan researchers who study areas such as custom, traditional systems and values in the Pacific and make assumptions and draw conclusions through archival research rather than field studies.

10.6 Autobiographical Reflection

The opportunity to undertake this study has been invaluable and empowering. In reading and writing for this paper it gave me a sense of appreciation of the attempts by numerous researchers to understand the Samoan traditional system of authority as it conflicts with democracy. In my quest to explore the reasons why *Fa'amatai* and democracy are in conflict with each other, I found more than I was looking for. The study uncovered the reasons as discussed in the findings and analysis chapter, but importantly I found the right lens to view the study with so that it brings to light not only democracy but the story of the *Matai* and their *Fa'amatai* institution.

I have learnt that researchers do not have to agree with each other over certain topics or areas of study. However, it is expected that whichever view one takes, it must be justified with evidence-based research, something which I hope this study has been able to do. According to the participants in Neiafu, the only reason Samoa has not been in a political crisis like neighbouring Pacific countries is because of the glue that binds society together, that of *Fa'amatai*. This is my contribution to the research, to the *Fa'amatai* and more importantly to the village of Neiafu and its residents who were more than willing to accommodate this study. Exploring the essence of the *Fa'amatai* system has empowered me to seek ways in which traditional systems can continue to be practised and work with democracy, as well as preserving the *Fa'amatai*, its currency, relevancy and longevity.

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APPENDICES

Appendix 1A: Letter of Invitation.

Aso 20 Iulai 2016.

Fa'atalatalanoaga: Fete'ena'iga o Pulega a Alii ma Faipule Fa'amatai ma Faiga malo Fa'atemokarasi.

Lau Susuga, _____

Ae ou te le'i aufagaina niuloa, pe oute faase'e fo'I I galu fatisisina na momo'o iai le tama o Ulufanuasese'e nai le faga o Vaoto ile Alataua. E muamua ona ou faatulou atu I le Pa'ia ole tatou afoaga. I le Afifio o Tapa'au, Susu le Aiga Samoeleoi, Le Matua, ma le to'afa o Suafa, Alalata'i o oulua Igoa, le nofo a Pule ma le Faleauga, tainane le mamalu ia te oe le Alataua.

Ae I lo'u ava ma lo'u fa'aaloalo tele e tatau ai, ou te talosaga ma vala'aulia atu ai lau susuga ina ia e auai I se Fa'atalatalanoaga poo se Sailiga tofa e faasino tonu i le mataupu e pei ona taua I luga.

Mo lou silafia, o a'u o Christina La'ala'ai Tausa, o se tama fanau a le tatou afoaga, sa fanau ma ola a'e I totonu ole tatou nu'u o Neiafu. Peitai o le taimi nei o loo aumau ai I Niu Sila ona o galuega ma a'oaoga.

*O le fa'atalatalanoaga e pei ona fuafuaina, o se vaega taua lea aua le fa'amaeaina o le faailoga ole Foma'i o le Tofamanino (PHD) o loo sailia nei I le Iunivesite o Massey I Niu Sila. O loo fa'aautuina faapea: "**Iloiloga o mafua'aga e fete'enai ai faigamalo Fa'atemokarasi ma Pulega a Alii ma Faipule Fa'amatai I Samoa atoa ma le sailia o ni auala e fo'ia ai lea faafitauli**".*

O lou auai ma lau faasoa mai o ni manatu, a'o se tofa loloto ma se utaga poto, ole a fesoasoani tele lea mo le fausiaina o ni ta'iala e fautuaina ai le Malo o Samoa I ni auala e mafai ona fo'ia ai le feteena'iga o faiga nuu ma pulega a Alii ma faipule ma faiga malo fa'atemokarasi. O lenei tusi ole valaauaia ao lou auai mai e le faamalosi. E faailoa atu ole a pueina saunoaga o lea aso faapea ma ni ata, finagalo malie e faailoa mai pe le finagalo I lea tulaga.

Aso: _____

Nofoaga: Maota o le Galuega I Neiafu Tai.

Taimi: 8:30am – 4:30pm

Fa'amoemoe o le a talia le talosaga vaivai ma tatou feiloai ai I lea aso I le soifua maua ma le lagi e mama.

Ma le fa'aaloalo tele

Fa'afetai.

Christina La'alaai -Tausa.

Appendix 1B: Letter of Invitation.

20th July 2016

Discussion Forum: Title- The tension between Fa'amatai and the Democratic system of government

To whom it may concern,

Firstly I would like to acknowledge the village of Neiafu which this letter pertains to, I acknowledge the talking chiefs of Tua'iaufai and Taatiti, high chiefs of Pei, Safiu, Aunei and Lafaitale, I also acknowledge Tauiliili, and the Sa Moeleoi collective. My name is Christina La'alaai Tausa, I was born and raised in the village of Neiafu but currently residing in New Zealand for work and educational purposes.

I would like to warmly invite you to participate in a discussion forum as part of my research for the degree of Doctor of Philosophy in Political Science at Massey University in NZ. Your contribution at this forum will help to explore people's understanding of democracy and faamatai and identify why there is a tension between the two systems. As a result, it will help to formulate possible solutions that may address these evident tensions. This letter serves as an invitation for you to participate in this forum, however please note attendance is not compulsory. Please also note that during the discussions, there will be audio recording for data collection as well as still photos that will be taken. I urge you to indicate on the day if you do not wish to be recorded or photographed.

Date: _____

Venue: Neiafu Tai Methodist Church Hall

Time: 8.30-4.30pm

Thank you very much, and I look forward to the discussions.

Kind Regards

Christina La'alaai -Tausa

Appendix 2: Research Consent Form

Consent Form

Participants' Registration and Consent Form

By signing this form, I give consent to participating in this study as a co-researcher. I understand all information exchanged and discussed in the forum will be used for the sole purpose of this research. By giving consent, I understand I have the right to a) refuse participation at any time b) not to be recorded c) not to be photographed.

Date					
#	Name	Female Male	Matai/Chief? Yes/No	Age Range	Signature

Appendix 3: Fieldwork Program.

Field Work Program 18 th & 19 th August 2016	
Constitutional Democracy vs Faamatai	
Time	Session Topics
8.30 am	Breakfast
9.00am	Human Rights <ul style="list-style-type: none"> ● Individual/family versus village collective ● Village collective versus democratic rule of law
10.15am	Elections <ul style="list-style-type: none"> ● Candidacy ● Familial ties ● Village Ties ● Traditional campaigns versus democratic campaigns ● Bribery ● Village Contributions (New law enforced 3 days prior to general elections 2016)
11.15	The Rule of Law <ul style="list-style-type: none"> ● Village Fono Act versus Democratic values ● Lands and Titles ● Residency ● O'o (Member of Parliament's gift to constituency once they are the elected member) ● 5% threshold of women in Parliament ● Accountability and Transparent Reporting
12.15	LUNCH
1.15	Understanding of Democratic Governance and Principles <ul style="list-style-type: none"> ● Participants' understanding of democracy in Samoa ● Participants experiences with democracy ● The evident clashes of the two systems
2.15	Researcher's Presentation on Democracy in Samoa <ul style="list-style-type: none"> ● Aid ● Trade ● International Law ● International Relations ● Globalization/ Neo Colonialism?
3.15	Afternoon Tea
4.30 pm	Day 1 Closed

Appendix 4: Field Work Details.

The 4 topics as highlighted above will be discussed in terms of two questions vital to phenomenology

- 1) The Ontological- What is the reality?
- 2) The Epistemological- How do we know what we know?
- 3) The Ethical Question- Now that we know what we know, what now?

Each session will be open to the floor for discussion, giving opportunity to the participants to highlight what the reality is in the village/faamatai in terms of

- 1) Human Rights
- 2) Elections
- 3) The Rule of Law
- 4) Democracy in Samoa

The same program will be used for both days with a total of 40 participants per day, amounting to 80 in total. Every topic is scheduled for an hour long, with 45 minutes for debate and discussion. The last 15 minutes will enable me to share my perspective of what the reality is. This allows participants to share their knowledge with the researcher vice versa, creating collaborative inquiry and achieving learning through dialogue, in line with Plato's "dialectics". The participants also become the co-researchers as opposed to being the "researched"

It is envisioned that through the dialogue, the tensions between democracy and faamatai will become evident, highlighted and documented. There will be no mention of current perceived tensions as mentioned in the literature available as this will create a bias in the discussion. The reality of any tension will be extracted from the conversations/perspectives of participants.

Workshops

Participants at both workshops will determine their consent through participation. Invitation letters have been sent. A registration sheet will be provided for both days to record the number of participants. A signature sheet will also be provided to sign off their names once they receive their monetary gift of appreciation for their participation.

Individual Interviews

A total of 6 individual interviews will be conducted:

- 1) Pre-workshop
- 2) Post-workshop

All ten interviewees will be the same people participating before and after the workshops. They will also have a separate sheet to record the date of interview, and also to sign off their names once they receive their monetary gift for their participation.

The purpose of this is to also highlight:

- a) The reality of the 4 topics to an individual person

- b) Assess and analyze what the role (if any) of action research/learn by doing/civic education/understanding is, in harmonizing tension in society.

Their consent will be given through participation. A consent form will also be available to them. Each interview is scheduled for 40-45 minutes, again with no mention of tensions mentioned in literature around traditional leadership to avoid biasness.

Individual Interview Questions

Human Rights

- ❖ What is your understanding of human rights?
- ❖ Can you give an example of what a human right is?
- ❖ In your view which rights are of most importance?
- ❖ What impacts (if any) do human rights have on Faamatai and Samoan society?
- ❖ Do you believe there is a tension between collective rights and individual rights? Democratic vs traditional

Elections

- ❖ In your view who can campaign as a candidate for the general elections?
- ❖ How would you determine who to vote for?/ What are some of the factors you take into consideration when deciding who to vote for?
- ❖ What would you consider as acceptable campaigning? What do you expect from a candidate when campaigning?
- ❖ In Samoan tradition, is there such thing as bribery?
- ❖ Do you agree with the new law that was passed by the Government leading up to the recent general elections which disallowed candidates who had not contributed to village affairs in the last 3 years from running in the elections? Why/ Why not?

The Rule of Law

- ❖ Which rule do you consider as the most significant form of law/authority in Samoa, Faamatai or Democracy?
- ❖ A lot of families have been to court numerous times regarding lands and titles, which had been issues the family and village councils could deliberate on without having to take the issue to court. In your view is there any significance in establishing the Lands and Titles court. What experience have you had with the Lands and Titles court?
- ❖ To what extent do you agree or disagree with the government's law of a candidate having to reside in the village for 3 years as a criteria in order to run in the elections?
- ❖ According to the law, candidates can no longer provide food, money or any type of material goods to their constituencies unless they have been sworn in as members of parliament, what is your view on this, is this faasamoa/faamatai?
- ❖ What is your view on the 5% threshold allowing for females to become members of parliament? Agree/Disagree? Why, why not?

Democracy

- ❖ What is your understanding of democracy in Samoa?
- ❖ Do you believe that democracy provides any benefits for Samoa?
- ❖ Should Samoa give up its Faamatai in order to assimilate to democratic governance?
- ❖ Do you believe it is important for Samoa to have international relations with other foreign countries? Why, why not?

- ❖ With globalization and modernization, are you concerned that there is a chance Samoa will lose its faamatai system of traditional leadership/authority?

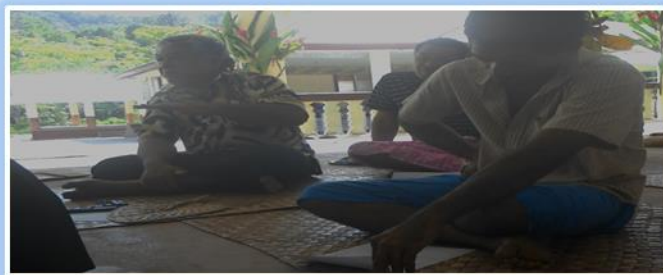
The same questions will be asked after the workshops have been conducted to find out whether answers have changed based on the Epistemological question of: How do we know what we know? Post interviews will determine:

- a) Whether any tensions have been identified
- b) Has there been any new knowledge from the dialectics
- c) Importance/non importance of co-learning via civic education/action research

Please note the program and all questions have been translated to Samoan

Appendix 5: Day 1, Matai Photos







Appendix 6: Day 2, Women and Untitled-men Photos





