

## Changing perception of land: Samoa 2000

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### Introduction

There has been much research on customary land tenure in Samoa. By way of contrast this case study reviews the use of freehold land in Samoa today - with the given that what is happening with customary land clearly influences the demand for and use of freehold land. The focus questions are:

- What is happening on the freehold scene and what factors are influencing this, in particular the influence of changing aspirations?
- Will changes taking place on the freehold scene influence Samoan perceptions of land and in turn, the *faaSamoa*?

Because the systems for allocating, validating the use of and transferring the rights to land lie at the core of Samoan social systems, what implications will changes in land tenure have on the *faaSamoa* social and political structures and, Samoan feelings of identity - that land is my future and my past? Questions include:

- Does the purchase of freehold land a) indicate a family's withdrawal from the *faaSamoa* b) or, do families living in freehold sections maintain the *faaSamoa* albeit from a nuclear household site a physically bounded space separate from the family land. A further question is whether this *faa Samoa* is the same as the *faaSamoa* experienced in the daily lives of those living on customary land and in close communal settings.
- Will differential access to freehold land see the emergence of social classes (those who can buy, who cannot and probably will never) and in turn some erosion of the *faaSamoa* communal ethic.

This paper is in three parts: first the baseline of the meaning of land in the *faaSamoa* is established. Next a case study of the situation of freehold land today is presented and finally there is a discussion. Data collection instruments included a literature review and interviews with land agents and other key informants including buyers and sellers of freehold land. While the sample size may be small, the trends shown warrant further study.

### Part 1. The value of land

There is a saying that Samoa is like a fish that has been divided - every piece of land has been allocated, and every person knows his or her place for all time.

The *faaSamoa* is the matai: the matai is the family is the land. The land is the village; the village is the family, is the matai, is the *faaSamoa* (Emele Moa 1991)

The Samoan village is intimately related to the land. Land-use practices cannot be understood without knowledge of Samoan social structure, custom, values and aspirations... To consider separately the village where people live and the land on which they work would be unrealistic (Farrell and Ward 1962:177)

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In the *faaSamoa*, to mention a district or a *matai* title is to immediately recall the history of that family and their lands, the wars fought, the bloodlines and the alliances and the family heritage captured for all time in a plot of land. The families' glorious past and feelings of identity and belonging are all rooted in the soil and the stones and the sea and river boundaries - the concept of my standing place - the *turangawaewae* of the Maori people - my spiritual home. This personal valuing of land explains the endless cases in the Land and Titles Court - which has replaced the land wars of earlier days as the testing place for family knowledge of and commitment to their heritage.

The *faaSamoa* value of land is primarily the feelings of individual and family identity - social and political and psychological well-being. Aiono Dr Fanaafi refers to Samoan identity as having three points of reference - or the three fold base of the *Faasinomaga* - a) the *matai* title to which people are born b) the land, owned by the *matai* title and c) the *Gagana* or Samoan language (Aiono n.d). However, this *identity* value of land is not to deny its social and economic value as well - for the production of food and essential household items, goods for sale and exchange. The political value of land is seen also in the foods produced which enabled families to keep their troops in battle for long periods so maintaining their political superiority. Land was also the means for the balancing of power. The family *matai* elected by family was trustee and protector of the *aiga* lands, history and traditions. Every family member - by blood, or who served the title, male and female - had equal rights to the family lands. Land was allocated according to need (not too much and not too little) and with an eye to sharing the rich lands and the not so good lands, so maintaining principles of equity.

Simply put, in traditional times the family lands were the means for satisfying people's basic needs. Further, because the systems for allocating, validating the use of and transferring the rights to land lie at the core of Samoan social systems any changes in land tenure may result in the sociopolitical hierarchy becoming dislocated from its economic base (see Ward 1993).

Traditional views of land are under review as Samoa moves towards an increasing consumer and commercial society. Ward (1993) gives examples of communal land being used in what he terms 'markedly individual ways'. These include the planting of long term crops; keeping land in use so retaining use rights for much longer periods than under shifting cultivation; and erecting homes of permanent iron and concrete materials on customary lands. The more common practice of widows staying on in their husbands' village is another example here as is the use of fencing and bush hedges as signifiers of ownership. For example there were few fences in *Siumu* when I undertook household surveys in 1989 but by 1996 there were very definite fence lines marking boundaries and ownership. Access and fair distribution of customary land are another issue in recent times, seen in this comment:

'...in the old days we used to work a lot on community projects. In those days you could get land quite easily. You asked the *fono*... Today it is very hard. You ask, they take a long time, and you might not get it... with the monetized economy people are becoming very land conscious... boundaries are solidifying. Production efforts are more individual than communal' (Fairbairn-Dunlop 1987).

O'Meara (1991) claims that much customary land is already individualised and is no longer being under the authority of the family *matai*. Samoan scholars argue O'Meara's lack of understanding of the intricacies of the *faaSamoa* social systems overlaying this seeming individual use of land. Retaining the traditional value of land and its integral role in the *faaSamoa* in these times of rapid change social and economic change is the challenge. And

overarching all, is the question of whether customary lands are meeting family needs - however these are defined- today as they did in the past.

## Part 2. Land sales

Land selling was not so visible in the past because this was carried out in a private manner by lawyers or family representatives (pers comm 2000). This may reflect faaSamoa norms about 'selling' and 'giving', or that land (tulaga) was the commodity). Bearing this in mind, three factors characterise land selling today: there is more land advertised for sale, there are more land agents selling and land prices are very high. For example, in 1980 the *Observer* newspaper listed a total of 69 land sale entries. By advertising agency this represented one land agent (51 entries) private sales were 15 (seven of these were by the Nelson company and relate to the breaking up of the Nelson estates on Savaii) and the remaining 2 were sales by lawyer. This latter group mainly comprised estate sales.

By way of contrast, land advertisements today spread over 2 pages and more of the daily newspaper. For example, entries on one day (June 4 2000) numbered 56 (see Table 1) and this was neither a high nor a low day. Not only have listings increased, there have been changes in selling agency: 27 were land agents (numbering three) 16 by individual and 13 by lawyers.

Land prices took an astounding leap between 1980 and 2000 even allowing for cost of living adjustments (Table 2). Prices reflect factors such as demand and the limited freehold land available, access to cash and loans and perhaps the truth of a comment that 'land agents are pushing up prices!'

Sellers	Law Firms	Nos	Real Estates	Nos	Private	Nos
	MVR Peteru	2	Impak Real Estate	5	Individual	14
Leung Wai	1	Samoa Realty	4	Commercial	2	
Drake	1	Nat Prop Sales	18			
Fepuleai	9					
Total 56 entries		13		27		16

Table 1: Property for sale by listings. Source Samoa Observer 4 June 2000

Location	Area (acre)	Value (\$) 1980	Value (\$) 2000
Vaitele	¼	3,400	38,000 – 45,000
Saleufi	¼	25,000	150,000,(Fugalei market
Siusega	¼	3,500	40,000
Mt. Vaea	1	25,000	50-60,000 per quarter

Table 2: Price comparisons 1980 and 2000. Source: Samoa Observer

Undoubtedly land has become an extremely marketable commodity in Samoa, a business, a vehicle for investment and for speculation. Further, selling now features all the Western patter of prime residential area' 'breath taking ocean views' 'excellent investment' and 'ideal for your very first home'. This ad from the *Observer*, June 4 would not be out of place in a newspaper anywhere in the world:

## Freehold land

The lands advertised for sale are freehold lands. The increase in selling does not mean more freehold land is being created in Samoa, but that more of the small percentage of freehold land is being sold. The fact that freehold land is only available in certain areas does influence

the spatial distribution of the population - as in the Vaitele and Siusega subdivisions. What is more, these freehold areas are likely to have better basic services than customary tenure areas because a) freehold land put up for subdivision must have basic infrastructure in place (roading, electricity and water) b) residents in freehold areas have an expectation for and are able to pay for services and c) they understand and are able to access the political lobbying processes needed to gain/improve services.

Generally speaking, freehold land in Samoa comes under the following categories:

1. 2% freehold land, comprising that taken by the German Administration or donated to religious organisations. Much of this freehold land comprises very large blocks, the result of a system of Court Grants whereby half castes or those of 'repute' could make a deputation to government and pay government for land which appeared not to be used. Sometimes money was paid for these sections, sometimes not. Customary owners are now disputing the legality of some of these transactions. A significant amount of land on the market today reflects the breaking up of these large family blocks gained through Court Grant due to changing family circumstances, such as the need to share family estates amongst a large number of children and migration.
2. Land available through conversion of WSTEC lands to freehold title (WSTEC lands are the former Reparation Estates). The financial difficulties of WSTEC prompted the selling of two large blocks of land at Vailele and Vaitele in the late 1970s and early 80s. For example, about 600 acres at Vaitele was subdivided and sold as 1/4 acre blocks by NPF. At the Vaitele industrial area WSTEC was directly involved in the sales: this land was subdivided for industrial sales. In another example, WSTEC gave back some land to villagers of Vailele and Letogo and Lauili- where there were 'too many people and not enough land' (1982 Lualu Fuataga MP). It is interesting that when the subdivisions were carried out, the debate in the house of parliament was 'Who is going to buy these?' and 'nobody wants this land, everybody has their customary land'. But these sections were snapped up within a month. A Church Minister at the time commented that it was very unfortunate to say but 'young people are flooding off the customary land, own feelings of wanting their own land, plus influence from overseas'. The Samoa Land Corporation established in 1990 is charged with devising fair ways for dealing with lands vested in the government. This is a very complex exercise given the sometimes uncertain history of the various claims. A further complication is the potential value of this land - as for example to Yazaki or some other such business venture. For example, the SLC considered giving back half of the Faleata Plantation to the village of Vaitele as a home base for village housing. It had intended to sell the road frontages. Due to political fallout this plan is on hold. The amount of land released by WESTEC sales on the market makes a substantial difference to the percentage of freehold land available.
3. A small amount of church lands are being sold/ exchanged. As for example the Catholic Church exchanged some Apia land so as to build the Catholic Centre at Malie. The creation of freehold land through reclamation - such as the church site at Moataa and the bus depot at Fasitoo.- is not discussed in this paper, neither are lands recently classified as 'customary freehold'.

### **Part 3. Who is buying and who is selling freehold land**

This case study features land sales by one land agent over a one year period 1999-April 2000. In this period a total of 16 pieces of land were sold (Table 3). Ten sales comprised the breaking up of family blocks in Nu'u and Siusega and Mulifanua. The data reinforces the growth of dormitory suburbs around the Apia urban area, a result of urbanisation but also because this is where the freehold sections are. As seen, prices varied according to

availability, desirability of area and distance from town. For example, the urban commercial sites at Fugalei and Savalalo sell at \$T420,000 per quarter acre compared with \$T37,000 at Siusega.

At these prices, only a small proportion of Samoa's population is in a position to buy freehold land today. Further, as land values are increasing so rapidly, any group that can buy land now will reap exceptionally good returns on this investment. This is a situation which leads to land speculation and increases in the division of wealth between those that can purchase a section, those that cannot and those who will never be able to purchase. Freehold land has become an indicator of wealth in Samoa today as well as a source of envy for those who cannot purchase.

Location site	Area (acre)	Purchaser	Reason	Price (\$)	Funding
Ululoloa H & ¼ ac	¼	Local	Family home	150,000	Bank loan
Nuu 1 acre	1	Local	Family home	65,000	Cash
Nuu ½ acre	½	Local	Apia Based	35,000	Cash
Nuu 1 acre	1	Local	Home	60,000	Installments sister in NZ
Mulifanua 4½ acres	4 ½	Local	Rec and fishing	175,000	Cash
Savalalo ¼ acre	¼	Local	Ext comm. prop	420,000	Bank loan
Nuu 1 acre	1	Local	Investment	65,000	Cash
Fugalei ½ acre	½	Local	Busing purposes	825,000	Cash and NPF loan
Savalalo ¼ acre	¼	Local	Ext comm. Prop	420,000	Bank loan
Nuu ½ acre	½	Local	Land for sons	35,000	Cash (Solomon islands)
LeTava ¼ acre	¼	Pagopago	Retire here	50,000	Cash (American Samoa)
Nuu ½ acre	½	Hawaii	Retire/bro live	35,000	Cash (US)
Vaivase H & acre	½	Australia	Hol home, parents	275,000	Cash (Australia)
Siusega ¼ acre	¼	USA	Retire	37,000	Cash (US)
Siusega ¼ acre	¼	LA	For parents	40,000	Cash (US)
Siusega ¾ acre	¾	Local	Ext present shop	120,000	Bank loan

Table 3: Land sales over a one year period 1999-2000

### The buyers

Generally speaking the majority of sales were by afakasi (possibly already living outside the communal systems) and all buyers were Samoans who presumably are moving out of a village community. More in-depth study is needed on this point, which is important to an understanding of changing perceptions of land. Gender data is being reviewed.

The impact of access to cash and, migration is seen by looking at who was buying land and how this was done (Table 3). As seen, 9 of the 16 sales were locally generated and six were purchased by 'outside' Samoans. A substantial number of transactions were initiated and carried out by phone and fax - so highlighting the influence of communication technology today within the business world especially. Five of the 'outsider' group came to Samoa for a holiday, saw the ad in the paper, looked at the section and put down a deposit. Full cash price followed. The Australian purchase was by a woman who saw the ad in the '*Samoana*' newspaper, asked her family in Samoa to look at the property and then decided to buy. The transaction featuring cash from the Solomon Islands is an expatriate married to a local - the marriage had dissolved, but the parent wanted to ensure a Samoan spot for his sons.

Migrant remittances played a large role in the purchases. Six sales were totally funded from outside (4 from US, 1 from Australia and one from the Solomon Islands). One is being paid by installments with help from a sister in New Zealand. Three sales featured bank loans and one comprised half a bank loan and half cash. Five of the eleven paying cash were local - one using cash from a redundancy payment. A significant amount of payments was in cash, notes being preferred to cheques. One buyer said he needed T15, 000 to make up his deposit and collected this in one day with contributions from many members of his aiga.

Table 4 sets out the buyers' reasons for purchasing land. While classified into three areas, reasons for purchasing land really extended over all three. Eleven responses suggested a personal benefit reason for buying - a wish for ones' own home, for land children could call their own, for a town base in Apia and for a retirement home. Two sections were purchased to build a house for parents 'a better place for them to live so even if we are overseas we don't have to worry about them'. Three purchases were perceived to be 'an investment'. Buyer comments included:

- I need some land for my children ... land that the matai can't interfere with and which will be their own. That's why I am buying.
- I live in New Zealand now, but I will probably come to live in Samoa to retire... it's much easier now with the pension. I don't think I'll live here all the time. But for now, I like a place to come and stay ... I don't want to stay in the village, or in the hotel. So I bought that land. My parents or my brothers' family can live their now, and when I come for holiday I will live there and then I'll retire there.
- In the land agent's opinion the major reason for buying these -and other freehold sections - was a wish for their own home - unencumbered free from matai interference, and mine to be done with whatever way I see.

Reason	Number	%
<b>PERSONAL</b>		
Want own home	3	18.75
Retire in the future	4	25.00
Town base (a Savaii resident)	1	6.25
Extend our present home	1	6.25
Land children can call their own	1	6.25
Recreation and fishing	1	6.25
<b>PARENTS &amp; FAMILY</b>		
A home for parents now	2	12.50
<b>INVESTMENT</b>		
Investment	1	6.25
Extend business	2	12.50
Buyer comments included		
<b>TOTAL</b>	<b>16</b>	<b>100.00</b>

Table 4: Reasons for purchasing land

### The sellers

Table 5 shows seven of the 16 sellers believed they would not be returning to Samoa, again showing the migration influence. A further three were selling land in Samoa to build a house in Pago (Amerika Samoa) so they were not really moving out of the Samoa orbit. Two - already living in Pago - were selling land in Upolu to get funds for school fees in the States. The remaining two were selling this land to purchase other lands.

It is a generalisation but the sellers appeared to be second and third generation owners of family land. This suggests changes in perceptions of the value of land are taking place over time. Seller comments included:

I asked my children what shall we do with that land. It was my father's land. They said: 'we have no feeling for that land ... it doesn't mean anything to us really. We aren't going to use it, ever. We need the money for other things. It is better to invest the money from land in other things today.

My father, and then us, treasured that land. We made sure that land was handed down to our children - that we were giving them something. Our generation NEVER sold. But when we gave the land to our children, they are cutting it up into pieces and selling it. It's very sad, but that's life really.

Reason	Number	%
MIGRATION (not intending to return)		
New Zealand	4	12.00
Utah	2	12.50
Australia	1	6.25
INCOME FOR PERSONAL NEEDS		
To meet financial commitments	1	6.25
To build a house (in Pago)	3	18.75
Pay school fees (in US)	2	12.50
Short of cash	1	6.25
INCOME INVESTMENT		
Funds to purchase other lands	2	12.50
TOTAL	16	100.00

Table 5: Reasons for selling

## Discussion

An immediate response to this data is that Samoans want the best of both worlds - every Samoan wants a quarter acre section of freehold - albeit respecting the values embedded in the customary lands. There are several discussion points:

### There is a vigorous market for land in Samoa today

People have the means to purchase land, so creating the demand to buy and sell Samoa's small amounts of freehold land. The influence of outside capital is obvious in this case study, but so is the growing significance of inside capital - the growth of a wealthy proletariat who have the money to buy.

### Customary land is not meeting peoples' needs

There are questions of:

- Access to customary lands, as well as protracted debate over rights to land and 'Right' to land. Some groups have no rights to customary land:
  - a) The tradition of widows returning to their natal village
  - b) Pastors - who are outside the customary systems- a significant number of freehold purchases are pastor's families.
  - c) Minority groups with no access to customary lands, such as Solomon Islands and Tuvalu population.
  - d) Expatriates wishing to live in Samoa.
  - e) Women - and youth

- Economic value of customary land in Samoa's increasing cash economy - does land 'work' for people's livelihood?
  - a) Customary land has no title which means it cannot be used as collateral
  - b) The sharing of products from customary lands does not encourage production effort
  - c) Who makes planting decisions for the use of customary land by individuals?
- Physical Location of customary land - is this where I want it, need it, can use it?
  - a) Distance from facilities
  - b) The quality of the land itself - for example Tanugamanono customary land sits right next to the EPC which has powerful generators active all day and night. Is it healthy for families to live here? (This raises questions about town planning and zoning)
- Personal Preference
 

Some people prefer not to live in the village - 'we like our comforts - a good house, hot and cold water, and toilets and quiet'. Others say living in the village is 'too expensive' with family and church obligations a constraint.
- Our future
 

Mostly the desire for freehold land is so as to have something to pass on to the future generation. Parents want to give their children a good start - one which is better than they had and one which they have worked for with their own hands.

### **Will the desire for freehold land influence the communal structures which make up the *faaSamoa***

Whether purchasing/ living in a freehold section indicates a weakening of the *faaSamoa* depends on what people mean by the *faaSamoa*. For example, the data showing the purchase of sections for parents and other family members could be interpreted as a reinforcement of the *faaSamoa*, a sharing of wealth in a tangible way. Other people say: 'Just because we have a 1/4-acre and a house doesn't mean we are isolated from aiga- we still function as a Samoan family - we go to faalavelave'.

Other questions relate to *how* the new section/ house is used. For example does the town house serve as base for all and every Savaii family coming to Upolu - or just the immediate family? Cluny Macpherson's study of Samoan garages in Auckland is a wonderful example here. Macpherson found NZ garages were certainly not for cars - these were the family malae for funerals weddings and other faalavelave; the homework centres, and homes for new migrants.

Taking these different views into account, geographic separation of any sort has the potential to reduce the number of times family nurture their ties by chatting together/ helping each other out/ joining in the many unplanned family meetings that pop up in a village. For example, one respondent said that when she moved to her freehold section she dropped in to the village every day for the first and second week. One year later she averaged one weekly visit in addition to visits for faalavelave.

There are other potentially undermining factors as well. For example, the very ability to buy a freehold section may generate amongst family members. Furthermore, this move can affect community quality of life as well as those moving out are likely to be the ones who have the couple of extra dollars in hand to help out with doctor's fees, a taxi, medicine, a cup of sugar, or school fees.

### **The future**

If we accept that people want sections of land to call their own, there are a number of options. One is to leave the amount of freehold land as is, but take steps to contain the influences of 1/4 acre section living by planning subdivisions in such a way so as to ensure *faaSamoa* sense of community can be supported. This requires creative thinking about the need and use of

social space: rather than row on row of 1/4 acre sections there should be malae spaces, a communal fale and sports areas. Initiatives to start village fono/ council-like organisations in these areas is another step in efforts to develop feelings of community in these areas. This has not happened. Option two would be to adapt the systems of customary tenure and formalise the many individualistic arrangements O'Meara has foreshadowed. This is a much larger exercise. The bottom line is that if customary lands are not meeting family basic needs today - as these did in past times - then some adaptations are needed.

In conclusion, will the freehold influence of land as commodity influence the traditional valuing of land as my people, my identify, me? I leave that question on the table and conclude with my opening statement that any change in land tenure will have implications on the faaSamoa structure - social, political, spiritual and feelings of identity and esteem. Has our pattern of social organisation become out of step with the economic and political?

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