

THE *IFOGA*:
THE EXCHANGE VALUE OF SOCIAL HONOUR IN SAMOA

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In a form of exchange known in Samoa as the *ifoga*, one group submits to a ritual and public humiliation in return for the forgiveness by another offended one. The ceremony is significant both as a social and an economic activity because the successful performance of the *ifoga* prevents escalation of socially and economically disruptive inter-group conflicts.

The first section of this article explains how people exchange deference and gifts in ways that acknowledge the damage done to the social honour of the affronted person or party and how it is restored by the ceremony. The second part of the article outlines factors that increase the difficulty of conducting the exchange successfully in a rapidly changing social environment. As the pursuit of individual rights challenges those of collectivities, individuals may be increasingly reluctant to allow collectivities to settle disputes on their behalf and in ways which deny them access to other forms of redress. As new forms of social prestige are increasingly evident and relevant in Samoan society, the “values” of honour and of “affronts to honour” become increasingly difficult to establish with confidence. As means of dispute resolution are proliferating, it is increasingly difficult to establish whether the *ifoga* will continue to be considered the appropriate vehicle for successful dispute resolution.

THE *IFOGA* CEREMONY

The *ifoga* is a public act of self-humiliation—accompanied by the gift of ‘*ie toga* or fine mats,¹ speeches of contrition and food—made as a form of apology by one group for the conduct of one of its members to another offended group. The term *ifoga* comes from the root *ifo* meaning “to bow down, as do those conquered in war, in token of submission” (Pratt 1911:49), and was defined in Pratt’s early dictionary as “a bowing down, an act of submission” and “the party bowing down” (Pratt 1911:49). The word *ifoga* currently means a “ceremonial request for forgiveness made by an offender and his kinsman to those injured” and comes from the word *ifo* that literally means to bow down and, among other specific usages, to “make a formal apology” (Milner 1976:82-83).

Ifoga are relatively infrequent because Samoan society has a comprehensive set of procedures aimed at managing routine inter-group tensions. Disputes *within* families are typically resolved in mediations between representatives of various sides of the '*āiga* 'extended family' that are led and directed by the *matai* 'titled head of the family'. Mediations usually take place only after *matai* have informally canvassed the opinions and possible solutions with sub-groupings at the centre of the matter. The factions involved are reminded that a disunited '*āiga* is unable to cooperate and mobilise the real and symbolic resources periodically required to meet their collective obligations. The speeches in these cases also remind those involved of the harm caused to the group's reputation by protracted and public disunity. The availability of a basis for unity provides the opportunity, and the need to protect the group's reputation from those who would capitalise on its misfortune, provides the motive for the resolution of conflict.

Disputes *between* families within a village also have potentially serious social and economic consequences for villages and generate similar concerns. When these minor issues, often between individuals and households, escalate, other larger entities may be drawn into the conflict. Where villages become overtly divided for long periods of time, economic and social cooperation is also made more difficult and the wellbeing of its constituent families can be compromised. *Matai* from the *fono a matai* 'village council', which is comprised of the chiefs of all families, typically mediate in these matters. This body has the authority to prevent, and a vested interest in preventing, the escalation of intra-village disputes. Unresolved conflicts bring their ability to manage their village into question; such conflicts can make the village and their influence and authority a matter of public discussion by outsiders.²

Newer forms of dispute occur more frequently as larger numbers of unrelated people routinely come together in sports events, work places, nightclubs, markets and on public roads. Conflicts periodically arise between unrelated individuals, often as the result of motor vehicle accidents, workplace disputes and nightclub brawls. Unlike disputes within families and villages, involving protagonists who are known to one another and unfolding over time, these events typically develop suddenly and cannot be monitored and managed.³ Such events may also involve quite large numbers of people and escalate quickly, for example, in a nightclub where patrons have been drinking for long periods of time and fights between individuals may quickly become all-out brawls, or in cases of road accidents when the use of offensive language by those directly involved may suddenly involve bystanders, who have taken exception to the use of the bad language in a public place.

In these situations, protagonists may have no common interests or associations that mediators might invoke as the basis of reconciliation.

When these means and common interests are not present, the prospects of early resolution of a conflict are lower. While these incidents may involve individuals in the first place, they too have the potential to escalate into disputes between 'āiga and, if not resolved, may become disputes between the villages from which the families come.

Ifoga typically follow events in which customary dispute resolution procedures fail or in which unanticipated acts, or accidents, pre-empt them. *Ifoga* also have high personal, sociopolitical and economic costs that are typically not borne solely by the offender, but that fall instead on the whole group, and everyone concerned would prefer to avoid them. *Ifoga* are normally successful in resolving tensions because few benefit, and many may suffer, from unmanaged tension within either families or villages.

HISTORICAL ACCOUNTS OF THE *IFOGA*

The English missionary, John Stair, described the basic ceremony and noted variant forms, which, he argued, reflected the seriousness of the offence. He noted that,

In cases of murder or adultery, the common mode of making compensation to the injured party or their relatives was by *ifonga* [sic], or bowing down, accompanied with a *totongi* [sic] or payment of a fine.

In case the offending party thought it prudent to tender this satisfaction, he collected some valuable mats, in number and quality according to the nature of the offence, and with his friends prepared to make his submission (Stair 1983:96).

He further noted that,

When it was thought necessary to appear very humble, the parties took pieces of firewood, stones and leaves with them, to signify that they put themselves entirely into the power of the aggrieved party, who might kill, cook and eat them, if they thought proper (Stair 1983:96).

This latter practice, Turner (1983:189) claimed, was “the equivalent to their saying, ‘Here we are, your pigs, to be cooked if you please; and here are the materials with which to do it’”.

While the basic elements of the ceremony remain, some elements of earlier ceremonies appear to have been discarded. Turner, writing of the mid-19th century, noted, in addition to “the firewood and small stones used in baking a pig”, the inclusion of “bamboos” on some occasions. He explained that, “[T]aking bamboos in hand was as if they said, ‘We have come and here are

the knives to cut us up.’ A piece of split bamboo was, of old, the usual knife in Samoa” (Turner 1983:189). Accounts of recent cases made no mention of either bamboos or of knives that might have been expected to replace them. The naval physician and ethnographer Augustin Krämer, writing around the end of the 19th century, noted that when offences were particularly serious, or when there were significant differences between the groups concerned and the malefactor was of lower status, the standard elements were accompanied by the beating of the offender’s parties’ heads with stones (*fa’afoa*) until they bled in order to add weight to the humiliation (Krämer 1994 v.1:107). This practice has not been reported in recent cases. Freeman claimed that the cooking elements were no longer present and that, “In contemporary Samoa, it [*ifoga*] is usually made with fine mats alone” (Freeman 1983:189); yet in more recent cases these symbolic elements have been part of presentations.

While the form of the *ifoga* has not changed markedly, the circumstances of its performance may have. Gilson (1970:49) reported that, “the *ifoga* could be performed in respect of any dispute, but it was particularly effective in small scale disputes between villages, which in the nineteenth century were very numerous”. The *ifoga* could also be performed to prevent wars (Gilson 1970:48).

... during the early years of the mission, many disputes and incidents threatened to culminate in warfare, but in every case the peace was preserved with differences sometimes being settled once and for all by the offering of formal apologies or *ifoga*, or the payment of compensation (Gilson 1970:119).

Ifoga were also offered as a token gesture of submission by groups defeated in wars (Krämer 1994 v.1:659, v.2:397, Pratt 1911).

The missionary George Turner made a similar point in reporting that, “the murder of a chief, a disputed title, or a desire on the part of one, two, or more of the districts to be considered stronger and more important than the rest, were frequent causes of war in Samoa”, but that, “[h]ostilities were often prevented by such acts as giving up the culprit, paying a heavy fine, or by *bowing down in abject submission*” (Turner 1983:189, emphasis added). In the absence of disruptive inter-district and inter-village warfare, one of the circumstances in which *ifoga* were apparently routinely offered had disappeared.

Some new circumstances, such as the presence of Europeans and of central administration, have appeared however. In 1856, the trader William Fox, who traded in Sala’ilua, Savai’i, was shot and killed after offending a young man named Sailusi from the village of Salega by accusing him of theft (Gilson 1970:213). Meleisea noted that,

[I]n Samoan eyes the offence was between districts, not between individuals. Accordingly, Sagone (the district of the killer) made an *ifoga* to the *nu'u* [village] and district in which Fox operated his business. This was refused and the 'umaga [body of untitled men] of Sala'ilua killed a *matai* of Sagone to settle the score (Meleisea 1987:32).

However, what seems at first to be an extension of the circumstances in which *ifoga* were performed may not be the case, for Gilson contends that the fact that Fox was a European was only partly relevant, and that the offence to Sala'ilua resulted from "the indignity of having a man whom they protected cut down in their midst, while losing their trader into the bargain" (Gilson 1970:213). It was probably thus an *ifoga* in the traditional sense.

Another *ifoga*, which appears to represent an extension of the range of occasions on which *ifoga* were traditionally performed, occurred early in the 20th century. The chiefs of the village of Leulumoega were forced to make an *ifoga* to the German Governor Solf, after they exceeded their authority in stripping a fellow *matai*, Alipia, of his right to act and be recognised as a chief in that village (Meleisea 1987:61). While these rights were arguably theirs according to tradition, the German administration demanded and received an *ifoga*. On the surface at least, this appears to signal the entry of central government into the proceedings. However, this may simply be a case of one polity offering to make an *ifoga* to a more powerful polity (*mālō*) to avoid costly retribution by the latter; it is therefore similar to the type described above by Gilson and Turner.

Offences against individuals could also give rise to *ifoga*, but in these cases the offence against the person was, in fact, an offence against the group whom the "victim" represented; the case of William Fox outlined above is an example of this. In the 1920s, Margaret Mead described the performance of the *ifoga* after the discovery of adultery when either or both of the cuckolded parties felt so aggrieved that one or both threatened violence against the cuckold (Mead 1981:89-90). She noted that the relative status of those centrally involved influenced the likelihood and form of the *ifoga*, and that women and their female relatives who performed an *ifoga* "will run far greater danger of being roundly beaten and berated" than adulterous men and their supporters (Mead 1981:90).

In the 1950s, sociologist David Pitt reported an *ifoga* performed by a disgraced *matai* who had been expelled from the *fono a matai* 'village council' to gain reinstatement to the body. If a *matai* had committed a major offence, e.g., murder or "manipulating genealogies", or defying the authority of the council of chiefs, he could be deprived of his prestige or his title or his right

to reside in the village. This punishment was achieved by an instruction from *fono a matai* to his *'āiga* to withhold their *monotaga* 'goods used by chiefs in traditional distributions', thus effectively preventing him from participating in the polity, or by an order banishing him from the village and calling for the destruction of some or all of his plantations (Pitt 1970:121). If and when the banished *matai* himself, or members of his *'āiga* on his behalf, sought to have him reinstated, and if the council agreed, "the *matai* will *ifoga*, that is go through a ritual of crawling in front of the other chiefs and then provide a feast for the *'āiga* and the village" (1970:121). Such a circumstance was not mentioned in earlier accounts, and it is possible that as the power of *matai* and the authority of the *fono a matai* began to decline from the middle of the 19th century. For reasons outlined by Meleisea (1992, 1995, 2000) and Macpherson (1997), some individuals may have felt able and inclined to challenge established political hierarchies embodied in *fa'alupega* 'ceremonial address testifying to socio-political relationships between polities'. This may account for attempts by village councils to discipline chiefs who challenged their authority and the need for *ifoga* in these circumstances.

THE *IFOGA* IN CONTEMPORARY SAMOA

Ifoga are currently offered in circumstances ranging from serious acts of violence against the person, such as murder,⁴ manslaughter and accidental wounding or trespass in a chief's house (*solitofaga*), to acts against a person's honour, such as adultery, public slander or deprecatory discussion of and judgments on other's genealogies.

According to Freeman (1983:189-90), the contemporary motive for performance of *ifoga* is guilt and the need to confess guilt, which he argues is central in Samoan society. He outlined several incidents that occurred between 1940 and 1966, noting that in each case the *ifoga* was an occasion for the confession of guilt. Saleimoa Va'ai, a Samoan jurist, writes that the *ifoga* is a practical example of the exercise of the protective authority (*pulefa'amalumu*) by the *matai*, and more specifically the *sa'o* 'senior title holder' who is committed "to protect family members from harm and usurpation by others" in cases where, "...a wrongful act that may have retaliatory implications threatening the lives of its members" (Va'ai 1999:50-51). There are elements of both guilt and protection in the ceremony. Powerful entities would not bother to offer *ifoga* to less powerful ones if they did not have some need to express collective guilt. But the expression of guilt may be a means to an end, and the burden of historical evidence supports Va'ai's interpretation that the public expression of guilt may be a means of circumventing threats to a family.

The form of the *ifoga* remains basically the same as is clear from Va'ai's (1999) description of the contemporary ceremony.

The family with a *matai* leading the *ifoga* would sit outside the residence of the *matai* of the injured person's family with fine mats over their heads offering themselves as objects for venting anger and revenge by the victim's family. In doing so the *matai* and his *aiga* humble themselves to the mercy of the aggrieved family and are exposed to serious harm and even death. When and if the victim's family accepts the *ifoga*, speeches of reconciliation are made accompanied by presentation of fine mats and food as offerings of amends (Va'ai 1999:51).

Our own study of recent *ifoga* allows us to expand on these outlines. The *ifoga* usually involves senior representatives, but not always *matai*, of one "side"⁵ accepting responsibility for an act by one or more of its members against a person from another. These are generally acts which result in death or serious injury, or are gross breaches of public morality or social protocol that reflect badly on the offender's group and might be expected to provoke a collective retaliation from the victim's "side". Having agreed to accept responsibility, the representatives collect fine mats, firewood, dried banana leaves⁶ and stones⁷—the elements of earth oven cooking—and take these to the home of the *matai* or another senior member of the aggrieved party as soon as possible after the event. This is done silently and usually under cover of darkness. The silent, pre-dawn approach reduces the likelihood of a pre-emptive attack by members of the aggrieved side, which reduces the prospect of spontaneous and uncontrollable violence and increases the prospect of a successful reconciliation. The offender, his or her family and chiefs pile the firewood and stones in front of the house of the head of the victim's family; then they sit, covering themselves with the '*ie tōga* 'fine mats' and await the dawn. Once the offender's representatives take their position on the ground, the ceremony must apparently take its course, irrespective of the level of anger among the aggrieved party.

The symbolism of the elements of the contemporary *ifoga* remains unchanged. Its performance signifies acceptance by the offender's representatives that the enormity of the act committed by one of their number is such that the aggrieved party is reasonably entitled to kill and cook the offender and/or his or her associates. The presence of one or more *matai* of the offending family signifies both that the '*āiga* accepts collective responsibility for the act of an individual member and that the offence was extremely serious. In offering, at least symbolically, the *matai*, who represents its dignity and prestige, the '*āiga* offers its most valuable "asset": the person in whom its

honour and social reputation are embodied. The social significance of the supplicant party may be enhanced by the inclusion of the offender and of other senior members of the offender's family or village polity. The protracted, direct contact with the ground, on which pigs, dogs and fowls have walked and defecated, completes the symbolic abasement of the party. In cases where the offence is considered extremely serious, the party has been known to lie rather than sit, which is the most complete abasement possible.

When dawn arrives, the injured family "discovers" the *ifoga* and must decide how to react. There are of course two possible outcomes: the acceptance of the apology (*ole taliga ole ifoga*)⁸ or its rejection. In fact, the receiving party may have anticipated the *ifoga* and even prepared for it. Although Freeman claims that "such a gesture, which to Samoans is deeply moving, almost always leads to reconciliation" (Freeman 1983:189), this has not always been so (Stair 1983:97). In an account of an *ifoga* performed in Satapuala in March 2004, a reporter wrote, "*Afai ae ola ua laki, a'o le taunuuga e masani ona o'o i le maliu tagata na te fa'atinoina le ifoga.*" [If the *ifoga* was accepted the supplicants were fortunate, for death usually befell those who performed the ceremony] (*Weekly Samoa Post*, 29 March 2004:1). But while such incidents are unlikely today, they remain a possibility in a situation in which extreme passions are aroused in those close to the victim. The possibility of rejection means that the performance of the *ifoga* is not, as both O'Meara (1990) and Va'ai note, without its dangers and, indeed, the exposure of a group's *matai* and other senior members to the threat of danger may be essential as a symbol of atonement and may explain why symbolic abasement occurs even when physical harm is unlikely. But few *ifoga* are apparently rejected,⁹ even when the acts that gave rise to them are serious indeed.

After a period of one to six hours,¹⁰ the *matai* of the aggrieved party invite the supplicants into the house. The initial acceptance of the *ifoga*, signalled by the invitation to enter the house, ends the most public phase of self-humiliation, but it does not end the danger to the offender's party. The discussions that occur within the house are intense encounters which are fraught with the possibility of sudden outbreaks of violence¹¹ (O'Meara 1990). The skill of the supplicant *matai* in using the language of respect, their willingness to tolerate repeated accusations and recriminations, and their continued willingness to accept responsibility for the act are all fundamental to the successful conclusion of an agreement on the terms of the forgiveness that necessarily precedes the reconciliation (*fa'aleleiga*).

The repetition by speakers of the terms of the "agreement" effectively binds both the speakers and those whom they represent to certain undertakings, and

confirms that the exchange of deference for forgiveness has been accepted. There may also be attempts in these discussions to invoke biblical injunctions to forgiveness and peace and to enjoin God as the authority for, and witness to, the agreements to forgive and restore peace. This is essential to ensure that any kind of subsequent retaliation would be considered very seriously.¹² After speeches are made by representatives of both sides, food is shared. The focus of both of these activities is on the creation of a public agreement about the terms of any settlement and on confirmation that the matter is now formally closed.

SOME RECENT *IFOGA*

The *ifoga* continues to provide a vehicle for reconciliation in circumstances where other means of reconciliation are unavailable and in which quick, decisive and public actions are required to prevent escalation. In fact, as the following cases suggest, the range of occasions on which they are offered may be expanding.

Case 1

When, in 1999, the Minister of Works, Luagalau Leva'ula Kamu, was fatally shot at a political celebration in Apia, the family of the accused were quick to offer *ifoga* to both the village from which he came and to the district which he represented in Parliament. Taking the Minister's life constituted an affront to the honour of both his family and the district that he represented. While representatives of the 'āiga of the accused were undoubtedly embarrassed by the actions of their members, they were also aware of the possibility of retribution by either, or both, relatives and constituents of the Minister. A single family or village has little prospect of successfully defending itself on two fronts, and so they had little option but to accept the necessity of the ultimate humiliation of simultaneous self-abasement to both.

Case 2

One early morning in March 2004 in the village of Satapuala, Upolu, an untitled man, was seen in the Methodist pastor's house by the pastor's wife as she was on her way to open the church. She recognised the man, who she thought was drunk, told him to leave the house and reported the matter to some *matai* in the congregation later in the day. The offence, known as *solitōfaga* 'trespassing in the resting place of a chief' is regarded very seriously and young men who were found without lawful purpose in the homes of chiefs were usually assumed to be engaged in the seduction of female members of chiefs' families. The newspaper account of the case explains,

ole solitofaga i le tu ma aga o Samoa o se solitulafono mamafa, matuia toe fa'aluma aiga. Pe a faatino lea tulaga i se Maota ose fa'afeagaiga, e matua solitu le nuu ma togisala le tagata ua faia lea tulaga maualalo ole soifuaga [This act is, in the customs and traditions of Samoa, a serious, gross breach of law. If it is committed in the house of a pastor, it is an extremely gross breach which demeans the entire village] ((1970:49). *Weekly Samoan Post*, 29 March 2004:1, 5).

The head of the offender's family, Tofa Mala'eulu, immediately performed an *ifoga* outside the house in the centre of the village where the village council was meeting.¹³ The *ifoga* was accepted by the members of the *fono*, who then advised Mala'eulu to instruct members of his family to be more respectful and to counsel them to avoid future breaches that reflected badly on both his family and on the village. At the conclusion of *fono*, an orator, in turn, took the fine mat to the pastor's house, reported the *ifoga*, conveyed the supplicant's family's shame, the village's sense of humiliation, and sought the pastor's family's forgiveness for their failure to protect them. The pastor accepted the approach, complimented the chiefs and orators on their handling of the matter and declared that all was resolved (*Weekly Samoa Post*, 29 March 2004:1, 5).

Case 3

Early in 2004, the Methodist pastor of Nu'usuatia eloped with a young woman from the village who was attached his household and under his protection. The runaway pastor and the young woman were located in another village and the pastor announced that the young woman was to replace his wife as the new "mother of the village", thus further humiliating his cheated wife. The *matai* of Nu'usuatia, humiliated by the immoral conduct of one of their young women and by her role in the embarrassment of the pastor's wife, took the pastor's humiliated wife back to her village. There they performed an *ifoga* in which they sought forgiveness from her family for the conduct of one of their village's daughters and for the village's failure to protect the pastor's wife from embarrassment. Their humiliation was mitigated by the wife who, at the same time, professed her continued love for her husband and petitioned her parents to allow her husband to return to her.

The *ifoga* publicly expressed the village's remorse, ended the matter between the village and the pastor's wife and her family, and freed the pastor's lover's family to accept the pregnant girl's return. Other matters, however, remained unresolved. The wife's family has not forgiven their son-in-law for their daughter's humiliation and the threat to his safety remains imminent. When the father-in-law came across the errant pastor, he went to

find some members of his family to give his son-in-law a beating, but the pastor had escaped by the time the party returned. The relationship between the pastor and his own village and family in Satupa'itea, Savai'i, both of which were humiliated by his conduct, remains unresolved. They banned him from returning to his village even for burial (*Weekly Samoa Post*, 8 March, 2004:19).

Case 4

The final example involves a school administration taking responsibility for the actions of one of its staff. In February 2004, a female 17-year-old, year 13, student at the Methodist High School at Leva'ula gave cheek to a teacher and was beaten by the school's chaplain so badly that she was hospitalised and required surgery for injuries caused when her head was rammed into a concrete post. When her injuries were treated, the physician who treated her reported the matter to police and sought their intervention. The police started an enquiry into the matter. While this will undoubtedly result in the resolution of legal matters, it did not resolve matters between the school and its community.

That fact may have motivated the head of the school and some of the school's teachers, as well as the pastor who had beaten the girl, to perform an *ifoga* to the girl's family to express remorse for the failure to control their members and for "the spilling of Alice's blood" (*Weekly Samoa Post*, 1 March, 2004:4, 5). The seriousness of the offence was in this case underscored by the inclusion of both the school principal and pastor in the party that performed the *ifoga* to the student's family.

IFOGA AND THE VALUE OF SOCIAL HONOUR

The offence detracts from the social honour of the offended family and must be restored by the *ifoga*. The successful conclusion of *ifoga* depends to a large extent on the "calculation" of the seriousness of the act by the offender's party, and on the acceptance of their calculation by the aggrieved one. The "value" of foregone social honour caused by the offence is negotiated through the conduct of both parties and it is reflected in how the ceremony is conducted.

The first indication of how serious the offence is comes from the composition of the offending party chosen to make the apology. It is reflected in the number and social status of those that comprise the party. The larger the party and the higher the status of the leaders included, the greater the acknowledged seriousness of the offence. The inclusion of the *sa'o* 'senior chief', for instance, increases the status of the party, as does the presence of

elderly people and of the parents of offenders or the offender. The supplicant party's calculation is thus communicated to the offended party who can establish the composition of that party from inside the house.

The second indication comes again from the supplicant party and is reflected in the number and quality of the fine mats (*'ie toga*) they bring. The best mats cover the most prominent people in the party and are clearly visible. Where bundles of lesser quality mats are also brought, it is a relatively simple matter to establish how many mats are on offer because such bundles usually contain ten mats. This element of the calculation is also evident to the offended party who can estimate of the number, size and quality of mats from inside the house.

The third indication comes from the aggrieved party and is reflected in the length of time they take to accept the *ifoga* and to invite the supplicants into the house. In earlier times this involved days of waiting rather than hours; this waiting time has certainly been shortened. Some people who spoke about this element argued that the time period could be adjusted to reflect the seriousness of the offence; it could also be extended to offset a perceived shortfall in either the composition of the party or the quality of fine mats.

The fourth indication comes from the offending party again and is reflected in the tone of the speeches of apology made by its representatives. This appropriate tone is not easily defined but is, we are assured, readily apparent to those familiar with the formal Samoan language used on these occasions.

The fifth indication is evident in the tenor of speeches of the aggrieved party's representatives: in the numbers of speakers who restate the seriousness of the act and the responsibility of the group for the offender's conduct, and also in the length of time devoted to speeches before the aggrieved party indicates formally that the *ifoga* will be accepted.

THE ECONOMIC SIGNIFICANCE OF THE *IFOGA*

While discussions of the *ifoga* tend to focus on the symbolic elements and social consequences of the *ifoga*, and on its sociopolitical significance, inter-group conflict also has the potential to disrupt economic life. For instance, if tensions are allowed to persist, and if those involved look to history to explain the conduct of others and to justify their own, past incidents are revisited and reconstructed in the light of current events. This may result in the withdrawal of informal arrangements to cross or to use land, which creates economic disruption and exacerbates tensions. In other instances, more serious disruption may occur. When, for example, a child was killed accidentally in one village by a bus driver from another, vehicles from the driver's village, when passing through the village in which the child was killed, were regularly

stoned; in some instances they were stopped and their occupants abused and beaten. Eventually, the bus-driver's family performed an *ifoga* in the child's village. These forms of retaliation bring economic loss to those directly and indirectly affected by them. The *ifoga* can prevent economic disruption, but this does not exhaust its economic dimensions.

Conflicts within families are in themselves serious, because they threaten the reputation and social honour of the 'āiga and because tension may disrupt their economic life by making certain forms of necessary co-operation and activities difficult or impossible. Where matters remain unresolved, even normally routine encounters between members of the parties involved are potentially fraught, because relatives of the aggrieved party may feel honour-bound to draw attention to the breach or to exact retribution. The movement of the offenders in the course of their daily activities may constitute provocation and produce outbreaks of conflict for similar reasons. Each such outbreak has the potential to produce new incidents that can escalate the conflict and resultant economic disruption. An *ifoga* resolution may include agreements to banish, either temporarily or permanently, those whose continued presence might constitute a provocation. The attempts people make to control and stem conflict arise as much from economic as social considerations.¹⁴ Within the ceremony, parties are attempting to negotiate both a rate at which humiliation is exchanged for forgiveness and an end to economic disruption.

THE FUTURE OF THE *IFOGA*

The *ifoga* has, as we have suggested, provided a widely accepted and valuable means of delivering restorative justice in Samoan villages. More recently, it has been successfully employed between families living beyond the jurisdiction of villages within the Apia town area,¹⁵ between schools and their communities and in Samoan communities abroad.¹⁶ It has also been performed to mediate conflicts between Samoan and non-Samoan communities abroad. Yet, despite this, its future use is by no means assured. Several factors seem likely to constrain its value as a means of conflict resolution. These are challenges to the rights of collectivities, the practical difficulties of valuing social honour in a rapidly changing social environment, and the proliferation of new social torts and of forms of dispute resolution.

The Contested Rights of Collectivities

Ifoga are vehicles for collectivities to offer and to accept apologies on behalf of their members for whose acts they accept responsibility. Their success depends on the acceptance by members, and in particular by those directly offended, that a collectivity is entitled to establish the seriousness of

the wrongs committed against them, to determine appropriate remedies and to accept apologies on their behalf. This acceptance has apparently been largely routine because, until recently, individuals have been accustomed to thinking of themselves as members of 'āiga first and as individuals second, and of placing the sociopolitical interests of the group ahead of their own personal ones. The acceptance of the authority of *matai* and elders to make decisions on behalf of untitled members of an 'āiga has also apparently been largely routine. Individuals have typically accepted the right of *matai* to contract on behalf of the family and in their collective interest. The future of the *ifoga* also rests on the continuing acceptance of these principles of collective interest and responsibility. In practice, individual rights have been recognised in Samoan law for at least 60 years, and the rights of collectivities have been tested occasionally in Samoan courts since at least 1948. But events over the past 30 years suggest that general acceptance of these principles is under challenge from a new individual rights discourse that has won wider public attention as a consequence of the rise of civil society, and has encouraged more individuals to place their interests ahead of those of their family and to claim constitutional support for these claims.

The Constitution of Samoa guarantees all Samoan citizens certain individual rights (University of the South Pacific 1988:466-72) that at times conflict with the traditional rights of collectivities such as families and villages. The individual rights are set out in the Constitution of the State of Samoa, guaranteed by the State, adjudicated in courts and enforced by agents of the State. The rights of traditional collectivities, such as village councils, rest on local tradition and are also guaranteed by the State in the Village Fono Act of 1990, which confirmed in law the village polities' right to interpret, invoke and enforce "tradition". These occasionally conflicting sets of rights have resulted in conflicts over the rights of traditional polities to adjudicate and enforce collective rights.

These conflicts have surfaced most clearly, but not exclusively, in disputes over religious freedom. Several recent incidents have challenged the right of the *matai* of a village to limit the number of religious denominations that are allowed within a village and, in so doing, to infringe residents' constitutional rights to freedom of religion. In one recent case, in Samalaeulu, a member of the Church of Jesus Christ of Latter-Day Saints sought to establish a study group in a village in which he lived, but in which there were already two active churches. The village council warned the person to stop running the study group and, when he repeatedly refused, he was seized, trussed and taken to a pyre on which he might have been burned had it not been for the intervention of the village pastors and the rain. In this case, the police,

representing the State that guarantees the rights of individuals provided in the Samoan constitution, pointed out to the members of the group concerned that they were unable to enforce their right to freedom of religion and persuaded them to move to a village where the religious denomination in question would be accepted. In the wake of that case, the chair of the National Council of Churches, the Reverend Oka Fau'olo, raised the possibility of amending the Constitution to limit the numbers of denominations that could be established in Samoa and having the Prime Minister consider and approve applications from new denominations which sought to establish a presence in the country. In another, more recent case in the village of Lotoso'a, ten people, who joined an evangelical group rather than one of two established denominations, were exiled from the village. The court confirmed that the exiles had the right of religious freedom but advised them to hold their bible study meetings beyond the confines of the village. In a gesture of reconciliation, the ten banished evangelicals were later permitted to return to the village (*Islands Business* 2004:12). This case prompted a wider discussion of the rights of collectivities and those of individuals.

Each such incident exposes the tension between individual constitutional rights and traditional collective ones and leads, in turn, to renewed discussions of the rights of traditional collectivities, e.g., villages, over individuals as citizens and as members of non-traditional collectivities, e.g., evangelical churches. This is, in part, because some Samoans have begun to think of themselves both as individuals and as members of collectivities other than families and villages.

The activities of a range of international agencies and NGOs, the return of Samoans who have lived abroad and the pervasiveness of mass media have increasingly encouraged people to think of themselves as members of non-traditional collectivities, such as youth, women, gay, disabled and transgendered people and union members. This trend has led in turn to discussions of the interests and rights that attach to membership of these social categories, appropriate means of advancing their interests, and the ability of traditional institutions to reflect and represent them. There is now more broad-ranging discussion of these issues than was once the case (Farran 1997).

The same forces have produced an increased focus on individual rights defined in universal conventions. When, for instance, a young, well-educated woman was raped in a village in Savai'i, the rapist's family immediately performed an *ifoga* that was accepted by the young woman's family. While banishment of the man, the gifts and apology and its acceptance resolved, formally at least, matters between the families and alleviated tension within the village, it did little to resolve the victim's sense of personal violation and

hurt. Against the advice of senior figures in her family, who considered the matter closed, the young woman sought redress for personal violation to her as a woman. A charge was laid with the police and the alleged rapist was subsequently tried, convicted and imprisoned for the rape.

Discussions of her decision revealed divided opinions. Some construed her actions as an affront to her family, and specifically to its *matai*, who had already accepted the apology on her behalf. In taking this action, she was seen to be publicly challenging their authority and, specifically, their right to determine the seriousness of an affront to one of their members, the appropriate remedy, to accept an apology and to effectively end the matter. Others judged her decision appropriate and reasonable. They argued that the *ifoga* had resolved the matter of the affront to the honour of one family by another and had restored relations between the families involved. While they accepted the restorative element of the *ifoga*, they argued that its effect was confined to the restoration of relations between collectivities. It did not, they argued, resolve the dispute between the woman and the man.

In a more recent case, in July 2004, a young man from Aufaga in Upolu, whose family had accepted an *ifoga* after his brother was severely beaten by four village men, went on record in a national newspaper to challenge their decision. In a highly public challenge to his family's right to accept an *ifoga* he said,

Pe talia le ifoga e ou matua ma le matou aiga, ae ou te le malie lava iai, pau lava le mea ou te manao iai o le tau'i o le toto ile toto, ona faatoa uma lava lea o le mataupu leni.... O lea la ua le avea i le ofisa leoleo, ae o lea lamalama taitasi lava sei tau'i lava le toto lou uso lea ua masa'a ia i latou. [It doesn't matter that my parents and the family have accepted the apology, I am not happy with the outcome. The only thing which I want is blood as payment for blood, only then will this matter be closed.... This matter was not taken to the police, but I will seek out each one of them and they will pay for the blood of my brother which they spilt] (*Samoana* 16 August 2004:5).

These cases were interesting because they pointed to the slowly growing acceptance of the freedom of individuals to act independently of collectivities to which they belong. In so doing, they challenge collectivities' authority to define their interests and to determine when and how these are best met. Each time this type of incident occurs, the relevance and efficacy of the *ifoga* is indirectly challenged.

Police, Courts and the Ifoga

The police and courts also constrain the rights of collectivities to resolve matters with the performance of the *ifoga*. The police continue to investigate

offences even when they are informed that an *ifoga* have been performed and accepted (*Samoa Observer* Online, 25 July 2004). The police also prosecute cases even when *ifoga* has been performed and accepted, and when those directly involved assure them that the matter has been resolved. Even privileged members of society whose families have performed *ifoga* have been charged by police. Even after the family of a cleric who killed a child in a vehicular accident performed *ifoga* on his behalf (*Le Samoa* 6-12 November 2001:14) he was tried, convicted and fined.

This is not to say that the courts ignore the significance of the *ifoga*. As the legal scholar Guy Powles has noted,

the *ifoga* is part of the legal system of Samoa—a legal process within the customary law domain of Samoa's dual legal system. It is a process based upon Samoan law which preceded European contact with the islands, and which is preserved by the independence Constitution of Samoa 1962, and recognised today by the formal courts (Powles 2004:2).

In court proceedings, lawyers routinely report *ifoga* and other forms of reconciliation (*fā'aleleiga*) to the court and ask to have these taken into account by the court. Magistrates also routinely ask, usually in cases involving violence against the person, if reconciliation has been attempted, and they may take these acts by families into account in sentencing. In some cases, these petitions result in discounting in sentences. Guy Powles, commenting on the sentences in three 1999 cases in which the victims' deaths at the hands of strangers had been followed by *ifoga*, noted that,

For sentencing purposes, what these cases had in common is the judge's attention to the ceremony of apology coupled with the offender's personal remorse. Significant discounting was allowed on these grounds... In my experience, a further discount would be acknowledged if the dispute was within a single 'aiga (extended family), remorse was genuine, senior family members took some responsibility and there were good prospects of permanent reconciliation (Powles 2004:3).

Powles' observation that judicial discretion is exercised in determining whether the apology is genuine and whether either the withdrawal of charges or a sentencing discount is appropriate, is born out by recent decisions in which the court has set aside requests to have *ifoga* considered as mitigating factors. Thus, in 1997, the police prosecuted a Satapuala man for the attempted murder of his wife's lover, who happened to be the village's pastor's son. The chief justice was informed by the pastor, who appeared for the defendant, that an *ifoga* had been performed by the defendant's family, that he had

forgiven the man, that the matter was closed and that he wished to have the charges withdrawn. The judge however, while noting these matters, said that the request for the withdrawal of charges was not justified and sentenced the defendant to three years imprisonment (*Samoa Observer* 26 June 1997:1-2).

In some cases, an *ifoga* may be considered in sentencing but does not influence the sentence, particularly where the judge forms the view that the *ifoga* was not performed in good faith. In 2004, a young man had, while drunk, burned down another family's kitchen and *fale o'o* 'sleeping house', sworn at its owner and threatened him with bodily harm. The defendant's mother pleaded with the court for leniency for her son on the grounds that "the matter had been settled traditionally between the two families" (*Samoa Observer* Online, 12 June 2004). The judge noted that the defence of drunkenness was never an excuse, that convicted arsonists would always be imprisoned, and questioned the remorse of the defendant who had made no attempt to compensate his victim for his loss. The judge went on to say, "...last minute reconciliations for the sake of lesser sentences would not be taken into account" (*Samoa Observer* Online, 12 June 2004).

Even if challenges to the rights of the collectivity had not threatened the viability of the *ifoga*, the activities of the police and courts might have. One might ask why a family would publicly humiliate itself and offer recompense in an *ifoga*, if it would be humiliated a second time in a court case in which the conduct of one of its members would be publicly aired and by which the member might be fined and or imprisoned?

In the recent past, the senior members of the Samoa Government, the Samoan Supreme Court and the Samoan Law Society have expressed interest in alternative dispute resolution systems being devised and promoted by the Fiji-based Pacific Judicial Education Program. The Alternative Dispute Resolution excludes lawyers and employs three sets of procedures that can provide faster, less expensive and less public resolution of disputes outside of the formal courts (*Samoa Observer* Online, 15 June 2004). If these systems are adopted and established, they may provide an additional and less expensive option to the *ifoga*.

Estimating the Value of Social Honour

The successful performance of the *ifoga* depends, to a large extent, on the correct estimation by the offender's supporters of the seriousness of the affront, and of the appropriate type and level of response called for. It depends also on the acceptance by the aggrieved party that the apology offered is of an appropriate type and level to warrant their forgiveness. Where there is a perceived disparity between the "value" of the apology offered and that

which is expected, the potential for dissatisfaction is heightened and prospect of successful reconciliation declines. The consequences of miscalculation of value in an *ifoga* are dangerous if the aggrieved party is provoked into attacking the supplicants, humiliating if the offender's party's apology is rejected as inadequate, and costly if the disruption of economic activity is not resolved by the ceremony.

Expressed in the vocabulary of the market, the calculation of the "value" of the affront, like all values, is most reliably fixed when there are regular transactions in the market. The more numerous and varied the number of transactions, the better the probability of accurately estimating the appropriate "value" and response for any given set of circumstances, and the higher the probability of successful performance of the ceremony. A number of factors are complicating the calculation of social honour in contemporary Samoa and these may eventually lead to the disappearance or transformation of the *ifoga*. If people come to believe that the costs and or risks of performing an *ifoga* are greater than the potential benefits from performance, they may be reluctant to attempt an apology and may prefer to allow the court to resolve issues. If the *ifoga* is performed less frequently, this will, in turn, present certain practical problems for its survival. Exchanges of all types are likely to be most successful where they are regularly transacted and where those who may later need to perform them are able to watch and learn. They are able to learn the language of the exchange, the respective values of the items which are exchanged, and the factors that might affect these and that might need to be anticipated in carrying out a successful *ifoga*.

ON THE FUTURE OF TRADITIONAL DISPUTE RESOLUTION

In traditional society the number of social and political roles was circumscribed, relations between them were relatively clearly defined and understood, and the bases for assessing social honour were relatively simple and widely agreed upon. In contemporary Samoa, a number of things are complicating the assessment and increasing the difficulties of performing ceremonies which are designed to restore it. This section outlines some of them by posing some questions which arose in informal discussions of the growing difficulties of performing traditional ceremonies in a rapidly changing society.

Some matters influencing the future of the *ifoga* are internal and stem from changes in Samoan social organisation. As the formerly clear status of *matai* titles has become clouded by their proliferation, through splitting of existing titles and creation of new ones, the difficulties of calculating the exact "value" of damage that has been done increases, as does the difficulty of knowing to

which of the holders of the title the apology and presentations should be made (Macpherson 1997, Tcherkezoff 2000). The performance of *ifoga* to the wrong titleholder could lead to escalation of the dispute, rather than its solution.

The calculus for converting the value of social honour into a given quantity of fine mats is no longer straightforward. As the once standardised quality of fine mats has been confounded by the creation of large numbers of mats of variable quality (Schoeffel 1999), the difficulties of calculating the appropriate number of mats of various qualities have also increased. The presentation of a large number of lesser quality mats in fact carry potentially inflammatory messages about the status of the victim that might inflame rather than resolve the situation. Conversely, the presentation of a small number of high quality mats in a situation where the quantity of mats is of greater import than their quality could antagonise their recipients.

An accurate assessment in the conversion of the damage to a reputation into the amount of time the offenders' representatives are to be kept waiting in front of the house is no longer simple. This is important since those seeking forgiveness also have a view on the value of the offence, and on the form and level of self-abasement needed to acquire the right to forgiveness. What happens to the prospect of reconciliation if the recipients miscalculate and give offence to the offenders' representatives? Similarly, how is the amount of recrimination and criticism that can be directed at the offenders' party in the exchange of speeches without going beyond the tolerance of their representatives to be evaluated? What happens where this tolerance is miscalculated and the offenders' party come to feel that they are owed an apology?

These internal transformations are not the only factors that affect traditions such as the *ifoga*. The jurist Ae'au Semi Epati noted in a discussion of the resolution of disputes over lands and titles that "the task of interpretation, definition and implementation of these respected and time-honoured customs is becoming more difficult as external influences multiply" (1988:168).

One of these is monetisation and the resulting increased significance of commercial entities and activity in the Samoan village economy, which has created a number of offences and conflicts that were not envisaged in arrangements derived from pre-capitalist social organisation. These create certain problems for a ceremony derived in a pre-capitalist society that sought to exchange humiliation for forgiveness and could not have anticipated the new forms of exchange. The relevance of the *ifoga* will decline if offended parties decide that it cannot provide the recompense that they seek.

Increasing numbers of social transactions involve commercial entities that are primarily concerned with making acceptable profits and have no social honour as such. Commercial entities have no obvious interest or stake in the maintenance of interpersonal or inter-group cohesion. For them, inter-group

cohesion in the villages within which they operate is only valuable in as far as it serves or impedes their freedom to conduct their business without interruption. For example, an argument between a store manager and a customer that is followed by the customer's drunken act of burning down the store is unlikely to be resolved by an *ifoga*. The enterprise has no "social honour" that can be restored by an *ifoga*. The damage to the enterprise is the loss of its premises and stock, preventing it from carrying out profitable business. In these circumstances, commercial entities and their insurers are much more likely to pursue remedies in civil court. Aside from physical plant, commercial enterprises have other assets, such as reputations, which may be damaged. On the surface at least, *ifoga* might seem appropriate vehicles for restoring damage in such cases.

But in the commercial environment, damage to a person's reputation may now have not only sociopolitical significance, it may also have considerable economic implications. One's social honour may be vitally connected with one's ability to conduct a business profitably. Such losses were not anticipated in a pre-capitalist environment in which the *ifoga* evolved. A slander may affect both a business person's personal and commercial reputations and may result in a significant loss of business and profit. While a victim might be willing to accept that an *ifoga* could restore personal social honour, he or she might be unwilling to accept that it can compensate for damage to a professional reputation and for consequential loss of business and profits. In such circumstances, a victim could accept the *ifoga* while reserving the right to take a civil action for damages. In this case, offenders' families might reasonably decide that an *ifoga* is of limited value as a remedy, since they will later face a second claim through the courts. In such a situation the family might choose not to perform the *ifoga* but to reserve its resources to fund a legal defence instead.

Another of these external influences is the fact that the value of both life and social reputation can now be calculated in several ways. Interruption to an individual's life may not only offend his or her family, it may have significant economic consequences. A human life will have not only a sociopolitical significance; it may also represent accumulated human capital which can be understood and translated into earning potential over a given life span. If an accidental death of a well-paid civil servant resulted in the loss of anticipated income, and the repossession and loss of property that could no longer be paid for, the widow or widower may be unwilling to settle for an *ifoga* that only resulted in the public acknowledgment of the value of the lost person and culpability, but which did nothing to replace the loss of income or to forestall the repossession of the survivors' property. Might they not prefer to take a civil action for damages against the offender?

Finally, in both Samoa and in diasporic Samoan populations, cash is increasingly incorporated into traditional ceremonial exchanges as a convenient and highly portable substitute for certain classes of exchange goods known as *'oloa*. This raises the question of whether cash might become a part of *ifoga* exchange performances and, if so, how might it become incorporated. It also raises the question of how social honour might be evaluated and converted into a given sum of money and which, if any, elements of the traditional *ifoga* could be replaced or represented by cash. The answers to these hypothetical questions may be more complex than is implied above.

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In a discussion of the Lands and Titles Court in Samoa, Galumalemana Netina Schmidt notes that the increasing number of matters referred to the court for solution reflects the limitations of traditional dispute resolution procedures in resolving disputes over succession to lands and titles in modern Samoa (Schmidt 1994). She also notes the growing number of cases in which parties that choose, or are directed by the court, to withdraw matters and to employ “traditional means” to resolve disputes before it, fail to do so and eventually return to court.

True to its mandate to deal with disputes according to customs and traditions, the Court Bench accepts or suggests cases and claims to be settled out of court in family meetings. Most withdrawn cases are not successfully settled out of court and are eventually referred back to the Court for clear decisions that do not reflect compromises (Schmidt 1994:178).

She explores a number of factors which she believes underlie this trend and comes to the conclusion that growing individualism and egalitarianism combined with other social and political changes have constrained the ability of traditional institutions to resolve disputes. In these circumstances, the Lands and Titles Court necessarily becomes an adjunct to traditional processes.

The same is true of the *ifoga*: it can resolve some traditional offences by customary procedures, but finds that new causes and forms of offence and new forms of social honour limits its capacity to resolve others. In these circumstances, the courts are likely to become increasingly significant sites for resolution of disputes over social honour. It is possible that the *ifoga* will continue to exist alongside civil and criminal actions as occurs at present and judges may take the performance of *ifoga* into account in sentencing decisions.

If this occurs, the role of the *ifoga* will have changed substantially. It will no longer be the sole form of dispute resolution in such cases, but an adjunct to the process which will be played out not in one place at one time but at several places at different times. Thus the parties to the dispute will calculate what is to be exchanged for what in one context, and later, the offender and the court will determine what is to be exchanged for what in another context. This has obvious implications for the *ifoga*. As the number of opportunities for observing the protocol of these exchanges declines the bases for assessing the conversion of various elements in the exchange become less clear. If these ceremonies are performed less frequently, the basis of the traditional calculation of social honour, and the means of redressing damage to it become less and less visible to those who might need to perform them.

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NOTES

1. Fine mats are the currency of Samoan ceremonial and are exchanged and circulated in a number of events which mark various life crises (see Schoeffel 1999).
2. In an incident in Lona Village in Fagaloa, where intra-village tension was not resolved early, a chief was shot and his home, vehicles and property were burned by untitled men (*taulele'a*) acting for the village chiefs. This incident has led to continuing conflict within the village, exposed the village to public discussion and some ridicule, and led to the village council's authority being overridden by the State's police force and courts, further humiliating its members by convicting them and imprisoning their agents.
3. For instance the crew of an inter-island vessel were playing cards and drinking beer when a dispute developed between two friends. In the ensuing struggle, one man was pushed into a rail and sustained a skull fracture from which he died. In another case a truck driver collided with an unrelated motorcyclist who subsequently died from his injuries.
4. When in 1999 the Minister of Works, Luagalau Levaula Kamu, was assassinated two *ifoga* were performed.
5. From the Samoa terms *itu* or *pito* which mean side or end in relation to another. This 'side' might be one part of a family in relation to another, one family in relation to another, or a village in relation to another.
6. Dried banana leaves and occasionally palm fronds are used to start fires.

7. The stones symbolised both those that are heated to produce the cooking and those inserted into the stomach cavity of the pig to ensure even cooking of flesh. Not all accounts of recent *ifoga* included stones among the elements required.
8. Sometimes referred to as the *talaiga ole ifoga*, or opening of the *ifoga*, an apparent reference to the removal of the mats from the supplicants.
9. The rejection of Sagone's *ifoga* to Sala'ilua after the killing of William Fox was the only documented case we were able to find.
10. *Ifoga* in the 19th century apparently involved parties waiting for an entire day, after which they retired and returned the following day.
11. O'Meara reports that after a successful *ifoga*, he saw members of the forgiven group removing concealed weapons from their clothes, and expressing relief that the proceedings had gone well and that it had not been necessary to use the weapons they had taken along.
12. This is a statement of intent and is not always entirely successful. People who are closely related to the victim may, in periods of acute psychological stress, and/or under the influence of alcohol, engage in retaliation but these acts occur without the sanction of the village and are individual acts.
13. In this case, his humiliation was complete when a coloured photograph of his *ifoga* was carried on the front page of a national newspaper.
14. Unresolved disputes may escalate quickly and the absence of a mobile police force that is able to intervene physically in large enough numbers to guarantee a continued peace makes an orderly resolution of inter-group conflicts even more important.
15. After a child was killed in Apia by a car driven by a drunk driver, the offender's family immediately went to the child's family house, rather than the family's *matai's* home, which was isolated, and performed an *ifoga*.
16. These have been performed, with varying degrees of formality, in diaspora communities in the US and New Zealand after such events as the murder of a spouse (US: 1978), of adultery (NZ:1993), serious assaults (NZ: 2003), assaults associated with road rage (NZ:1997), manslaughter (NZ: 2002) and murder (NZ: 2004).

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