



"IA AO SAMOA"

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### **Conference Programme**

# **The transnational matai and the foreign homeland: Does the Toloa still return to the water?**

Seulupe Falaniko Tominiko, Lupematasila Misatauveve Melani Anae, Muliagatele Vavao  
Fetui, Malepeai Ieti Lima

Pacific Studies  
University of Auckland

The matai and the fanua are explicitly interconnected. The matai not only get their mandate to rule from their aiga, but also from the land to which their aiga and title belong. At the bestowal of their matai title, the new recipient inherits not only a name, but also the land on which their maota or laoa stands. This land becomes their official residence. The adjacent and connecting lands becomes their domain, over which they have complete authority. They command the land and adjoining sea to be farmed and fished, and in times of drought and food shortage, they place tapu over the land, forbidding the consumption of crops and resources allowing it to be replenished. From the day of their bestowal, the matai resides on his/her land, and upon their death, their body returns to the land. The matai is therefore one with the land and vice versa

The above paragraph describes a relationship and a connection between the matai and the land that is strong and harmonious, however the reality is that in today's world, that connection between the matai and the land as strong as we expect it to be. The primary objective of this paper is to examine whether the transnational Samoan matai still has a connection with customary and family land back in Samoa, and whether such connection eventually leads to a permanent return to the homeland for the transnational matai.

According to the popular Samoan saying, *"E lele le toloa, ae ma'au lava l le vai"* – A wild duck may fly away, but will always return to its habitat, the swamp, alluding to the ideal that when Samoans leave the homeland, they usually return at some later point in time. This paper asks whether transnational matai actually return to the homeland, hence the subtitle, "Does the Toloa still return to the water?" To what extent are Samoan matai living away from the homeland returning to reconnect with their lands, villages and homeland?

With a specific focus on transnational matai, this paper discusses whether these matai still have any authority over or access to the customary lands with which they are entitled to, and how traditional faavae and current land tenure laws affect their abilities to connect with their customary lands. Does the transnational matai still have as much right to their customary lands as their counterparts who are living in Western or American Samoa?

This paper is part of a Marsden research project led by Lupematasila Misatauveve Dr Melani Anae looking at matai residing in Sydney, Australia, as well as in San Diego, Oceanside and Hawaii in the United States of America<sup>1</sup>. The research looks at how transnational matai continue to practise the fa'amatai and the fa'a Samoa away from the homeland, Western or American Samoa. It also explores how these transnational matai maintain connections with their family, village and homeland. The findings from the participant interviews with the matai cohort residing in San Diego and Oceanside as well as a transnational matai survey are used in this paper to support the arguments and perspectives of the authors.

The first part of this paper focusses on the land and traditional role that the matai played in regards to administering and looking after the land. The second part discusses the notion of transnationalism. Following this is a section on return migration. The next section then discusses findings from a transnational matai survey, looking specifically at the findings related to land. The last section takes a look at the current landscape in Samoa and discusses issues around the controversial Lands & Titles Registration Act 2008 and the potential implications it has around customary land ownership for transnational matai.

## **The land**

According to Turner, 'the land in Samoa is owned by the chiefs who are the heads of their families. The person who holds the title of the family head, has the right to dispose of it' (Turner 1883:176). This was how a missionary to Samoa during the late 1800s observed it. This was probably due to a lot of customary land being supposedly sold off by matai to foreigners during this particular time period in Samoa. In a more recent publication, Rumbaugh et al (1997) writes 'The customary land tenure system refers to the communal use of land with the ownership vested to the matai or chief of the village'. Again the author has wrongfully identified the matai as the owner. Even though the paper was published over a century after Turner's book, the fact that it is published by a European writer, suggest he is using a western concept of land ownership and applying it to Samoan customary land when it isn't entirely accurate.

Other sources claim that the matai has the authority, or pule, over the land. The term 'pule' in general means control, but does not necessarily mean 'ownership'. It merely means that the responsibility for allotting land, working it and safeguarding it for future generations is vested in the matai (Fox & Cumberland 1961:191). The pule of the matai title is vested in the aiga potopoto, which means that

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<sup>1</sup>The study "Samoa transnational matai (titled chiefs): Ancestor god 'avatars' or merely title-holders?" is funded by the Royal Society of New Zealand's Marsden Fund

the aiga potopoto determines who should be the matai and hold the title and administer the land for the family (Ye 2009:832)

Aiga own the family land, but the pule over the land is vested in the matai. Any heir of the aiga is entitled to own and use family land, but the entitlement is only realised on the rendering of service to the matai and on continuing residency on family land. The matai may allocate lands for family members to build a house on, to plant and to harvest. Depending on the closeness of kinship and the service to the matai, the rights to occupy and use the land are different among the members of the family (ibid).

According to lati:

Land forms the foundation of this framework; it is attached to suafo (titles), which are owned and controlled by āiga and nu'ū. Āiga and nu'ū bestow these on individuals who they elect to be their matai, and the suafo gives the matai the authority to govern the lands associated with the suafo. If land is separated from suafo, then the āiga and nu'ū lose control over these lands, because their ownership is based on their control of suafo (2008:2)

Customary Land is held in accordance with Samoan custom and usage and the matai holds the land in trust for the aiga. According to Article 102 of the Constitution of Samoa 1960, there shall be no alienation of customary land:

It shall not be lawful or competent for any person to make any alienation or disposition of customary land or of any interest in customary land, whether by way of sale, mortgage or otherwise howsoever, nor shall customary land or any interest therein be capable of being taken in execution or be assets for the payment of the debts of any person on his decease or insolvency

Since customary land is communally owned under the authority of the elected matai, it cannot be sold or used as collateral for obtaining bank financing. Even though Samoan customary land cannot be sold, it can however be taken by the government for public purpose under the Taking of Land Act 1964. Section 7 of this act states:

Empowering the taking of land – Customary land and freehold land required for any public purpose may be taken by the Head of State, acting on the advice of the Minister, under the provisions of this Act.

Another point that is important to note that while customary land cannot be sold, it can still be leased or licensed under the Alienation of Customary Land Act 1965. The creation of these two acts shortly after the Constitution act of 1960 in my opinion challenges Article 102. Although article 102 clearly states customary land cannot be sold, introducing the Taking of Land Act 1964 and the Alienation of Customary Land Act 1965 means that the people who grew up on that land can potentially be

prevented from living on the land that they have every right to. Based on this, customary land tenure in Samoa is both rigid and ill-defined (Fox & Cumberland 1961:190).

For the purpose of this paper, customary land is defined as land within the village that is collectively owned by the extended family under the guardianship of the senior matai or the Sa'o of the family.

## **The Transnationals**

According to Bach et al, as cited in Mangnall (2004), Transnationalism is the process by which migrants forge networks of relationships - family, economic, social, political, religious, and cultural – that connect them simultaneously to two or more nation-states<sup>2</sup>. It is not only limited to the activities of migrants but can also include the activities of those who may be second or third generation, yet have a connection with the homeland of their parents, grandparents etc. For this reason, Samoans who have migrated from Samoa to other countries around the world who continue to embrace their culture and have some sort of connection with the motherland come under the 'transnational' umbrella. Similarly when their children and grandchildren who were born in the adoptive country and are raised in the 'Samoan' way, and continue the practices and connection with the motherland the way their parents and grandparents do, are also regarded as transnational of their ancestral homeland<sup>3</sup>.

According to Faist, as cited in Mangnall (2004):

The act of migrants talking and thinking about return can “create stable moorings” by bringing past and present, home and host countries closer together. Metaphoric return can also lead to physical returns – resettlement and visiting. It also plays an important role in encouraging activities which keep ties to the homeland – teaching children their culture and language, joining cultural groups, remitting money and goods, exchanging letters and phone calls, fund-raising for home village development projects. These activities reinforce the transnational ties of reciprocity and loyalty which are essential for return on a wide scale

When Samoans migrate overseas, they don't do so in order to escape from Samoa and all the faalavelave and family obligations they have back home, but rather to further find resources with which they can continue to contribute back to their family, village and country. According to Lilomaiva-Doktor:

Movement abroad has a profound impact on the scope and visibility of fa'alavelave activities, since at least half of the funding usually comes from overseas relatives.

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<sup>2</sup> See Migration and Transnationalism: Pacific Perspectives, H.Lee and S.T. Francis (eds.).Canberra: ANU Press. 2009.

<sup>3</sup> Referred to as 'indirect transnationals' in Lee and Francis 2009.

Because access to those living abroad or the opportunity to travel provides capital, a Samoan person overseas can command as much social power as those living on family land (2009:16)

Another popular Samoa saying is “E sui faiga ae tumau le fa’avae” – the ways of doing may change, but its’ foundations remain the same. The migration of Samoans to overseas countries such as the United States of America, Australia and New Zealand can be applied to this saying. Long before mass migration overseas, Samoans would travel to other villages and also move to Apia to find resources or work which would eventually produce capital to be used in faalavelave etc. Despite this movement, Samoans do not live between two places without no single place to call home. They remain firmly rooted in their identification with their village or country of origin (ibid: 7). This practice is not lost on Samoans who have migrated from Samoa. They may be physically disconnected with their village and homeland, but their ongoing financial support and remittances back home become the new way of connecting with their aiga and their land. According to Macpherson et al:

The demographic reality is that while the village may be the affective centre of many people, it is no longer the demographic centre. In some villages, more people now live abroad than live on the centre (Macpherson & Macpherson 2009:90)

Traditionally a matai was expected to reside on the land, and be the guardian of the land. Today transnational matai are able to fulfil their obligations to their customary lands through supplying resources with which to help maintain and develop the land and also in times of disputes over the lands, they are largely called on to contribute financially towards court cases etc. Based then on the saying, “E sui faiga, ae tumau faavae”, these transnational matai, although physically absent from the village, are very much present through this modern way of remaining connected to their family and land. Their connection with their land remains ever important.

Land is a source of spiritual nourishment and political and economic power among Samoans. In movement, the economic power that is associated with fafo is evaluated in local idioms of the spiritual power of i’inei. Land and people must coexist in a mutually beneficial reciprocal relationship. People take care of the land and, in return, the land nourishes its people. This reciprocal nurturing ensures the continued viability of fanua and people, evident in the Samoan expression tausí fanua (care for the land). Sometimes, one must malaga (move) in order to tausí fanua. Population movement occurs partly to maintain vā (social space, relationships) between kin members i’inei (home) and those fafo (abroad) as well as to support family members who remain i’inei to care for family land (Lilomaiaava-Doktor 2009:9).

Both Samoa and the adopted homeland become a single "ethnoscape," a Samoan transnationalised world tied together by flows of people, money, tangibles such as fine mats, and intangible cultural properties such as kinship and matai titles (Van der Ryn 2014:255). The transnational matai retain strong links with their families in Samoa through the regularly remittances to them. According to Van der Ryn:

Return migration is best understood as part of the diasporic phenomenon, and sending remittances home to family members in the islands from the diaspora represents a strategy for "eventual return." But while this may be true, it is not the whole story. (ibid: 260)

Other writers claim that migrants cultivate transnational ties with a view to eventually returning. They maintain these ties by regular visits and sending money, goods and letters to family back home.

One of the most powerful incentives for return is ownership of land or a house back home - either as a 'double residence' for holiday visits by family and friends, or to live in at retirement Mangnall (2004).

First generation migrants also often expect to return to Samoa to retire, and with this in mind, send contributions to their villages, accept matai titles and maintain a strong interest in traditional family assets, such as customary land (Va'a et al 2012:126). They cultivate transnational ties with a view to eventually returning. They maintain these ties by regular visits and sending money, goods and letters to family back home.

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Conversations with transnational matai residing in Oceanside San Diego paint a slightly different picture. Their ongoing commitment to remittances is not necessarily because of an intention to one day return back to the homeland to claim land. They continue to do so more for the affective tie of love of family back home and more so to maintain that connection with their homeland. Honouring their parents by continuing what they practised is another reason why they choose to continue the practice of remittances.

## The Return Home

While the rate of migration of Samoans away from Samoa has increased over the years, there is a slower rate of return migration happening. According to the *Samoa Observer*, in the 12 months leading up to November 2015, NZ Citizens returning to Samoa to live was numbered at 437<sup>4</sup>. This has been in gradual decline from the previous two years. In 2013 and 2014 the figures were 532 and 462 respectively<sup>5</sup>. The reasons for the decline are not apparent. In American Samoa, statistics show that "foreigners" (mostly people from independent Samoa) have become a majority of American Samoa's population, however no statistics are available for the number of residents who hold the status of "returnees," that is, residents who have lived for some period of time overseas (primarily in the United States) and returned with plans of making American Samoa their main residence (Van der Ryn 2012, p. 262). So what is this saying about our Samoans currently living overseas? Simply they are not returning to the homeland to live. Not even the lure of claiming land is enough to entice them back to Samoa. Asked if they intended to return to Western or American Samoa in the foreseeable future to claim family lands, and return to the village, the transnational matai from Oceanside & San Diego responded:

I think it will be difficult. For me to start going back and claiming [matai title] land is not fair. Its because I live here in the United States and I don't think it will be fair for me to come over there and claim land from people who are already living there (matai born and raised in Leone but holds a matai title from Falelatai)

No, because the property is in dispute right now. You know how it is, if you are not there, someone will encroach on your property, especially someone within your family. They are contesting in is customary land but it was my grandfather's property. That is the position we are in now, I am being opposed by a matai in my family, my grandfather's younger half-brother (matai born and raised in Pava'ia'i but holds a matai title from Lauli'i).

E tele le matou fanua I Salelavalu, ae o le faigata o le leai o seisi o matou olo'o nonofo ai I le taimi nei.. E le o matou aia I mea o tutupu I Salelavalu I mea tau fanua. Sa ta'u mai lava pe a iai ni mea a le nu'u e fai ma oute faia lava I le taimi lea o ola sio'u tuafafine matua lea sa nofo I le nu'u. O le taimi nei oute leiloa, ua fai lava ma latou fanua. (matai born and raised in Pava'ia'i but holds a matai title from Salelavalu).

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<sup>4</sup> 'Returning to paradise' – *Samoa Observer* – Wednesday 31<sup>st</sup> January 2016

<sup>5</sup> *ibid*



Instead transnational literature shows that the decision for transnational citizens to return to their country of origin is largely influenced by family and personal factors rather than to claim land or property.

Personal factors include the desire to return home to one's roots and culture, to re-join kin and old friends, and to enjoy a healthy lifestyle. Family ties, transnational and local, are among the most powerful influences on retirement-return decisions. Mangnall (2004).

However there are also a number of reasons that prevent Samoan transnationals from returning to Samoa. Elderly migrants who have been away too long will find it difficult to fulfil their expectations of fitting back in as insiders. Instead of finding themselves at home and at ease in their own culture, they feel out of touch and viewed as outsiders (ibid). Having family and children in the host country couples with no longer having close family in the home country also provides a disincentive to return (ibid). The conditions of the home country is also weighed up by prospective returnees in terms of their likely standard of living and housing, a healthy environment (especially important for retirees), cost of living, level of crime, investment opportunities, and attitudes to returning migrants. The public health and welfare services in the origin and host country is a significant factor in retirees' decisions to return (ibid).

In Van der Ryn's own research on transnational Samoans, he discusses the topic of return migration to American Samoa with one of his participants. One of his participants replies:

*Most people say it's the ultimate dream to return to the island [Tutuila, the largest and most populous island in American Samoa]. But in reality, very few do return... I have no false dreams. I would not go back to Samoa to live... [Some] were able to access their lands again while others met up with dispute of land back there [and were told,] "Well, you went out to work in California, or you spent your time and played around in America, but, we stayed here, and cultivated the land, it's no longer yours." And so you have that conflict. (Van der Ryn 2012:252).*

The reality is that few are returning, although many say that they will retire to Samoa (Holmes & Rhoads Holmes 1992:136).

## The Statistics

A recent survey completed by over 100 transnational matai mainly living in New Zealand<sup>6</sup>, Australia and the United States revealed what their thoughts were on various aspects of being a matai living away from the homeland. Throughout a series of questions, the survey was able to deduce what these transnational matai thought about various aspects of the fa'amatai which includes views of their land back in Samoa and their connection with their land or lack of.

When asked what their understanding was of the fa'amatai, the top three responses for matai born overseas were (i) serving the family 97%, (ii) looking out for the well-being of family 86% and (iii) serving the village. Protecting land was ranked second to last with rating of 63%, just ahead of 'serving Samoa' which was ranked at 61%. For those matai who were born in Western or American Samoa, their top three were (i) serving family 87%, (ii) well-being of family 77% and (iii) serving village 74%. The protecting of land was 4th in the priority order at 71%, higher than the overseas born cohort. Although the protection of their family land isn't a top priority for these matai living overseas, it is understandably a higher priority in those matai who were born in Samoa than for those matai who were born overseas (see Graph 1 in Appendix).

Another question asked in the survey was how do they connect with their village and lands in Samoa? For both the overseas and Samoan born matai, their top two responses were (i) their family own land in the village 90% and 86% respectively, (ii) they have family living on the land 86% and 85% respectively. However whenever they visited Samoa, only 44% of the overseas born and 46% of the Samoan born matai said they would stay in the village on the land. Only a slightly higher number would visit their land/village whenever they were in Samoa (overseas born – 56%, Samoan born – 57%) (see Graph 2 in Appendix).

The survey also asked if they ever intended to return back to Samoa permanently. Just under half of the overseas and Samoan born matai said they would at 48% and 43% respectively (see Graph 3 in Appendix). Of those who said yes, only 24% of the overseas born matai said they would move to claim land while only 31% of the Samoan born matai said they would do the same (see Graph 4 in Appendix).

Lastly asked what fa'alavelave the transnational matai contributed to in Samoa over the past two years, only 17% of the overseas born matai said land court cases while only 15% of the Samoan born matai said the same. Not surprisingly the highest fa'alavelave which they contributed to were funerals with 86% of overseas born saying they do so and 93% Samoan born doing the same (see Graph 5 in Appendix). Although the qualitative responses of the interviews and surveys reveal that transnational matai still feel very connected to their customary lands in Samoa primarily through having family

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<sup>6</sup> 'Transnational matai' survey carried out as part of the Marsden Project

members and representatives still living on the land, the survey data doesn't reflect this connection. Overall less than half of the transnational matai ever visit their customary lands whenever in Samoa, and a similar number ever stay there whenever they are visiting the homeland. Very low numbers of transnational matai are contributing to their land title court cases or wanting to return to claim customary land suggests that the connection the transnational matai have with their customary land is more of an affective tie rather than an actual one.

A particular point of interest is that American Samoa, in contrast to Western Samoa, prohibits subdivision of matai titles (Van der Ryn 2014: 276). Each title may be registered to only one person at a time. If a person already holding a matai title is bestowed a new title, then they must forfeit their old title to be given back to the extended family to select a new holder. Given that there is only one holder of the title, it is encouraged that the title holder reside on his land on the island.

Thus, the matai system in American Samoa encourages return migration with a permanent resettlement. In contrast, in independent Samoa, the matai system practice encourages new matai to go back overseas and support the system from there, since there are already other, local holders of the same title in the village representing the descent group in the village and acting as custodian of the descent group's communal lands (ibid).

An interesting point to note is that of the eight transnational matai participants in San Diego and Oceanside, six of them had grown up or lived in American Samoa prior to moving to Southern California. Between them they hold a total of thirteen matai titles. Only one of those titles is from American Samoa, with the other twelve from Western Samoa. This may explain why the transnational matai are rarely returning to their village of their titles, i.e. there is no affective tie back to these lands. The matai were not raised in the villages of their title nor did they ever spend time there. In some cases, the matai didn't have any immediate family living in the village which further added to their disconnect with the village of their titles. The fact that American Samoa encourages their matai to reside on the land may be the reason why these American Samoa born and raised transnational matai living in Southern California chose to take on Western Samoa matai titles from their other side so that they are not obliged to reside back in the islands. Instead they are free to live outside of Samoa and still live the matai life with Western Samoa titles because that is what they usually do in Western Samoa.

## **Current Landscape**

For the last few years there has been much publicity about the introduction of the Samoa Land Titles Registration Act in 2008. Some of the major concerns by a group of matai led by Fiu Mata'ese Elisara against the act was that it could have the effect of individualizing control over land throughout the country, and ultimately placing large tracts of land in the hands of banks. According to an article in the Samoan Observer, the matai are claiming that:

The Asian Development Bank (ADB) wants to create a system through which a single authority figure can unilaterally lease out customary land, without consulting other members of the aiga. Under the reforms, the lease agreement could then be used by the leaseholder to access credit from a bank. But if the leaseholder is unable to repay the loan, the bank can take control of the lease, which could cover large tracts of customary land for decades<sup>7</sup>

Currently approximately 80 percent of land in Samoa is governed under the customary tenure system, which does not allow the individual ownership of customary land and promotes collective ownership. The system allows for equitable allocation of family lands to all its members, in keeping with customs and rules applicable to that family. Another concern is that by registering customary land under an individual's name could potentially mean that the named owner can do whatever they wish with the customary land without necessarily needing to seek the advice or permission of all the extended family who also hold shares in the customary land.

The group of matai also claim that under a government project called 'Promoting Economic Use of Customary Land, the Asia Development Bank (A.D.B) has influenced financial sector reforms in Samoa to make it easier to lease out customary land and to use those leases as collateral for loans<sup>8</sup>. They also point out that the leasing of land to outsiders for long durations and registering these under the Torrens system through the Land and Titles Registration Act 2008 does not recognize the collective ownership of the extended family<sup>9</sup>.

In 2013, the government of Samoa passed the Customary Land Advisory Commission Act to establish the Customary Land Advisory Commission (CLAC). The newly formed commission's role was to:

'Encourage, facilitate and promote greater economic use of customary land for the purpose of enhancing the social, cultural, economic and commercial development of Samoa and for related purposes'.

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<sup>7</sup> 'Chiefs not satisfied – complaint elevated' – *Samoa Observer* – 17<sup>th</sup> April 2016

<sup>8</sup> 'Land fight escalates' – *Samoa Observer* – 16<sup>th</sup> April 2016

<sup>9</sup> *ibid*

In October of this year, the commission released a paper on promoting the economic use of customary land in Samoa. The paper included a guide for people wanting to lease out their customary lands for development projects. Samoan Prime Minister, the Honourable Tuilaepa Lupesoliai Sailele Malielegaoi made it clear at the launch of the paper that “there is no secret that our customary lands are needed for the development of our country<sup>10</sup>”. He also reminded the Samoan people that the land was given by God for everyone to work in order to serve their families, villages, country and God<sup>11</sup>. He also criticised people who did not utilise the land<sup>12</sup>

Despite the fear of complete alienation of lands, the government has reassured the people of Samoa that leasing land is safe and that ownership will always be with the matai registered to the land. Even though the government’s perspective is that the leasing of customary land is a positive move towards developing and growing Samoa’s economy, the fact remains that while the land is being leased, people who have legitimate claims to it will miss out on using the land themselves. It is said that the land can be leased for up to thirty years to a business and then the business has a right to extend the lease for another thirty years on the grounds that the first thirty years are required to set up the business and any real profit will be seen after thirty years. A business can therefore lease customary land for up to sixty years or even a century if it wished. What this essentially does is that it prevents a whole generation or two of Samoans from having access to the land they had every right to. Even after the lease is up, how can people be reassured that the land will be returned in the condition it was given?

Another argument in favour of leasing customary land is that the family can benefit financially from such an arrangement. One matai who supports leasing land told the Samoan Observer:

That land was unutilised for many years but if you go there now, you see people working on it and making use of it. I am getting money from it through the agreed lease and it’s very beneficial<sup>13</sup>

As good as this may seem, it is not always guaranteed that all members of the family will benefit from the lease arrangement. When you read the statement from the matai who supports leasing customary land, he uses the first person singular pronoun “I” and this does illustrate a potential danger of all benefits going to one person and his immediate family. In the event that customary land is leased for a century by an individual matai without the say of the extended family, the chances are that it will only be his immediate descendants that stand to benefit from it for generations to come, while the

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<sup>10</sup> ‘Government pushes economic use of customary land’ – Samoa Observer – 6<sup>th</sup> October 2016

<sup>11</sup> *ibid*

<sup>12</sup> *ibid*

<sup>13</sup> ‘Support for customary land plan’ – Samoa Observer – 6<sup>th</sup> October 2016

descendants of the other rightful claimants to the land are robbed of their land and inheritance. If this happens to be the case, then this will definitely be the demise of the collective ownership of customary lands as we know it.

According to Ye, customary land tenure system provides "life-time security for all members of the family whether they live and work on the land or not", and that it is "fundamental to Samoan society" (2009: 843). So when a matai dies or relinquishes the position, the pule over land does not go to his direct heir, but goes to the next person who assumes the family title, but everyone who is an heir of the title also has claim to the land, regardless of where in the world they reside. Now if the land is leased by one matai, then that takes away the right from future generations to make decisions about the land because not only will they be born into a time when their customary land is leased out, the individual who decided it would have probably passed already, and the matai who inherited the pule has their hands tied because the agreed duration of the lease has to be honoured. Is this therefore the life-time security that all extended family members belonging to the land are entitled to at their birth?

## **Conclusion**

To conclude this paper, we would like to refer back to two points that have been reflected on in this paper. The first point relates to the saying "E sui faiga, ae tumau le faavae". To some extent this saying is very true. The example of transnational matai living abroad and continuing to contribute to their family obligations in Samoa through regularly remittances is a good example of changing the way things are done while at the same time honouring their matai commitment back home. While family living on the land depend on their transnational matai and relatives to financially support them from afar, there is that social power that the overseas relatives possess, being the financial supporter. In the Western context, money is power so therefore these transnational Samoan do have some power over their relatives back home.

However some transnationals feel that while they are abroad and helping their families, they are very much regarded as part of the "extended" family, yet when it comes time for them to return and claim what they have contributed to all those years, they are all of a sudden seen as "outsiders". In some cases they're are opposed by the same relatives who they were supporting on the grounds that they have been absent from the lands for many years and now they want to come and claim land etc. The transnational matai is often left powerless in this situation and also feels somewhat robbed, cheated and used. In these cases, the foundation or the faavae has changed. Although these transnational matai are expected to contribute back home, when they are not rendered reciprocal respect when they return home, then that is a breakdown of our faamatai and our custom. As Van der Ryn points

out, the transnational matai advantage the Western Samoa system better because in Western Samoa, the bestowing of multiple matai to transnationals, especially the overseas born ones, is to encourage them to go back overseas and “support the system from there”.

The second point is the question posed in the beginning of the paper, “Does the Toloa usually return?” As the interviews and survey reveals, there is always the longing for these transnational matai to return back to the homeland, especially those who were born there, but for some transnational matai, this is a very difficult decision to make. It is not for lack of wanting to return, but rather the circumstances that have presented over the many years they have been residing overseas. Some reasons for not returning include the majority of the immediate family now living overseas to inadequate health care back home, especially for the elderly transnationals. Based then on the responses to the survey and interviews, it would be a fair statement to say that despite there being very strong affective ties to the land, the village and the homeland, some transnational matai rarely returns home to live on customary land.

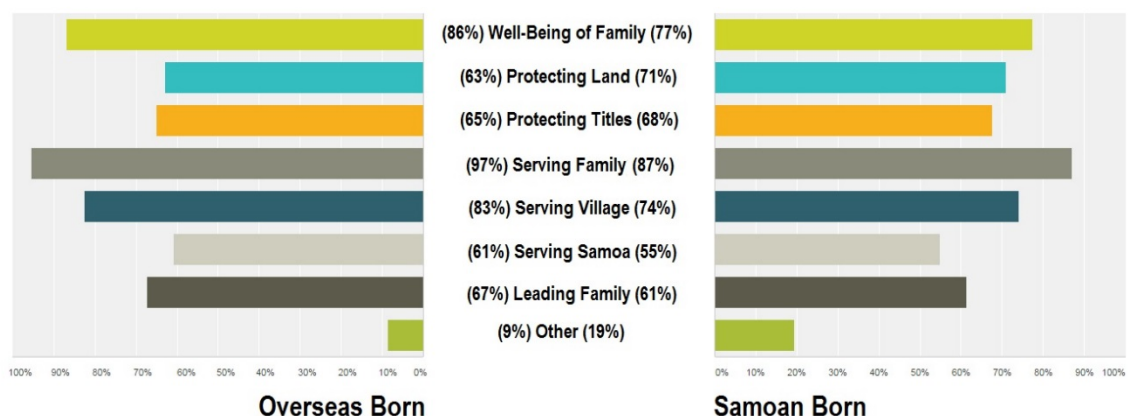
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#### Appendix

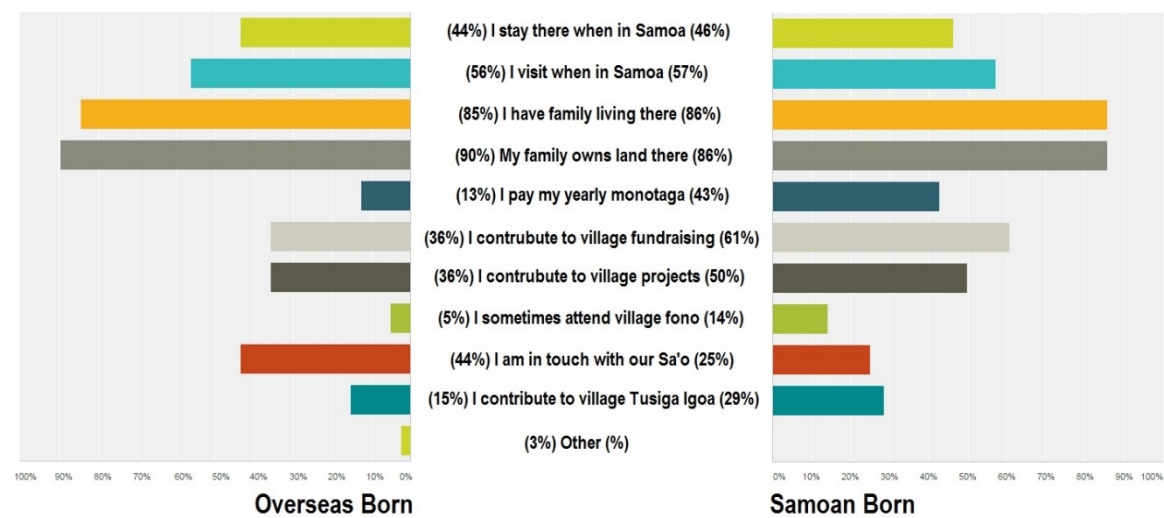
Graph 1

### What is your understanding of the fa'amatai - chiefly system?



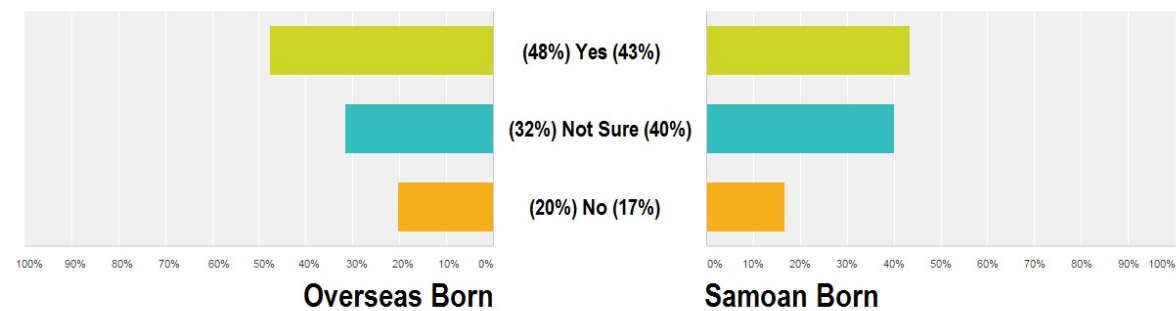
Graph 2

How are you connected with the village/lands of your title?



Graph 3

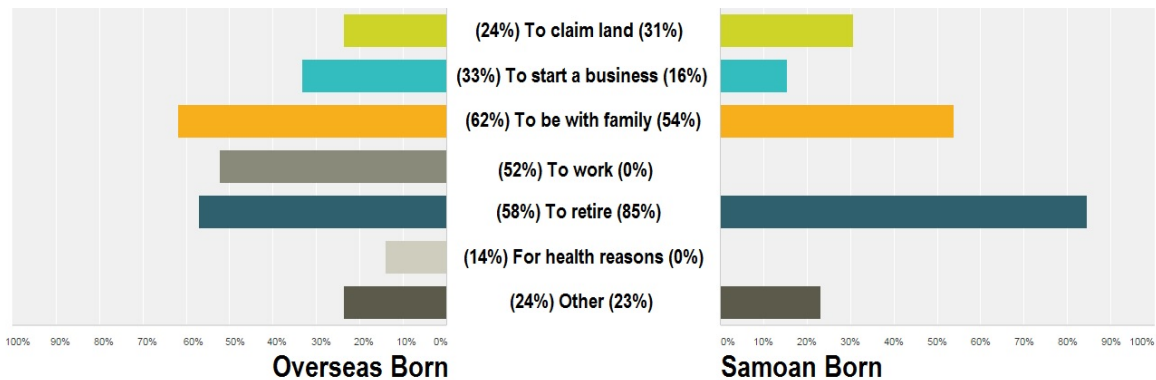
In the future, would you consider moving permanently to Samoa?



Graph 4

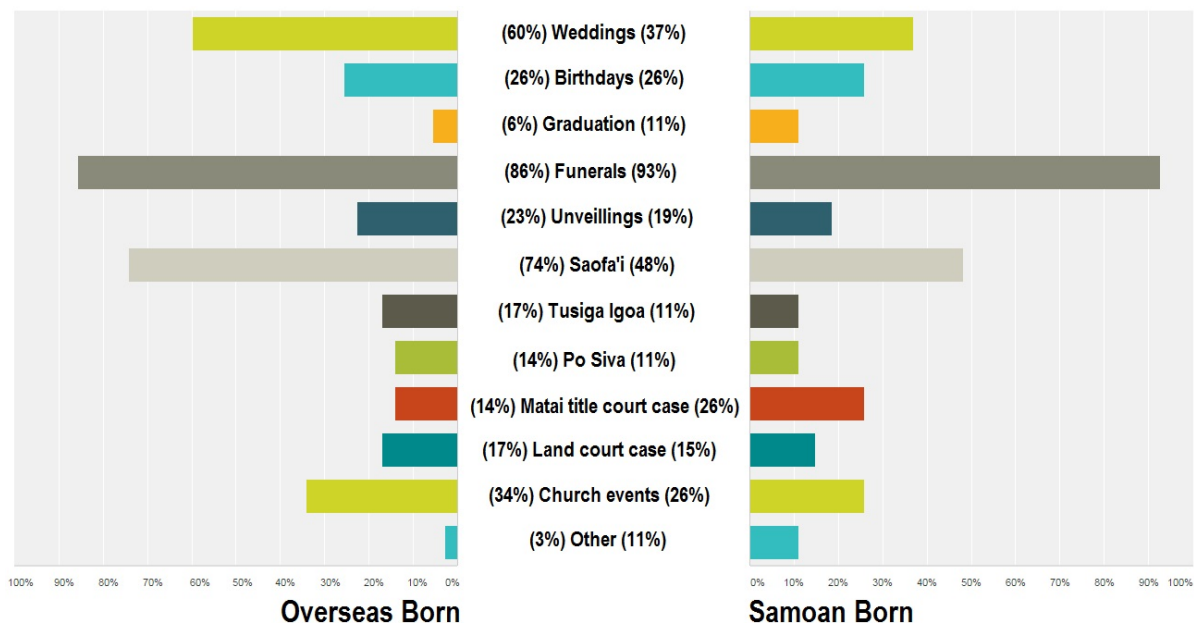


## If yes, why would you return permanently to Samoa to live?



Graph 5

## Which fa'alavelave have you contributed to in Samoa over the last two years?



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