

The Samoan Cause: Colonialism, Culture, and the Rule of Law

by

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All mistakes contained here within are mine alone.

Preface

So vast, so fabulously varied a scatter of islands, nations, cultures, mythologies, and myths, so dazzling a creature, Oceania deserves more than an attempt at mundane fact; only in imagination in free flight can hope—if not to contain her—to grasp some of her shape, plumage, and pain. I will not pretend that I know her in all her manifestation. No one—not even our gods—ever did; no one does; no one ever will, because whenever we think we have captured her she has already assumed new guises—the love affair is endless, even her vital statistics, as it were change endlessly.

Albert Wendt, *Toward a New Oceania*

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Key Sāmoan Terms and Concepts

There are many meanings for a particular Sāmoan word. This glossary contains only the meaning or meanings of words used in this dissertation study and the context in which words are used will determine the appropriate meaning and pronunciation.

Long vowels and diacritics are omitted in quotations unless indicated in the original text.

A

‘Āiga—family.

Alofa—love, compassion.

Ali’i—high chief.

Aualuma—village collective of single women with shared ancestral ties.

Aumāga—village collective of untitled men.

F

Fa’alupega—formal expression of honorifics, a customary address and salutation.

Fa’a matai—chieftainship, the organization and practices of the *matai*.

Fa’a Sāmoa—in accordance with Sāmoan customs and practices.

Feagaiga—sacred covenant, legal contract, or a special arrangement.

I

Itū mālo—customary political districts comprised of villages or the victorious party.

M

Malaga—to travel and visit or a group of visitors.

Malae—place upon which the village convenes, village green

Mālō—reigning authority, government, the victorious party.

Mana—power, divine authority.

Matai—chief, a titleholder of an *‘āiga*, either an *ali’i* or *tulāfale*.

N

Nu’u—village

Papalagi—foreigner, common usage as a racial category of whiteness.

Pule—power, political authority.

T

Tafa’ifā—the paramount *ali’i* holding four of the *pāpā* titles.

Tama'ita'i—ladies, daughters of *matai*.

Tulāfalē—orator, high talking chief.

V

Vaivai—losing campaign, the weaker party.

Abstract

The Samoan Cause: Colonialism, Culture, and the Rule of Law

by

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Co-Chairs: Nadine Naber and Damon Salesa

Most scholars of U.S. empire are confounded by American Samoa and often conceptualize the territory as an exceptional and benevolent site of colonial practice. This dissertation is an examination of the many Samoan causes activated through encounters with the American project. *The Samoan Cause* examines the intersections of Samoan indigenous politics with American settler and military colonial practices, specifically enlarging upon theories of intimacy, raciality, and colonial legality. Overall, I contend that American colonialism in Samoa created a unique and fraught legal reality emphasizing the preservation of indigenous cultural and land rights.

More specifically, *The Samoan Cause* makes four main interventions. First, I trace the formation of the Sāmoan territory of the United States as both a discursive and physical event. Furthermore, in studying legal conflict I write against the dominant historiography, which has portrayed American relations as indirect and benevolent. Second, complementing, but also departing from scholarship of American empire, I argue that native policies of cultural preservation in Samoa operated as a defense against settler colonialism and of indigenous arrest. Over half a

century of martial rule in American Samoa was justified to ensure the survival of Samoan people and culture under perceived threat from the fatal impact of settler colonialism. Third, I have coined the term “Polynesian Primitivism” to explain the ways a hegemonic project of knowledge, science, and culture continues to be mapped upon bodies and islands in Oceania. Fourth, *The Samoan Cause* examines colonial encounters tending closely to feminist analysis and indigenous experiences to critique U.S. imperial practice and thought. In order to do so, this dissertation employs interdisciplinary methodologies to analyze a range of sources from legal cases, cultural representations, to government archives across the mid-nineteenth century to the present.

Chapter One

Introduction

This dissertation is an examination of the many Samoan causes activated through encounters with the American project. *The Samoan Cause* examines the intersections of Samoan indigenous politics with American settler and military colonial practices, specifically enlarging upon theories of intimacy, raciality, and colonial legality. The main argument of this dissertation contends that American colonialism in Samoa created a unique and fraught legal reality emphasizing the preservation, not the dismantlement, of indigenous cultural and land rights

More specifically, *The Samoan Cause* makes four main interventions. First, I trace the formation of the Samoan territory of the United States as both a discursive and physical event. By examining overlooked legal tensions, I build on scholarship that places formal relations between Samoa and the United States beginning in the mid-nineteenth century.¹² Furthermore, in studying legal conflict I write against the dominant

¹ The historical scholarship on American colonialism in Samoa pre-partition is focused primarily on the overlapping imperial competition between British, German, New Zealand, and American powers. P M Kennedy, *The Samoan Tangle: A Study of Anglo-German-American Relations 1878-1900* (Queensland: University Press, 1974). Donald Johnson and Gary Dean Best, *The United States in the Pacific: Private Interests and Public Policies, 1784-1899* (Westport: Praeger, 1995); Sylvia Masterman, *The Origins of International Rivalry in Samoa 1845-1884* (London: Allen & Unwin, 1934). The exceptions include Damon Salesa's scholarship, which offers significant

historiography, which has portrayed these relations as passive and benevolent. Second, complementing, but also departing from scholarship of American empire, I argue that native policies of cultural preservation in Samoa operated as both a mechanism of defense against settler colonialism and of indigenous arrest. For example, American Samoa was managed by martial rule for over half a century. These highly unusual circumstances of military occupation were justified as a means to ensure the survival of Samoan people and culture, which was under perceived threat from the fatal impact of settler colonialism. Third, I have coined the term “Polynesian Primitivism” to explain the ways a hegemonic project of knowledge, science, and culture was and continues to be mapped upon bodies and islands in Oceania. Within this research study, I connect American policies of preservation, salvage colonialism, as part of the larger project of Polynesian Primitivism.

insights into American imperialism, but is centered on Samoan history. Also, Saleimoa Vaai’s study of conflicts between Samoan customs and western law importantly centers Samoan history, while comparing the diverse agreements made with these various imperial powers. Richard Gilson’s book is a meticulous study of Samoan nineteenth century history attentive to the diverse communities flowing into the islands and the transformative effects of these interactions. Richard Phillip Gilson, *Samoa 1830 to 1900; the Politics of a Multi-Cultural Community* (Melbourne ; New York: Oxford University Press, 1970); Damon Salesa, *Samoa’s Half-Castes and Some Frontiers of Comparison* ed. Ann Stoler, *Haunted by Empire: Geographies of Intimacy in North American History* (2006). Saleimoa Vaai, *Samoa Faamatai and the Rule of Law* (Le Papa-I-Galagala, Western Samoa: National University of Samoa, 1999).

² The historical scholarship on American colonialism in Samoa begins after partition and consists of general texts authored by naval officers or for secondary education: J.A.C. Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray* (United States Naval Institute, 1960). Craig Calhoun et al., *Lessons of Empire: Imperial Histories and American Power*, 1 edition ed. (New Press, The, 2006). J. Robert Shaffer, *American Samoa: 100 Years under the United States Flag* (Island Heritage, 2000). There exists scholarship written during the naval occupation of Samoa between 1900-1951, which was produced by political scientists and anthropologists who were also underwriting American imperial interventions. The exception to the general scholarship on American Samoa is Joseph Kennedy’s study, which dates American governance to the mid-nineteenth century, but mistakenly ends his study of American colonialism with the decommissioning of the naval base in 1951. Joseph Kennedy, *The Tropical Frontier: America’s South Sea Colony* (University Station, Mangilao, Guam: University of Hawaii Press, 2009).

Fourth, *The Samoan Cause* examines colonial encounters tending closely to feminist analysis and indigenous experiences to critique U.S. imperial practice and thought. I contend that Samoan unions and most especially, Samoan women were the focal point of imperial fantasy and colonial regulation. The major legal conflicts centered on Samoan governance were also concerned with intimacy. I analyze these colonial policies on health and marriage within a larger context of American cultural fantasies and canonical texts on Samoa.

This dissertation research project emerges through a rigorous engagement with interdisciplinary methodologies. In this analysis, I juxtapose legal cases, cultural representations, oral histories and government archives from the mid-nineteenth century to the present. Organized around flashpoints of law, catalytic bursts of resistance and their transformative effects, each chapter centers a reading of Samoan political strategy and lived experiences. These diverse methodologies bring to the fore significant stories of Samoan encounters with the American project that otherwise have been overlooked. Samoa has significantly shaped notions of race, desire, and belonging in the context of the American empire.

I use the phrase “the Samoan Cause” to frame this dissertation for a couple of reasons; firstly, I use this term to intervene in colonial studies. I argue that a large realm of Samoan practices and political thought were written off in the colonial record, and often written out of colonial histories. The ‘American Samoa Mau,’ a social movement for civil government in the Samoan territory, specifically the cycle from the 1920-1940s, artfully navigated various spaces and instruments of law to lobby their case. In some American newspaper accounts, the *Mau* was referred to as, ‘the Samoan Cause.’ Much of

the scholarship on American colonialism in Samoa, which in its sparseness has accrued power, reproduces colonial narratives of naval benevolence and Samoan passivity with problematic consequences. The risks of romanticizing ‘resistance’ have been a significant point of inquiry within revisionist histories and post/colonial studies.³ However, studies that attend to Samoan articulations or stories of everyday practices and life in Samoa complicate the relations between and among coloniality and indigeneity; and are still very much needed and relevant. The second usage operates to place this dissertation within legal studies, as “causes” are matters to be resolved within courts of law. I look to codes, courts, petitions, treaties and the process by which they were created as sites where imperial grammar and practices defined and implemented these notions of cultural advocacy. And finally, in the sense of a charitable cause the American government officials considered Samoans wards. An extension of this meaning is reflected through advocacy work. As advocates of ‘wiser’ governance, a range of people defended the colonial project of Samoan preservation from perceived threats, but most important among them Samoan ‘self-harm.’ Officials sought to solidify their authority not by displacing the indigenous political order, but by shaping it through rule of law. When challenged by the *Mau* in the courts, naval officials wrote into reports that their Samoan Cause would win over the American public, and one day in the future Samoans would

³ Lila Abu Lughod Lila Abu-Lughod, "The Romance of Resistance: Tracing Transformations of Power through Bedouin Women," *American Ethnologist* 17, no. 1 (1990). Seeing Like a State James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale University Press, 1999). D.A. Chappell, "The Forgotten Mau: Anti-Navy Protest in American Samoa, 1920-1935," *Pacific Historical Review* 69, no. 2 (2000); I. C. Campbell, "Chiefs, Agitators and the Navy," *The Journal of Pacific History* 44, no. 1 (2009); Sarita Echavez See, *The Decolonized Eye : Filipino American Art and Performance* (Minneapolis: University of Minnesota Press, 2009).

hopefully see it was for the best too.

Invoking, ‘the Samoan Cause’ as a phrase to refer both to colonial and Samoan projects is intentionally slippery. Preservationist projects operate through articulations of ethnic salvation and protectionism. They work in tandem with exploitative commercial, legal, and military formations that invest and generate structures of economic inequality and political dependency, and in effect, both construct and ‘salvage’ the impoverished, ethnically endangered, and geopolitically vulnerable. Theorist, Stuart Hall, defines articulation as the practice of hooking well-circulated ideas and discourses together in a particular context to give new meaning and forms to power.⁴ A simplified example of this would be the phrase *Samoa mo Samoa*, Samoa for Samoans, which was used by the Germans, Americans, and New Zealand since the early twentieth century to assert their ‘wiser’ colonial authority.⁵ *Fa’a Samoa*⁶ was drawn from to articulate a regime of colonial legality that was discursively aligned with indigenous philosophies and practices—to preserve Samoan people and way of life. The *Mau*—various formations across time and geography, but essentially a social movement by Samoans and allies working towards self-determination—mobilized *Samoa mo Samoa* to disarticulate colonial authority and reinstate Samoan *mālō*. The power of the concept lies not just in the assertion of *pule*⁷, which in and of itself was a substantial political exercise, but also the capture of rescue politics through its own rhetorical devices.

⁴ Kuan-Hsing Chen and David Morley, *Stuart Hall: Critical Dialogues in Cultural Studies* (London ; New York: Routledge, 1996).

⁵ Michael Field Michael Field, *Mau: Samoa's Struggle for Freedom* (Auckland: Polynesian Press, 1991).

⁶ In accordance with Samoan customs and practices.

⁷ Samoan customary authority

In the sections that follow, I situate my arguments around ‘Polynesian Primitivism,’ and ‘colonial legality,’ as practices of American imperialism, which I elaborate further in, “The American Way.” Empire is defined by William Appleman Williams as an, ‘American way of life’ and in the section I review of scholarship framing American imperialism in Oceania. Polynesian Primitivism, I argue, is a dominant discursive construct that domesticates indigenous political formations as projects of power-knowledge through practices of cultural rescue, accumulation, and consumption. ‘Colonial legality,’ extends the conversation on imperial history by outlining feminist and indigenous interrogations to the rule of law, and its attending cultural formations, of intimacy and raciality. The second section, “Malae Around the World,” explores indigenous theories of relations, mobility, and space in order to place Samoa and Oceania. Within American scholarship, Samoans can be difficult to locate as they are both indigenous, but also migrants of the United States and this section explores Samoan place-making within the American project. To frame the exploration of these two conceptual tracings of Samoa and Oceania, I borrow Edouard Glissant’s ‘a poetics of relation’ to construct a way of seeing plural indigenous strategies of dissent and disarticulations of imperialism. In the final section “Encounters in the Archive,” I discuss the methodological construction and justification for this project. And finally, I close this chapter with a delineated overview of this research project to show how these frames flow throughout the dissertation.

The American Way

Empire, William Appleman Williams, asserts is an American way of life. He

argues that the division of American philosophies between imperialists and anti-imperialists is a misleading formula and inadequate framework for understanding these political ideological differences. “We Americans...have produced very, very few anti-imperialists. Our idiom has been empire, and so the primary division was and remains between soft and hard,” continues Williams. This difference, might also for the purposes of this dissertation, be explained better as liberal and conservative imperial formations.⁸ What Williams considers soft or liberal imperialism is the vision of conquest as a moral duty to transform and uplift the ‘heathens’ into subjects of empire. They were ‘arrogant, supercilious, patronizing,’ but their vision was exceptional to the hardcore racist doctrine of conservative imperialism. Three primary points underline the exceptionalism of liberal imperial formations: recognition of a shared humanity with Others, the acknowledged value or appropriation of select practices and ways of life, and a desire to incorporate Others, specifically, the noble savage, into the project of civilization. The hallmark of imperial formations, regardless, is the desire to accumulate and possess more than one need. According to Williams, “even if the softies win, empire is still the way of life.”⁹

While empire is an old concept, imperialism is a more recent analytic. The “Age of Empire,” is considered within colonial studies the global historical period between 1875-1914, because it was the height of rulers self-identifying as ‘emperors’ and also the ‘conversion’ of nearly a quarter of the land into colonies.¹⁰ In the 1890s, imperialism

⁸ William Appleman Williams and Andrew Bacevich, *Empire as a Way of Life: An Essay on the Causes and Character of America's Present Predicament Along with a Few Thoughts About an Alternative* (Brooklyn, N.Y: Ig Publishing, 2006). p.34

⁹ Ibid.p.34

¹⁰ Eric Hobsbawm Eric Hobsbawm, *The Age of Empire: 1875-1914*, Reprint edition ed. (New York: Vintage, 1989).

gained traction in global political and journalistic lexicon to debate nation-state identity formations and colonial practices of expansion. It was introduced in Britain as a neologism in the 1870s, but became 'commonsense' by the 1890s. By 1916, Marxist philosopher, Vladimir Lenin, wrote that emperors and empire are 'old formations,' but imperialism was new. Imperialism, Lenin argued, was the highest stage of capitalism.¹¹ He importantly did not view the psychological, ideological, cultural, and political explanations for global expansion as separate from economic formations. Cecil Rhodes, one of the 'great' imperialists, famously said if one ever wanted to avoid civil war one must become an imperialist. Imperial expansion was deployed as a strategy to quell 'domestic' discontent through colonial practices of economic and social reform through expansion into the foreign. While the term, imperialism, as a discourse emerged in the late nineteenth century, most new colonial studies scholars and, especially Native Studies scholars, draw on the term as an analytic to understand these particular power configurations and practices of expansion and conquest arising in a far earlier time period.¹²

Imperial formation is an analytic and neologism formulated by new colonial studies scholars, Anne Stoler and Carole McGranahan.¹³ They draw on Louis Althusser

¹¹ Vladimir Ilich Lenin, *Imperialism the Highest Stage of Capitalism* (Martino Fine Books, 2011).

¹² Jodi A. Byrd, *The Transit of Empire: Indigenous Critiques of Colonialism* (U of Minnesota Press, 2011); Andrea Smith, *Conquest: Sexual Violence and American Indian Genocide* (Cambridge, MA: South End Press, 2005); David Kazanjian, *The Colonizing Trick: National Culture and Imperial Citizenship in Early America*, Critical American Studies Series (Minneapolis: University of Minnesota Press, 2003); David E. Stannard, *American Holocaust: Columbus and the Conquest of the New World* (New York: Oxford University Press, 1992); Amy Kaplan and Donald E. Pease, *Cultures of United States Imperialism* (Durham: Duke University Press Books, 1994).

¹³ Ann Laura Stoler, Carole McGranahan, and Peter C. Perdue, *Imperial Formations*, 1st ed., School for Advanced Research Advanced Seminar Series (Santa Fe, N.M.).

and Etienne Balibar's notion of 'social formation,' being a complex set of economic, cultural, ideological and political practices contingent to a specific locale and stage of development. Raymond Williams further elaborates on social formation as 'effective movements and tendencies,' which have complicated and opaque relations to hegemonic institutions. Significantly, Stoler and McGranahan shift the focus of colonial studies from historicizing the ascendance and crash of empires to building a critical analytic that traces the 'active and contingent process of their making and unmaking.'¹⁴ In this sense, they never take empire as a given entity, but rather as an aspirational social formation—as 'states of becoming macropolities.'¹⁵ Thus, 'empire as steady state', and its fiction or 'imaginary' as a bounded geopolitical formation, is dislocated. Imperial formations highlight contingent social, spatial, governmental, and biopolitical formations. Additionally, they assert:

Agents of imperial rule invested in, exploited, and demonstrated strong stakes in the proliferation of geographical ambiguities... Those terms signaling the unclarified sovereignties of U.S. imperial breadth—unincorporated territories, trusteeships, protectorates, possessions—are not the blurred edges of what more "authentic", nonvital, invisible empires look like, but variants on them.¹⁶

Exceptionalism is a primary feature of imperial formations as a way of life. Theorist, Edward Said, argues exceptionalism is part of the discursive apparatus of empires themselves, and thus, imperial formations often operate as 'commonsense' states of

Oxford [U.K.]: School for Advanced Research Press ; James Currey, 2007).

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Ibid. p.8

exception.¹⁷ Furthermore, Ferdinand Coronil posits in addition to spatial and legal exceptionalism, imperial formations are also temporally and developmentally exceptional, it is the privilege...to make their histories appear as History.” And returning to the discourses and histories of the Pacific region, History has overwritten its importance as a site or effect of imperial ‘sea power.’

The American imperial formation in Oceania was greatly influenced by naval strategist Alfred Mahan. In his early twentieth century theorization of global American ascendancy to power, Mahan proposed ‘sea power’ as the definitive strength of successful empire. He compared the Mediterranean to the Caribbean and the Pacific, and sought to find and make equivalent Gibaltars. He wrote:

The military question of position is quantitative as well as qualitative; and the situation, however excellent, can rarely, by itself alone, make full amends for defect in the power and resources, which are the natural property of size—of mass. Gibraltar, the synonym of intrinsic strength, is an illustration in point; its smallness, its isolation, and its barrenness of resource constitute limits to its offensive power, and even to its impregnability, which are well understood by military men.¹⁸

According to Mahan’s vision, Cuba was the Gibraltar of the Caribbean, as Samoa, Hawai’i, and later Guam were considered in the late nineteenth century Pacific. These coaling stations were often described as “far-flung outposts,” and the islands were attributed value only as strategic locations for a military defense. While the federal government census may have declared the official closing of the frontier in 1890, in practice this signaled only but a re-direction of violence from continental to overseas

¹⁷ Edward W. Said, *Culture and Imperialism* (New York: Vintage, 1994).

¹⁸ Alfred Thayer Mahan, *The Interest of America in Sea Power, Present and Future* (Boston: Little, Brown, and Company, 1897). p. 308

expansion. Between 1897 and 1909 the “New Navy” emerges as a career path for young male professionals.¹⁹ With the U.S. territorial expansion across the Pacific and ‘open door’ American foreign policies with Asia, in the years succeeding this period the Navy grew as a powerful imperial institutional force, specifically guided by Alfred Mahan’s vision.

Mahan’s imperial formations relied upon the creation of overseas trade networks and colonies. The sea power doctrine held that national power was dependent upon the exchange of goods and flow of wealth across the ocean. Three factors contributed to the greatness of seafaring nations: production, shipping, and colonies. Maritime states should, therefore, build their navies to protect their commerce and intercept the shipping of ‘enemies.’ Sea Power doctrine conceptually reduced Oceania to a “Pacific Station.” And furthermore, a space of elite military leisure, as Charles Wright Mills described the US Navy of the late nineteenth century as a “gentleman’s club, which occasionally went on exploring and rescuing expeditions.”²⁰ According to Navy Secretary, Paul Morton, the Navy’s mission was that of “the watchdog of American commerce everywhere on the high seas.” It was to be “the policeman by day and the watchman by night of our foreign trade.”²¹ As foreign diplomats, in the 1860s and 1870s, Naval Commanders were negotiating executive agreements between the local chieftains and “the King of the

¹⁹ Peter Karsten, *Naval Aristocracy: The Golden Age of Annapolis and the Emergence of Modern American Navalism* (Annapolis, Md: Naval Institute Press, 2008).

²⁰ C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 2000).

²¹ Ibid.

United States,” in much the same way that U.S. army officers were concurrently dealing with Native American tribes along the “western frontier.”²²

The impact of Mahan’s vision of sea power led to massive American expansion in the Caribbean, Latin America, Oceania, and Asia. In the early twentieth century, U.S. imperial formations extended overseas into Pacific over Guam, eastern Samoan islands, Philippines, and Hawaii, as well as Cuba and Puerto Rico in the Caribbean.²³ In 1914 the U.S. seized and occupied Haiti for 20 years. The Roosevelt administration and the U.S. military actively intervened in political affairs in Latin America and by 1904 the Panama Canal Zone was considered a domestic dependency as well. Placing the territorial debates of the late nineteenth in conversation with the early 1800s territorial debates has provided a significant reconceptualization of the subfield of ‘territorial studies.’²⁴ In this sense, American imperial expansion is periodized far earlier than the push across continental boundaries to include practices of colonial conquest and occupation of indigenous lands on the continent. This scholarship could also be developed further to not just include areas, which were “recognized” by congress as a shade foreign, but under U.S. dominion. For instance, bringing in areas like the Samoan and Guam territory from 1900-1951, subject to military occupation.

While many of the sites of American occupation both temporary and permanent were conceptualized as ‘exceptional,’ within this category there were further differences.

²²Karsten, *Naval Aristocracy*.

²³ Cuba was under U.S. control less than four years. And this listing of overseas territories is not meant to naturalize US imperial expansion across the North American continent in the 18th and 19th centuries.

²⁴ Jenine Abboushi Dallal, "American Imperialism Unmanifest: Emerson's "Inquest" and Cultural Regeneration," *American Literature* 73, no. 1 (2001).

Guam, American Samoa, and the Moro province of the Philippines, for instance, often seen as defy conventional analysis of American empire because they did not conform to the same model of colonialism administered in Puerto Rico, the greater Philippines, and other areas. Julian Go argues that Guam and Samoa represent the “limits of U.S. imperialism,” on account of the “indirect rule” strategy promoted by the U.S. naval administration. Instead of dismantling local systems of power and authority, the U.S. operated more as what Go calls an “administrative colonialism” defined as “the establishment and maintenance, for an extended time, of rule over alien people that is separate from and subordinate to the ruling power.”²⁵ Guam and American Samoa were not targeted for civilization projects like the other colonies, since these other colonies experienced massive overhauls of native governance structures and well-funded political education programs. This method of indirect rule in Guam and American Samoa has become naturalized as a benevolent and kinder colonial practice. I argue that this framework of “indirect rule,” if used as an analytic rather than as an examination of military policy through its own lexicon can serve to mask and disavow military colonialism and martial law. While many new colonial and postcolonial studies scholars have critiqued this dichotomy of direct versus indirect rule, which was a dominant paradigm in colonial studies from 1930-1970, this paradigm still remains a dominant framework of comparative colonialism within the field of U.S. imperial formations.²⁶

²⁵ Calhoun et al., *Lessons of Empire*.p.203

²⁶ Frederick Cooper, *Colonialism in Question: Theory, Knowledge, History* (Berkeley: University of California Press, 2005); Ann Laura Stoler, *Haunted by Empire : Geographies of Intimacy in North American History*, American Encounters/Global Interactions (Durham: Duke University Press, 2006). Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, 1st edition ed. (Princeton, N.J: Princeton University Press, 1996).

Polynesian Primitivism

I argue that “Polynesian Primitivism” operated as a discursive mask to normalize U.S. colonial practices in the Pacific as projects of ethnic salvation. Sociologist, George Steinmetz argues that at the perceived height of U.S. imperial formations in the Pacific, the late nineteenth and early twentieth century, the reigning paradigm and colonial practice was salvage colonialism.²⁷ Specifically, in Samoa, German civilian and American naval officials saw themselves as guardians of primitive peoples, protecting them from the opportunistic settlers or colons, who had ‘fatally impacted’ the rest of the Pacific in the preceding century. It was their moral duty to rescue and preserve Samoans as they were culturally endangered by the age of empire. According to Steinmetz, Tahiti was the transit through which Polynesia was made legible; meaning Tahitian culture and practices have stood in as a metonym for all of Polynesia.²⁸ Steinmetz argues that by the late nineteenth century, Samoa was Ur-Polynesia, or the Polynesian Eden within at least German colonial ideology. Allan Punzalan Isaac proposes that this metonymic function operates similarly across the ‘American Tropics,’ the U.S. insular ‘possessions’ between the zone of Capricorn and Cancer.²⁹ By the mid-twentieth century, Isaac argues, Hawai‘i became within American cultural productions the metonymic representation through which not just the Pacific region, but the entire zone of ‘American Tropics’ were

²⁷ George Steinmetz, *The Devil's Handwriting: Precoloniality and the German Colonial State in Qingdao, Samoa, and Southwest Africa* (Chicago: University Of Chicago Press, 2007).

²⁸ Maile Renee Arvin, "Pacifically Possessed: Scientific Production and Native Hawaiian Critique of the "Almost White" Polynesian Race" (Ph.D., University of California, San Diego, 2013); Steinmetz, *The Devil's Handwriting*.

²⁹ Allan Punzalan Isaac, *American Tropics : Articulating Filipino America*, Critical American Studies Series (Minneapolis: University of Minnesota Press, 2006).

articulated. Furthermore, by drawing on 'Polynesia' as a significant imperial formation of racial subordination through cultural preservation, I build on critiques launched by Pacific Studies scholars that "Polynesia" has become the dominant historical discourse and representation of Oceania.³⁰ In essence, Polynesia representationally displaces and also is seen as exceptional to imperial projects in Melanesia and Micronesia. Colonial studies scholar, Tony Ballantyne traces the development and use of Aryan discourses within colonial projects of knowledge globally from India to New Zealand to Tahiti as a component of the British web of empire.³¹ Maile Arvin also argues that the ascendance of 'Polynesia' as a racial discourse is derived from Victorian scientific thought which asserted shared ancestry and therefore encouraged intimacy between Polynesians and Europeans through a discourse of aryanism.³²

Primitivism as a discourse operates across temporal, geospatial, and racial boundaries to define Others as culturally exotic and simultaneously desired and feared intimates. Literary critic, Paul Lyons coins the theoretical neologism, "American Pacificism," to define the specific ways in which cultural imperialism operates and constructs the 'American Pacific,' as a passive and domesticated paradise to mask its

³⁰ For the purposes of this dissertation, I use 'Oceania' to refer generally to the island region. This was a term proposed by theorists Albert Wendt and Epeli Hau'ofa to reclaim and reconceptualize the region from colonial discourses. Furthermore, it must be noted that within the colonial imaginary of the Pacific, there were three racialized sub-divisions: Melanesia, Polynesia, and Micronesia. In using the term "Polynesian Primitivism," I aim to critique the problematic way in which Polynesia came to stand in for the entire Oceanic region. The dominance of scholarly attention and American fantasy to produce Polynesia as the entire region of Oceania is linked to outdated and discriminatory theories of racial science. I connect the term Primitivism and its theorization to Polynesia as a way of marking a very specific phenomenon, but also as a way of further exposing Polynesia as a racial construct and colonial discourse.

³¹ Tony Ballantyne, *Orientalism and Race* (Palgrave Macmillan, 2007).

³² Arvin, "Pacificaly Possessed."

attending projects of violence.³³Lyons rejects the application of ‘orientalism’ as a discursive and ideological framework, because he is wary of how the entire Pacific region has problematically been marginalized within the U.S. imaginary through dominant economic paradigms of ‘rim speak.’ Not to mention the racial imaginary of the U.S. census and government records placing Pacific Islanders as a qualifier or akin to Asians, as in Asian/Pacific Islanders. Both Lyons and anthropologist Nicholas Thomas agree that orientalism as an analytic is insufficient to describe the American imperial formations in the Pacific. Thomas argues that primitivism has ‘, inverted rather than subverted the hierarchies of civility and modernity.’³⁴ And furthermore, orientalism as originally coined by Edward Said was a very specialized area critique of the power-knowledge projects in the Middle East and its underwriting of contemporary policies of war, mass displacement, and occupation. Thomas argues persuasively that we cannot just uproot parts of this philosophy and apply it to the Pacific without an additionally nuanced attendance to its effects. Orientalism as a discourse operates to disavow Arabs, Arab Americans, and Muslims, and that racial distancing does not occur within most parts of the Pacific. Polynesian Primitivism, however, generates a sense of kinship and intimacy between the colonized and colonizer, where indigenous spiritual, knowledge, and cultural practices become idealized and objectified into common property for consumption by all. Current policies work towards drawing closer relationships with Pacific Islanders or neglecting them, but hardly ever within U.S. immigration studies or

³³ Paul Lyons, *American Pacificism: Oceania in the U.S. Imagination*, Reprint edition ed. (Routledge, 2012). p.16

³⁴ Nicholas Thomas, *Colonialism's Culture* (Princeton, N.J: Princeton University Press, 1994). p.25

policies are they the targets of federal reform. Pacific Islanders are caught up in immigration reform, but unlike in other settler colonies like New Zealand or Australia they have not been the targeted focus of national policies and policing efforts. Thomas argues further that the essentialism associated with Polynesian Primitivism, although seen as having a positive value, requires the temporal, racial, and geospatial fixity of “the Native.” In a Foucauldian sense, we can trace through colonial legality, how Polynesian Primitivism operated also as a form of biopolitical control through rule of law.³⁵

Sarita See reinterprets Marx’s theory of “primitive accumulation” to the modern ethnographic and aesthetic projects of power-knowledge, whereby social prestige for private and public education institutions as well as private collectors is bolstered by an ‘accumulation of the primitive.’³⁶ Essentially, colonial modernity is informed by an ability to transform primitive culture into property and ownership not just of the object, but possession of the associated expert knowledge about primitives symbolized through the object. This in turn produces the colonial subjectivities of the collectors and the collected. Marx wrote that, “ primitive accumulation plays approximately the same role in political economy as original sin does in theology.”³⁷ What this means is that the logic of accumulation, what William Appleman Williams defined as the hallmark of imperialism, the desire to collect ‘things’ in surplus, diverts attention away from the present to Historical structures of inequality. Class difference is produced by an historical

³⁵ Michel Foucault, *The Birth of Biopolitics: Lectures at the Collège De France, 1978--1979*, Reprint edition ed. (Picador, 2010).

³⁶ Sarita Echavez See, "Gambling with Debt: Lessons from the Illiterate," *American Quarterly* 64, no. 3 (2012).

³⁷ Karl Marx and Friedrich Engels, *The Communist Manifesto* (CreateSpace Independent Publishing Platform, 2010). P 873-874

developmental difference as defined by the accumulation of surplus things. Thus, the less fortunate, the proletariat, are constructed presently by the failure or denial to historically accumulate surplus things, including expert knowledge of Others. Surplus accumulation is also what distinguishes temporally between civilized moderns, possessors of knowledge, who practice competitive individual surplus accumulation, and uncivilized primitives, producers of objects, who rely on seasonal and collective subsistence economies. Sarita See therefore takes Marx's theory further to argue that American cultural imperialism as a whole was underwritten by a colonial classificatory knowledge system to define, produce, and collect the primitive, in this case, the Filipino through a two step process. Firstly, the transformation of culture into property, and secondly, to possess in ownership and knowledge, the accumulation of these 'primitive effects,' material cultural objects that fill the storehouses of museums and academic institutions like the University of Michigan. The value of primitivist effects is therefore its emphasis on a temporal distance from and hierarchical class difference of consumption rather than production. This creates a rather unfathomable situation to "primitives" who have a very different sense of value attached to these cultural productions that is relational, functional, and spiritual and is ascribed meaning through the process of production as well as circulation rather than possession, preservation, or removal from circulation.

Finally, we can trace during the Cold War years, the boom of Polynesian Primitivism, or 'Polynesian Pop' as the aesthetic movement was called, which transformed Mainstreet, America as a fantasy of friendly and hospitable Natives.³⁸ 'Tiki culture,' as it was also called, importantly influenced the modern American sexual

³⁸ Sven A. Kirsten, *Tiki Modern* (Taschen, 2007).

revolution and mainstream white feminist movement, as cultural scientists through ethnographic research of ‘Polynesian Primitives’ argued that sex and gender relations were not biologically determined, but culturally contingent formations.³⁹ From high-brow cultural formations of ‘accumulating the primitive,’ to low-brow entertainment transforming social spaces like bowling alleys, bars, family restaurants, apartment complexes and motels, we get a sense of how notions of Polynesian Primitivism shaped American culture.

Colonial Legality

Colonial legality is the feature of preservation that I think makes Polynesian Primitivism, especially, in Samoa distinctive. American Progressives, hard imperialists, at the turn of the twentieth century sought to “regenerate” the nation through a shifting and closing of the frontier. “American Regeneration” occurred within historically contingent anxieties about overcivilization and modernity through spirituality, industrialization, progress, and manhood.⁴⁰ These ideas culminate in what Donna Haraway calls, Teddy Bear Patriarchy, where she connects the globe trekking adventures and manly conquests of Theodore Roosevelt to the trophy display of these ‘accumulated primitive effects,’ such as dead animals, skeletal remains or diorama reproductions of primitives, and material

³⁹ Lois Banner, *Intertwined Lives: Margaret Mead, Ruth Benedict, and Their Circle of Friends* (New York: Random House, 2004); Dolores Janiewski and Lois W. Banner, *Reading Benedict / Reading Mead: Feminism, Race, and Imperial Visions* (Baltimore: Johns Hopkins University Press, 2005). Esther Newton, *Margaret Mead Made Me Gay: Personal Essays, Public Ideas*, 1st Edition ed. (Durham, NC: Duke University Press Books, 2000).

⁴⁰ Richard Slotkin, *Regeneration through Violence; the Mythology of the American Frontier, 1600-1860*, [1st ed. (Middletown, Conn.: Wesleyan University Press, 1974).

cultural objects in the halls of the American Natural History Museum.⁴¹ Preservation, Haraway demonstrates vividly through an examination of taxidermy, rested in the confluence of conservation, eugenics, and exhibition as projects of imperial science and education. Conquest and adventuring furthermore requires public proof and memory. Whereas Haraway locates preservationist projects in the museum space, I argue spaces of indigenous exceptionalism, like the Samoan territory, can become regulated sites of cultural preservation and primitive arrest. Through practices of colonial legality Polynesian Primitivism can operate regardless of political status, which is how it becomes a reformed process of colonial management into the ‘decolonization’ era.

That colonial legality persists in the ‘decolonization era’ is not as paradoxical as it might at first appearance seem. After all, the U.S. nation-state is built on and through a regime of exceptionalism, “islands of law.”⁴² Attenuated sovereignties and subject formations are what constitutes U.S. rule of law. Sora Han defines legality as a reflexive project of the rule of law, to reform its seeming irrationality and coerciveness. She argues, “If we find that this legal logic of reform as a mode of legitimization consistently underwrites modern history, then we must accept that the rule of law has been one of the West’s deepest cultural commitments.”⁴³ In this sense it is through constant challenges that its expressions continue to build through reform, which she contends is not dissimilar to the logic of capitalist accumulation. Racist doctrines from the early colonial period are reinforced through legal challenges even into the contemporary period via the

⁴¹ Kaplan and Pease, *Cultures of United States Imperialism*.

⁴² February, *Volume 38: The Shape of Law* (Archis, 2014).

⁴³ Sora Y. Han, "Bonds of Representation: Race, Law, and the Feminine in Post-Civil Rights America" (Ph.D., University of California, Santa Cruz, 2006).

system of common law and case law precedent. In this manner, the racist ideologies of the Supreme Court Justice John Marshall from the 1830s to the Supreme Court of the Richard White in the early 1900s are preserved. Legal scholar Robert Williams asserts the legal enshrinement of these cases steeped in racist ideologies about Native American people, culture, and governance functions within Supreme Court decisions, 'like a loaded weapon.'⁴⁴

Through an examination of the discourses on 'rights' and constitutionality, we not only get derive an understanding of the social reality of law but also the cultural dimensions of legality. For instance, the threat of 'engulfment' through racialization and discourses of equality leads indigenous political and legal strategists to rely on frameworks of indigenous exceptionalism as a *cultural* right.⁴⁵ Dene Scholar Glen Coulthard argues that the depoliticization of the land claims process as a discourse of indigenous *cultural* rights rationalizes hegemonic economic and political interests.⁴⁶ The transformation of indigenous knowledge and cultural practices into forms of legal property and rights can be a dangerous proposition. I read Coulthard's scholarship as a proposal that political recognition through cultural rights reinscribes colonial legality through a rule of law(s)/loss. The terms of ethnic salvation require two types of loss: constructed cultural loss being a discourse of multiculturalism necessitating 'wiser' government intervention

⁴⁴ Robert A. Williams, *Like a Loaded Weapon: The Rehnquist Court, Indian Rights, and the Legal History of Racism in America* (U of Minnesota Press, 2005).

⁴⁵ Denise Ferreira da Silva, *Toward a Global Idea of Race*, 1 edition ed. (Minneapolis: Univ Of Minnesota Press, 2007).

⁴⁶ Glen Sean Coulthard, "Subjects of Empire? Indigenous Peoples and the "Politics of Recognition" in Canada" (Ph.D., University of Victoria (Canada), 2010).

and guardianship, but also political loss, or rather the depoliticization of indigenous sovereign authority which occurs through a rights-based legal reform process.

There's this pernicious myth that by reforming the law, settler law that is, it will become less colonial, and that's simply impossible. The options people have living their complex lives across this complicated legal terrain, therefore, are delimited to a range of practices involving both non-participation, a disinvestment from that government, and endless reform, a continuance to manage the colonial situation by chasing its effects. For instance, the scholarship on the U.S. territories is dominated by legal scholarship weighing and comparing the various 'effects' from statehood, unincorporated and organized, unincorporated and unorganized, commonwealth, tribal, free association, trusteeship, to independence in order to make a case for legal reform.⁴⁷ Yet, this scholarship rarely engages with settler colonial theory, which offers an important critique of political recognition and state inclusion projects. Legal scholarship within Native Studies has walked the 'politics on the boundary' between a civil rights strategy of full equality and political recognition, legal pluralist frameworks of international law, and/or outright refusal to participate in settler state projects.⁴⁸ They draw on metaphoric

⁴⁷Douglas Howland and Luise White, *The State of Sovereignty: Territories, Laws, Populations*, 21st Century Studies ;V. 3 (Bloomington: Indiana University Press, 2009); Arnold H. Leibowitz, *Defining Status: A Comprehensive Analysis of United States Territorial Relations* (Dordrecht ; Boston : Norwell, MA, U.S.A.: Nijhoff ; Sold and distributed by Kluwer/ Academic Publishers, 1989); Ediberto Román, *The Other American Colonies: An International and Constitutional Law Examination of the United States Nineteenth and Twentieth Century Island Conquests* (Durham, N.C.: Carolina Academic Press, 2006).

⁴⁸Audra Simpson, *Mohawk Interruptus: Political Life across the Borders of Settler States* (Duke University Press, 2014); Lisa Ford, *Settler Sovereignty: Jurisdiction and Indigenous People in America and Australia, 1788-1836* (Harvard University Press, 2010); Bruce Duthu, *Shadow Nations: Tribal Sovereignty and the Limits of Legal Pluralism* (Oxford University Press, 2013).

constructions of non-continental spaces to create, “ islands of law,” or “islands of sovereignty.” However, they rarely contend with the legal realities of those in the territories, especially, indigenous peoples in U.S. territories.⁴⁹ The legal scholarship around these fields can largely be characterized as a desire to trade in ‘domestic in a foreign sense,’ for ‘foreign in a domestic sense,’ and vice versa. Samoans, Chamorros, and Native Hawaiians across very different forms of political status in Oceania attempt to negotiate American rule of law as indigenous people and ‘foreign territory.’

Malae Around the World

The notion that islands move is not fiction, but fact. Within the foundational and paradigm shifting publication of *Native Pacific Cultural Studies on the Edge*, scholars of Oceania expound upon these Oceanic movements, and the cultural forces of U.S. imperialism in the Pacific.⁵⁰ Vince Diaz explains that *etak* is a Carolinian science of voyaging which relies on the stars above for guidance, and the commitment that islands, indeed, move, in order to triangulate crossings through the waters of Oceania. He theorizes importantly through *etak* that indigenous philosophies of knowledge more broadly can be applied as metaphors and theories to build a critical body of Native

Kevin Bruyneel, *The Third Space of Sovereignty: The Postcolonial Politics of Us-Indigenous Relations* (University of Minnesota, 2007); Williams, *Like a Loaded Weapon*.

⁴⁹ J. Kēhaulani Kauanui, *Hawaiian Blood: Colonialism and the Politics of Sovereignty and Indigeneity*, Narrating Native Histories (Durham: Duke University Press, 2008); Villazor Rose Cuison, "Blood Quantum Land Laws and the Race Versus Political Identity Dilemma," *California Law Review* 96, no. 3 (2008); Christina Duffy Burnett and Burke Marshall, *Foreign in a Domestic Sense: Puerto Rico, American Expansion, and the Constitution* (Duke University Press, 2001).

⁵⁰ Vicente M. Diaz and J. Kehaulani Kauanui, "Native Pacific Cultural Studies on the Edge," *The Contemporary Pacific* 13, no. 2 (2001).

scholarship, in this case, the field of Native Pacific Cultural Studies. Triangulating Cultural studies, Pacific studies, and Native studies, I want to further elaborate on Diaz' point that islands move, one that is picked up in discussions of indigenous mobility and migration, and that is as islanders move locations, they travel with these epistemologies rooted in a deep spiritual and scientific knowledge with their land and waterscapes.

Glen Coulthard proposes we turn away from a static relation to land and culture as forms of 'property' to explore dynamic practices of relation to the sacred, to knowledge, and of exchange. Coulthard argues:

...place is a way of knowing, experiencing and relating with the world; and sometimes those ways of knowing can guide forms of resistance against other rationalizations of the world that threaten to erase our sense of place.⁵¹

In the 'Samoan indigenous reference,' *vā*, refers to how people come into being, into existence (ontology), how methods and approaches to knowledge are mediated (epistemology), and finally, how those understandings of place through spiritual and intellectual insights structure interpersonal relations and everyday practices (sociality).⁵² Notions of culture as static rights and property requiring preservation rather than dynamic relationships based on a sense of place, of *vā*, can lead to indigenous arrest and

⁵¹ Coulthard, "Subjects of Empire?."

⁵² Tuiatua Tupua Tamasese Efi, *In Search of Fragrance* (Centre for Samoan Studies, National University of Samoa, 2008). Tevita Ka'ili, "Tauhi Va: Creating Beauty through the Art of Sociospatial Relations" (University of Washington, 2008); Hufanga 'Okusitino Mahina, "Ta, Va, and Moana: Temporality, Spatiality, and Indigeneity," *Pacific Studies: A Multidisciplinary Journal* 33, no. 2/3 (2010); David Armitage, *Pacific Histories: Ocean, Land, People* (Basingstoke: Palgrave Macmillan, 2014); M. Meleisea, *The Making of Modern Samoa: Traditional Authority and Colonial Administration in the History of Western Sfamoa* (Institute of Pacific Studies of the University of the South Pacific, 1987); Vaai, *Samoa Faamatai and the Rule of Law*; Vilsoni Hereniko and Rob Wilson, *Inside Out: Literature, Cultural Politics, and Identity in the New Pacific*, Pacific Formations (Lanham: Rowman & Littlefield, 1999); Albert Wendt, "Tatauing the Post-Colonial Body," *Span* 42-43, no. April-October (1996).

containment. This research project interrogates formations of colonial legality and looks to indigenous philosophies of space and place to explore *malae*, the village green, as not just a site, but as Diaz proposes with *etak*, as an indigenous theory that operates both as a discussion of diaspora and migration, but also a gathering of diverse opinions and to build scholarship. Through a theory of *malae* and a building upon Glissant's 'poetics of relation,' I physically and discursively locate Samoa and Oceania.

The *malae* is an open space at the center of every village. It can also be understood as a village square. It is the sacred ground where 'settlement, connection, and community occur.'⁵³ Every village has a *malae*, and each *malae* has an origin, a genealogy of relations. During gatherings on the *malae*, community leaders impart wisdom and knowledge. But *malae* are also sacred, it is not just the convening of the mundane beings, but according to Samoan cosmology it also the place where gods would descend from the heavens. This is acknowledged in important life events like a funeral where the *malae* is significantly invoked, as theologian Misipouena Tagaloa points out before even the *faalupega* is recited.

In 2010, there was a television show produced in New Zealand and aired in Samoa, in which Malae, a semi-celebrity type figure, and his film crew toured various countries around the world meeting up with overseas Samoans. The show explored the lives of these Samoans as well as gave viewers a glimpse of the area highlights. In one episode, Malae met up with opera singer, Sani Muliaumaseali'i for vocal lessons and a chat. He also visited Picadilly Circus, joined local Samoans for a game of rugby, and

⁵³ Misipouena Suaesi Tagaloa, "Tafesilafa'i: Towards a Samoan Epistemology in the Diaspora" (Ph.D., Claremont School of Theology, 2008).

visited a famous cathedral when in London. This subsection is both a reference to the travel show and to Samoan mobility and communities around the globe. “Malae around the world,” creates global points of connection for Samoans and Oceania. Similar to the way in which geographer and theorist, Sa’iliemanu Lilomaiava-Doktor proposes using *malaga*, I use ‘malae around the world,’ as a theoretical frame to complicate the diverse movements and mobility of Samoans in the world.⁵⁴

Critiquing the loaded application of western philosophies of migration and development, Lilomaiava-Doktor argues these frameworks are too reductive and simplistic. *Malaga* for Lilomaiava-Doktor indicates a form of travel that is multi-directional, it is not a one-way ticket, but a constant coming and going. *Malaga* is one practice of *fa’a Samoa*, which also stresses other forms of place making. *Iinei* meaning this home or where one belongs now, so both temporal and spatial, is used to refer to nation, region, village, and home. *Iinei* is a fixed relation, it is defined as the place where one’s lineage is derived, therefore, people are just as tied to their family as they are to the place where they belong ancestrally. No matter where Samoans *malaga* whether to the next village over or halfway across the world they carry their relations to kin as well as to place. Lilomaiava-Doktor focuses on *malaga* and *vā* as a critique of dominant western philosophies of migration to look at the relationship between the Samoan political order *i’inei* (ancestral lands/village) and *i fafo* (abroad or outside).⁵⁵ Tagaloa, however, looks at the threading of those connections through *malaga* as well describing their occurrences with life cycle events. Samoans journeying from all over the globe to maintain the social

⁵⁴ Sa’iliemanu Lilomaiava-Doktor, "Beyond "Migration": Samoan Population Movement (Malaga) and the Geography of Social Space (Vā)," *The Contemporary Pacific* 21, no. 1 (2009).

⁵⁵ Ibid.

relations during funerals, weddings, graduations, births and so forth. Tagaloa extends this analysis to argue that the center of Samoan politics and community, the *malae* is adapted in a very particular way in the United States. During these life cycle events, the connections to place are invoked and acknowledge. He argues:

When the name of the *malae* is invoked in the diaspora, it serves two purposes. First, it transplants the physical *malae* from Samoa to the United States with all its boundaries, *sa, faiga*, and storied history. If you were blind and were attending the same funeral both in Samoa and in California simultaneously, you would not know the difference in the oratorical presentation. The talking chiefs would reference the *malae* in their presentations regardless...⁵⁶

It functions as a teaching moment in the diaspora, he argues not because it mentions sacred space in Samoa, but “the entire infrastructure pulling for maintaining the *vā*, showing respect to a person, endowing folks with significance, giving someone their due using gestalt language and poetic imagery.” *Vā* to Tagaloa is not just a reflection of the social order, but like Lilomaiava-Doktor a social practice. Tagaloa also uses *vā* as a method of research.

Maintaining the *vā* calls us to a way of being that allows the expansion of our universe of knowledge to include an inquiry into what we don't know that we don't know, using investigatory practices that are not bound by allegiance to formal, widely accepted modeling.⁵⁷

In this research project, I used the naval administrative records as an index of culture and anxieties of order in the Samoan islands. For example, one of the first rules initiated by the naval government was to limit the mobility of islanders and transform the local

⁵⁶ Tagaloa, "Tafesilafa'i". P. 35-36

⁵⁷ Ibid.

economy with a prohibition against *malagas*.⁵⁸ This was a customary practice wherein entire villages would uproot themselves and be hosted by another village. This practice reveals a few things; one, that Samoan social structures were both rooted in the physical location of their village, but also portable. They existed when away from their specific lands within the social practices of ceremony. The *malae* is both a physical and imaginary construct that operates as a conduit for Samoan collective and individual relationships as well as to the divine and sacred.

Malagas also were an important exchange of resources. To societies socialized on individual accumulation, these gatherings seemed excessive and imbalanced. The gatherings would essentially strain and bankrupt the resources of the host village. However, these *malagas* were a cornerstone of Samoan economic exchange based on reciprocity. This is reflected in *faalavelave*, which is a practice of social resource distribution through ceremonies of substantial gift giving during major life cycle events and celebrations.

The prohibition against *malagas* offers insight into the nature of colonial rule. It is difficult to enact order on large gatherings and colonial policies usually monitored the movements of natives within the islands. *Malagas* outside of the islands were difficult. During the pre-colonial period, many Samoans traveled to the United States hopping aboard whaling and merchant vessels.⁵⁹ But during the colonial period, unless Samoans there were also of American descent or connected to religious networks they were

⁵⁸ Damon Salesa, "'Travel-Happy' Samoa: Colonialism, Samoan Migration, and a 'Brown Pacific,'" *New Zealand Journal of History* 37, no. 2 (2003).

⁵⁹ Ibid. David A. Chappell, *Double Ghosts: Oceanian Voyagers on Euroamerica Ships* (New York: M.E. Sharpe, Inc, 1997). Toeutu Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951" (University of California, 2003).

prohibited from travel without naval permission and consent to the United States from 1900-1951. It was not until the decommissioning of the base and the island conversion to civilian rule that the largest wave of Samoan migration to the United States not only occurred, but was subsidized by the government. Naval officials, however, were quite mobile and in contact with their island neighbors, for instance the Germans in the western islands, Americans in Hawai'i, and the British in Fiji. These officials convened for social functions segregated from the native populations, although sometimes with the 'half-caste' communities, they also in these temporary migrations exchanged ideas on native policy and governance. Importantly, scholars such as Damon Salesa, Alice Te Punga Somerville, Sa'iliemanu Lilomaiava-Doktor, Vince Diaz, and Kealani Cook are rewriting the flows and exchanges of islander connections and mobility within Oceania, what Salesa calls 'a Brown Pacific.'⁶⁰

A Poetics of Relation

Oceanian scholars have frequently made connections to Caribbean literature to build up scholarship that enlarges islander epistemologies and ontologies, and critiques imperialist projects of containment and nesomania.⁶¹ I am drawn to the work of

⁶⁰ Salesa, "'Travel-Happy' Samoa: Colonialism, Samoan Migration, and a 'Brown Pacific'."; Kealani R. Cook and Michigan University of, *Kabiki Native Hawaiian Relationships with Other Pacific Islanders 1850-1915* (2011); Alice Te Punga Somerville, *Once Were Pacific: Māori Connections to Oceania* (Minneapolis: University of Minnesota Press, 2012); Armitage, *Pacific Histories*; Lilomaiava-Doktor, "Beyond "Migration"." Vicente M. Diaz and J. Kehaulani Kauanui, "Native Pacific Cultural Studies on the Edge," *ibid.* 13, no. 2 (2001).

⁶¹ Elizabeth M. DeLoughrey, *Routes and Roots: Navigating Caribbean and Pacific Island Literatures* (Honolulu: University of Hawai'i Press, 2007); Teresia Teaiwa, "On Analogies: Rethinking the Pacific in a Global Context," *The Contemporary Pacific* 18, no. 1 (2006). And the 2003-2006 Ford

Caribbean theorist, Edouard Glissant, as a way of building these connections further and to draw together both Oceanic anti-colonial critique through a range of strategies based upon 'a poetics of relation.' Relation, Glissant theorizes, is anti-imperial, anti-essentialist, fluid, and plural in formation. Engaged with philosophers, Deleuze and Guattari, one can understand how a theory of 'relation' connects with their theory of the rhizome. Glissant suggests that the many crossings, which occur in islands and archipelagos of the Caribbean are symptomatic of larger global forces. "What I am proposing today," he says, "is that the whole world is becoming archipelagized and creolized."⁶² For Glissant, these crossings of language, race, culture, religion, and customs throughout the region are not a threat to their stability, but a powerful aesthetic and dimension of growth. These infinitely multiplying 'relations,' through crossings are a regenerative model rooted in the geography and cultural spatiality of Martinique. It is the ceaseless transformation of cultural process, which constitutes 'Relation' for Glissant far removed from, "essentialist notions of the condition of blackness, but from the experiences of slavery and oppression that define black history and (collective) memory."⁶³ While the conditions shaping the Oceania are not identical, what they do share is a critique of cultural essentialism that tries to define, preserve and delimit the mobility and growth of oceanic knowledge, bodies, and islands. Part of Glissant's theory of 'Relation,' is opacity, which in Native

Foundation, Pacific-Caribbean project, *Islands of Globalization*, at the University of Hawai'i and East-West Center.

⁶² Edouard Glissant, *Poetics of Relation*, trans. Betsy Wing (Ann Arbor: University of Michigan Press, 1997). Edouard Glissant and Manthia Diawara and Christopher Winks, "Edouard Glissant in Conversation with Manthia Diawara," *Nka: Journal of Contemporary African Art* 28, no. 1 (2011).

⁶³ Glissant, *Poetics of Relation*. Winks, "Edouard Glissant in Conversation with Manthia Diawara."

feminist ethnographic literature has been called, a refusal to the project of knowledge and to be known. He proposes that the project of knowledge is not only a myth, but a colonial violence of universalism to assert knowledge and the sameness of the infinity dwelling in the relations of another person, an entire people, the land much less within the one's own self:

The poetics of Relation is the moment of awakening the world's imaginary in each of us...For example, we understand that a desert in Peru and a desert in Africa have things in common and differences as well through which it's exciting to establish a Relation between these commonalities and differences. That's the poetics of Relation.⁶⁴

While Gayatri Spivak theorizes the subaltern's inability to articulate or to become known, Glissant proposes opacity as a form of agential will, a purposeful obscuring of oneself from the surveillance and refusal to participate in the project of knowledge.⁶⁵ In addition, to opacity, the refusal to be known in totality as the basis of Relation, Glissant proposes counterpoetics. Creole is an anti-colonial language and grammar developed in response to oppression, cultural repression, and inequality, but in and of itself is not enough to counter that formation. Articulating through both Creole and French together generates what Glissant calls anti-poetics, forced poetics, also known as 'counterpoetics.' I am inspired by Glissant's 'poetics of Relation,' and am careful to note the very real differences in conditions shaping the Caribbean and its histories from those of Oceania, but nonetheless want to build connections. In Oceania, I propose throughout this dissertation research that Samoans often re-deployed the language of the colonial power to

⁶⁴ Glissant, *Poetics of Relation*. Winks, "Eduouard Glissant in Conversation with Manthia Diawara."

⁶⁵ Gayatri Spivak, "Can the Subaltern Speak?," in *Marxism and the Interpretation of Culture*, ed. Cary Nelson and Larry Grossberg (Chicago: University of Illinois Press, 1988).

disarticulate its authority and power. Through protest songs, *sivas*, refusals to host *fiafias* for incoming naval officials, refusals to work the copra plantations, re-writing the endings to western dramas and literature, stalking officers and their wives around the islands, political speeches, poems and publicly hoaxing researchers and invasive questions around intimate relations. I argue especially for a recovery of 'hoaxing' as a practice of clowning or what Caroline Sinavaiana calls 'comic theater.'⁶⁶ Similar, to Sarita See's proposal in 'Decolonized Eye,' one needs to be conversant in multiple languages in order to understand the teasing displacement and the subversive undertones of everyday practices, cultural productions, and performance.⁶⁷

Oceania

This dissertation arises from the theoretical interventions of Oceanian intellectuals, who push the conceptual limits in our existing frames of sight. In "Towards a New Oceania," theorist, Albert Wendt, vividly warned islanders away from cultural preservation politics:

Our quest should not be for a revival of our past cultures, but for the creation of new cultures, which are free of the taint of colonialism and based firmly on our own pasts. The quest should be for a new Oceania.⁶⁸

In this formulation, Oceania is both a physical site, but also discursive, a project of anti-colonial modernity. New mornings require an engagement with the past that is not a revivalism of the dead, and therefore not articulations of "renewal." Rather these events

⁶⁶Caroline Sinavaiana, "Comic Theater in Samoa as Indigenous Media," *Pacific Studies: A Multidisciplinary Journal* 15, no. 4 (1992).

⁶⁷ See, *The Decolonized Eye : Filipino American Art and Performance*.

⁶⁸ Albert Wendt. *Toward a New Oceania*. Guy Amirthanayagam, *Writers in East-West Encounter: New Cultural Bearings* (London: Macmillan Press, 1982).

require new configurations and relationships, articulations of “anewal,” beginnings empowered by anti-colonial political visions rooted by the indigenous past. Colonialism is a ‘chill across Oceania,’ Wendt argues, and without healing ‘, we will continue to be exploited by vampires of all colors, creeds, fangs.” Cultural revitalization projects through blood quantum and the resurrection of the dead can be a dangerous proposition. They engage *aitu*, spirits and ghosts, traces of the past with afterlives in our present that can either guide or terrify. The work rests, therefore, on being able to see the difference, between ‘new-found pride, self-respect, and wisdom,’ and ‘the grotesque colonial caricatures we transformed into by the chill.’⁶⁹ Visions of the future are made possible through the frames of critical anti-colonial theory and indigenous knowledge.

Oceania is a, “sea of islands,” Epeli Hau’ofa reasons, “not islands out at sea.”⁷⁰ Foundational theorist, Hau’ofa conceptualizes Oceania as vast and expanding, and a force of connection spiritual and relational not of isolation. He writes, “Oceania is humanity rising from the depths of brine and regions of fire deeper still, Oceania is us. We are the sea, we are the ocean.”⁷¹ Against dominant portrayals of the Pacific Islands as small and isolated and lacking history, which Hau’ofa contends enabled the imperial formations to carve up the Pacific into confined and contracted spaces prohibiting indigenous movements and travel. Discussing Oceanic myths, legends, and oral traditions and seafaring practices, Hau’ofa argues that, “smallness is only a state of mind.”⁷²

Furthermore just as the waters create a fluid reality, so too does oceanic identity,

⁶⁹ Ibid.

⁷⁰ Epeli Hau'Ofa, *We Are the Ocean: Selected Works*, First Edition edition ed. (Honolulu: Univ Hawaii Pr School of Social, 2008).

⁷¹ Ibid.

⁷² Ibid.

“transcend all forms of insularity, to become one that is openly searching, inventive, and welcoming.”⁷³ Oceania as a regional discourse supersedes colonial discourses of the Pacific as a fatally impacted buffer zone between the continental Americas and Asia, an imperial lake, a diplomatic pivot, and a strategic military command⁷⁴. Importantly, Oceania centers a rootedness with the indigenous past, but also calls upon strategies of creative invention, ‘anewal,’ to sustain itself. As Hau’ofa indicates new formations are not absolutist versions of the past imported into the present, but ‘flexible and negotiable’ truths, which:

...may be accepted for particular purposes and moments, only to be reversed when circumstances demand other versions; and we often accede to things just to stop being bombarded, and then go ahead and do what we want to do anyway.⁷⁵

Some scholars are unsettled by the name, while in support of this vision of Oceania. They posit the use of a shared indigenous term to frame indigenous philosophies, such as Moana, which also means sea. These philosophers generate critical indigenous theories and methods of around sociospatiality—the social relations mediated through indigenous ontologies and epistemologies of void, space, and land.⁷⁶ I understand Oceania and Moana as complementary visions of indigenous plurality and projects of anti-colonial modernity. Importantly, Moana philosophers draw and develop indigenous philosophies and theories with primarily indigenous encounters in mind. I draw on discourses of Oceania, because of the emphasis Hau’ofa and Wendt theorize on invention, anewal

⁷³ Ibid.

⁷⁴ Albert Wendt. *Toward a New Oceania*.

⁷⁵ Hau’Ofa, *We Are the Ocean*.

⁷⁶ Mahina, "Ta, Va, and Moana: Temporality, Spatiality, and Indigeneity." Ka’ili, "Tauhi Va: Creating Beauty through the Art of Sociospatial Relations."

through colonial encounters. “What is postcoloniality?” Wendt queries. He answers:

It is a body ‘becoming,’ defining itself, clearing a space for itself among and alongside other bodies, in this case alongside other literatures. By giving it a Samoan *tatau*, what am I doing, saying? I’m saying it is a body coming out of the Pacific, not a body being imposed on the Pacific. It is a blend, a new development, which I consider to be in heart, spirit, and muscle, Pacific: a blending in which influences from outside (even the English language) have been indigenized, absorbed in the image of the local and national, and in turn have altered the national and local.⁷⁷

Setting aside postcolonial theories of hybridity, Wendt and Hau’ofa both argue against a complete rejection of western culture or institutions, but a strategic negotiation of these formations. These strategies and flexible truths are the many ways of Oceania.

Encounters in the Archive

When I first began this research project, I was enthralled like many Ethnic Studies students by resistance studies. I like many impassioned students viscerally felt the life-changing terrain shifts of critical theory and revisionist histories, which actually centered the voices, lived experiences, philosophies, and stories of people who truly matter, but were negatively represented or missing. This cannot be understated, especially as in so many parts of the United States this type of thinking is considered the source of power inequality, rather than its product, and, thus, a threat to public unity. For students, across all levels of education, this set of knowledge and these representations are intimate and legal battlegrounds between them, educators, institutional representatives, and state officials.

I began this project unapologetically with a ‘Samoan Cause’ of my own. I was

⁷⁷ Hereniko and Wilson, *Inside Out: Literature, Cultural Politics, and Identity in the New Pacific*.

activated by the idea of, “speaking truth to power.” When I reached the limit of certain sources, I juxtaposed others in order to craft a full story. For instance, when the island administrators wrote acts of Samoan resistance to colonialism out of their annual reports to the Secretary of the Navy, I brought in the transcripts of trials and hearings initiated by Samoans against the navy. While I use ‘rule of law’ as a gathering point of materials, I build a presentist examination of Samoan history across a much wider range of sources. I combed materials from historiographies, photo archives, travel diaries, legal cases, ethnographies, literature, art, social media forums, and online communities. I employed experimental methodologies and a diverse set of sources to read against the archival grain. I am greatly influenced by the scholarship of Greg Denning and Judith Binney, who were both very important scholars of Pacific anthropology and history.

Denning and Binney wrote against the histories of their imperial present impassioned to look beyond the dominant gaze of the ‘Stranger’ on the beaches, to not just see, but weave affective stories of encounters centered on the lived experiences, intellectual, spiritual, and theoretical projects of Natives arising from Oceania.⁷⁸ Certain Natives argued that all Strangers should cease writing their histories, a valid and poignant political demand arising from a very particular context of colonial exploitation, a project of power-knowledge.⁷⁹ But who owns the past? Is the past private property or the commons? Who gets to represent the *aitu*, the spirits, the afterlives of the past in our temporal present? Not just the positionality of the scholar/writer *but*, also, the method,

⁷⁸ Greg Denning, *Beach Crossings: Voyaging across Times, Cultures, and Self* (Philadelphia: University of Pennsylvania Press, 2004).

⁷⁹ Bain Attwood and Fiona Magowan, *Telling Stories: Indigenous History and Memory in Australia and New Zealand* (Wellington, N.Z.: Bridget Williams Books, 2001).

form, audience and presentist effects of these narratives should matter. This is not to say that the academy and larger institutions of power do not further drive Difference via the validity of historical methods and analysis, right. Binney and Denning are not the first to desire a more robust and rigorous contouring of Native methods, theories, and histories, but they nevertheless and for very particular reasons of positionality had enhanced opportunities to make successful careers and elevate these methods and ideas. They also were cognizant of these power dynamics as they both worked closely with successive generations of scholars and community members across positionalities pulled to the stories of Oceania's watery depths. "What matters," wrote Binney, "is that these stories are told in ways that are ultimately meaningful to Maori."⁸⁰ Denning famously formulates beaches both metaphoric and literal as 'a space of crossings.'⁸¹ He reminds us that cross-cultural researchers know that it is not, "the mountains of texts of encounter between indigenous peoples and intruding strangers that are the problem. It is the depth of the silences." Linda Tuhiwai Smith, has most famously challenged the limitations of western research and its unethical commitments, but still remains

Coming to know the past has been part of the critical pedagogy of decolonization. To hold alternative histories is to hold alternative knowledges. The pedagogical implication of this access to alternative knowledges is that they can form the basis of alternative ways of doing things.⁸²

This is the promise of anti-colonial politics as a core component of historical praxis. We need different methods of sight, alternatives to 'the gaze' of coloniality, in which to dip

⁸⁰ Denning, *Beach Crossings*.

⁸¹ *Ibid.*

⁸² Smith, Linda Tuhiwai. *Decolonizing Methodologies: Research and Indigenous Peoples*. Zed Books: New York. 1999.

into these shared voids.

Writing the history of Oceania for Dening and Binney is a ‘double-voiced’ practice that requires the collaboration of Natives and Strangers. Using the textual detritus of voyagers such as Cook, Bougainville, and Bligh as well as lesser known whalers, missionaries, and beachcombers, Dening reads, “not so much to tell their stories as to see what their unseeing eyes were seeing, life on the other side of the beach as the islanders actually lived it...”⁸³ For Binney, this requires not just meticulous archival research, but telling life stories, and gathering oral histories. Intimate relations order her foray into indigenous histories, as they are very much carried by the familial networks the ‘tender ties’ of coloniality refracted through kinship relations as she recuperates the history of Te Kooti Arikirangi, his relations, and the followers of the Ringatu faith.⁸⁴ Their projects of Pacific history are deeply informed by indigenous ontologies and epistemologies, and their imagined readership includes the communities who they are engaged with in their storytelling. Radical political visions, presentist concerns, the raising up of voices from ‘silences of the past,’ all of these matters are highly visible across their impressive and paradigm shifting oeuvre. Dening and Binney put forth a method of scholarship, which relied on both narrative and reflection to dimensionalize the past.⁸⁵ People are complex; and we are all hailed in such multifaceted and rarely singular ways. But importantly, the difference articulated by Dening is in, “using imagination (not

⁸³ Greg Dening, *Islands and Beaches: Discourse on a Silent Land: Marquesas 1774–1880* (Honolulu 1980).

⁸⁴ Judith Binney, *Redemption Songs: A Life of the Nineteenth-Century Maori Leader Te Kooti Arikirangi Te Turuki* (Honolulu, Hawaii: University of Hawai'i Press, 1997).

⁸⁵ Albert Wendt. *Toward a New Oceania*. Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity*, Thinking Gender (New York: Routledge, 1990).

fantasy or desire) but creativity.” This is a critical point, because a principal charge against imperial histories and projects of knowledge are the problematic projections of fantasy and desires mapped upon the bodies and lands of Others. This reminder from Dening is similar to Albert Wendt’s call for us to move into a “New Oceania,” and his call for us to ‘live our present as creatively as possible.’⁸⁶

That the archive was produced in the service colonial governance means it is a site that is neither kind nor inclusive of indigenous voices. However, it is in these texts that this project emerges. Archives are not neutral sites of information, but are ‘documents of knowledge production, as monuments of states as well as sites of state ethnography.’⁸⁷ According to Stoler, ‘what constitutes the archive, what form it takes, and what systems of classification signal at specific times are the very substance of colonial politics.’⁸⁸ Bernard Cohn, scholar of British colonialism, has written that one of the major impulses of the colonial project was to generate systems of classificatory knowledge, taxonomic grids in which to capture subjects and enact order.⁸⁹ These projects of knowledge generation were not solely focused on diplomacy or war, they were concerned with generating definitive knowledge of their subjects including value systems, spiritual beliefs, agrarian practices, family structures, ceremonies and important life cycle events. The colonial archive generated personal and intimate knowledge as well as cultural and political data. The archives of the ‘Kolony of Amerika Samoa’ are no exception. The

⁸⁶ Albert Wendt. *Toward a New Oceania*.

⁸⁷ Ann Laura Stoler, *Along the Archival Grain : Epistemic Anxieties and Colonial Common Sense* (Princeton: Princeton University Press, 2009).

⁸⁸ *Ibid.*

⁸⁹ Bernard S. Cohn, *Colonialism and Its Forms of Knowledge* (Princeton, N.J: Princeton University Press, 1996).

records are quite diverse: reports from island officials to other bureaus and administrative figures; topographical charts of natural resources; records of births, deaths, and marriages; personal letters; volumes of the naval newspaper; genealogies; trial records; flag day pictures, speeches and so forth. The navy also constructed profiles on certain individuals they considered a seditious threat. The annual reports from the naval governor to the secretary of the navy would remark largely upon the health and the wealth of the colony: Was the population increasing? Were the copra sales covering the costs of government operations? What were the major bodily and environmental diseases afflicting the health of the body politic? How many divorces were granted in the last year? As one might imagine, the records were far from accurate and all knowing: villagers creatively hid bodies from census takers, local officials cut personal takes from the island copra sales, one naval wife smuggled Native political petitions sewn into the lining of an infant's blanket, and even with prohibitions against interracial marriage, couples danced their way around official regulations to cohabit. To write a study of revisions to the colonial archive might actually further substantiate its own mythmaking as a totalizing endeavor, and ultimately augment the task of increasing and updating its records. Even long after its demise, colonial projects, thus, have multifarious afterlives.

The challenge before new colonial studies historians is to think of the archives not as objects ready for consumption, but as a practice and process. Ann Stoler writes:

...the task is less to distinguish fiction from fact than to track the production and consumption of those 'facts' themselves. Rather the task of colonial studies is to trace what questions get asked and why and to what effect in the generation of 'knowledge.'⁹⁰

⁹⁰ Stoler, *Along the Archival Grain : Epistemic Anxieties and Colonial Common Sense*.

The research focus moves from correcting details to tracing the larger project of knowledge through which those details are generated, and thus understanding archival function, logics, and discursive effects. What does such a study look like? If we review transcripts of a criminal trial from 1921, the object of study is not to prove or disprove the final verdict; nor is it to write a more accurate retelling of the trial proceedings to fill the gap in historical record. Rather a new colonial studies research project might look at the logic underwriting a particular case. What kinds of claims and questions were exchanged? What was and was not considered evidence? What was the rationale of the judge and jury? The architecture of the courtroom and holding cells, the ritual of procedure, the composition of the court, the performance of courtroom actors, the length of deliberations, the pressuring shadows of extralegal formations, the costs of litigation, the interviews and reports of the popular press, all of these elements and more help to construct the process and practice of law as an index of formations of power.

The archive has been criticized as an obsession, a fetish of historians and other scholars investigating time past. Derrida's 'archive fever,' a manic quest for knowledge of origins and genealogies is coupled with the attending fear of the disappearance of everything into daily life.⁹¹ The impulse was two-fold to document everything and also to search out textual traces of the past. Foucault understands archives as 'documents of exclusion' and 'monuments to particular configurations of power.'⁹² Michel Rolph-Trouillot reminds us powerfully that archives are always filled with loud silences. The

⁹¹Jacques Derrida and Eric Prenowitz, *Archive Fever: A Freudian Impression*, 1 edition ed. (University of Chicago Press, 1998).

⁹² Michel Foucault, "Nietzsche, Genealogy, History" in *Language, Counter-Memory, Practice: Selected Essays and Interviews*, ed. D.F. Bouchard (Ithaca: Cornell University Press, 1977).

process of selection, interpretation and intervention all of these processes occur with a scholar's 'encounter with the archive, the history of the archive itself, and the pressures of the contemporary moment on one's reading of what is to be found there.'⁹³ Achille Mbembe posits that:

The archive has neither status nor power without an architectural dimension"—i.e. 'a material presence which structures access, imposes its own meanings on the evidence contained therein, and watches over users both literally and figuratively.'⁹⁴

In this sense, the archive is a 'contact zone': 'a site where past and present converge in the architecture of space itself, whose very materiality is linked to regime changes past, present, and future.'⁹⁵ I would add that in addition to the architecture of the archive, surveying those examining its tools of surveillance, researchers are also under each other's silent gaze. The records, for instance, of the San Bruno National Archives Records Association (NARA) on certain days looks like the Nelson Memorial library in Apia: at least one Samoan woman works the reference counter and old Samoan men hang out at long tables reading through newspapers and assorted records as a pastime. At the College Park NARA, military specialists complained about young researchers coming in to, 'defile our heroes of the past only doing the best they could under their circumstances.' On the west coast, however, the informal 'Council of Samoan Elders' occupies the San Bruno NARA informally monitoring the flow of peoples and records for not entirely dissimilar reasons.

⁹³Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Beacon Press, 1997).

⁹⁴Carolyn Hamilton, *Refiguring the Archive* (Springer, 2002).

⁹⁵ Ibid.

Salesa suggests that one of the major issues of colonial archives is not only is there an absence of indigenous voices, but that scholars should be careful not to let their research be delimited to the exchanges between men—and sometimes women—in power. Aside from organized archival repositories, oral histories have been one of the ways in which Samoan women have been vocalizing and reinscribing their absence in Samoan histories. Take for example Peggy Fairbairn Dunlop's *Tama'ita'i Samoa*, an edited collection of oral histories. The various stories compiled offer an important window into family roles and everyday village life in Samoa from the across colonial occupation and major life cycle events.⁹⁶ Luafatu Simanu Klutz has written a beautiful and poetic oral history honoring her mother, Aumua Mataitusi Simanu. Klutz's thesis traces the shifts of national history through one woman's service and pathway to power. Simanu significantly transformed the public education system in the western Samoan islands, and in this journey grew very knowledgeable in Samoan oratory and politics. She eventually became a female *matai*.⁹⁷ Currently, of the 16, 787 *matai* registered in Samoa only around 11% are women.⁹⁸ The profile of Simanu is an important contribution to the political and social history of Samoa. Oral histories of women like Aumua Mataitusi Simanu, who is now an instructor of Samoan oratory at the University of Hawai'i, remind us of the power

⁹⁶ Peggy Fairbairn-Dunlop, *Tamaitai Samoa: Their Stories* (Institute of Pacific Studies/KIN Publications).

⁹⁷ Female *matai* is still a controversial issue in customary Samoan politics. Some leaders believe very strongly in maintaining the gendered division of customary leadership roles, and others welcome change. Regardless, the stories of female *matai*, women who challenge Samoan customary conventions offer a really important insight into Samoan politics. Manumaua Luafata Simanu-Klutz, "Aumua Mata'itusi Simanu: Lifestory of a Samoan Educator and Orator in Diaspora" (M.A., University of Hawai'i, 2001).

⁹⁸ Samoa Bureau Of Statistics, "Population and Housing Census 2011 Analytical Report," ed. Census-Surveys Division (ApiaOctober 2012). Pg 61

and significance of intimate storytelling, and its absence from larger national histories. Where I am able in this dissertation research project, I try to weave in the opinions and voices of Samoan women, and regardless note their absence or absent presence in deconstructing legal cases.

In my encounters in the archives, I am humbled by the past. I crossed paths with researchers and archivists from whom I learned a great deal. Encounters in the archives are always a politically charged collision of the present with the past.

Chapter Outline

This dissertation begins by situating American Samoa within the contemporary political period of decolonization. Chapter Two, “Shades of Empire,” opens around the current debates of Samoan political status as non-citizen nationals, the embodied and fraught boundary through which Samoan *pule* and U.S. sovereignty push and pull their authoritative weight. Specifically, I examine the clash between the Samoan cause advocated by Charles Ala’ilima and Neil Weare as legal counsel for the case, *Tuauua v United States*, by the Samoan political representatives Congressman Faleomavaega Eni Hunkin and Governor Lolo Moliga, and the U.S. State Department.⁹⁹ Progressives advance the supremacy of the constitution in defining individual rights, regardless of where those subjects may be located. In the section ‘, The Raciality of American Progress,’ I contextualize *Tuauua* within the racial, temporal, and spatial imaginings of the liberal Right. I also connect this case to a broader examining of legal exceptionalism within the section ‘, Islands of Law.’ Three important pathways of determining political

⁹⁹ *Tuauua v United States*

status are considered within the section ‘, Imperial Belonging,’ in apposition to the preceding study of court doctrine: the plenary power of congressional authority over the U.S. territories, military rule and citizenship, and finally international . In the last section ‘, A Lament in a Time of War,’ titled after writer Sia Figiel’s evocative poem locating American Samoan loss and belonging within the context of the War on Terror, I explore the poetics of Samoan dissent.

Chapter Three, “ Samoa’s American Morning”, I continue an interrogation of the historical narratives circulated by Charles Ala’ilima and others about the nature of colonial rule in the Samoan territory, but also the social movement for civil governance. This chapter focuses on reads three sets of trials between 1920-1930 across different legal bodies, which interrogated the authority and shape of naval rule in the Samoan territory. I look at the various Samoan Causes articulated by naval officials, who sought to defend their actions and continue to protect Samoans from opportunistic settlers and the manifold costs of civil governance. I, also, examine the formations of the American Samoa Mau, the social movement for civil government in the Samoan territory, which involved a coalition of forces in Samoan territory and the United States of Samoans, naval officials, Bishop Museum anthropologists, religious networks and Euro-American businessman. In this chapter, I read the period very differently bringing to the fore events and materials dismissed as exercises of political failure. In 1920, the U.S. Navy conducted a Court of Inquiry to evaluate Samoan complaints of abuse and petitions for civil government as well as the attending circumstances of Governor Terhune’s suicide. This trial significantly involved the court martialling and deportation of the navy’s own men, advocates for regime change and reform. It attends to the absurd extents to which the

rank-and-file tried to challenge and transform their own institution, and the costs of these civilization projects on their mental and physical health. The 1926 *Ripley v Evans* trial in which a Samoan-American sued the naval commandant for unlawful arrest, was a widely discussed case in the United States that brought into question the legality and extent of martial rule. While contemporary historic analysis of the colonial period in the Samoan territory claims an absence of organized and significant dissent to martial rule, the events of this trial and the one preceding, demonstrate the very real frustrations colonial officers felt with Samoan leaders having too many opinions, petitions, and legal complaints. The last ‘trial,’ is more of a congressional hearing, in which the American Samoa Commission in 1930 solicited testimonies in Washington, DC; Honolulu, Hawai’i; and finally in Pago Pago and Ta’u of the Samoan territory. Within the dominant historical narrative, Samoan resistance is not simply written out, but written off. I argue these proceedings and events offer invaluable insights as objects of analysis to consider both the space, form, and process of Samoan politics and naval rule of law. Extant scholarship on Samoan history largely characterizes the period of naval rule as absent of social conflict. In these narratives, techniques of ‘indirect rule’ led to the emergence of a bi-cultural model of colonialism that was harmonious with the Samoan way of life. Literature that supports or complicates this thesis of naval benevolence often reduces Samoan agency. Either pacified or passive, scholars agree that Samoans in the eastern islands not only consented but invited U.S. imperialism with little complaint.

In “A Salvage Romance,” Chapter Four, I consider the intimate domains of colonialism in Samoa. A focus on law and politics can lead to a distorted consideration of colonial formations focusing on the exchanges of the powerful, primarily men in power.

In this chapter, I consider political failure in a different sense. By examining the colonial policies of law and testimonies from the trials of the preceding chapter, I look at everyday practices of life in Samoa under martial rule and the regulation of intimacy, I read Samoan women back into the historical narrative. Within colonial histories of Samoa, women are discursively present but agentially absent. On their behalf, Samoan men petitioned for regime change and challenged naval policies against interracial unions and attempted to hold officers accountable for these intimate affairs. The rationale for regulating Samoan intimacies was to prevent loss of land and people that was characteristic of settler colonial practices. Samoan women—their bodies and reproductive practices—were a primary site upon which martial rule was contested.

In this same period, America came of age in its primitive love affair with Samoa. Through popular representations in film, literature, and science, unions in Samoa were an enduring fantasy of Polynesian Primitivism. Alongside the domestic policies enacted by the naval administration upon Samoan women's bodies, this chapter considers fantasies of imperial intimacy in Samoa produced through a range of well-known cultural texts. In the confluence of imperial policy and fantasy, Samoa became overdetermined through real and imaginary sex acts.

Chapter Two

Shades Of Empire

Introduction

This chapter ‘, Shades of Empire,’ is situated around the current debates of Samoan political status as non-citizen nationals, the embodied and fraught boundary through which Samoan *pule* and U.S. sovereignty push and pull their authoritative weight. In this chapter, I contend that the current legal status, which positions American Samoans precariously as indigenous *and* migrants to the U.S. renders them invisible as exceptional subjects of empire. This precarious positioning allows for anyone—political representatives or otherwise—to massively impact the legal status of the entire territory, but potentially all of the U.S. territories. Specifically, I examine the Samoan cause advocated by Charles Ala’ilima and Neil Weare as legal counsel for the case, *Tuaua v United States*.¹⁰⁰ Progressives advance the supremacy of the constitution in defining individual rights, regardless of where those subjects may be located. In the section ‘, The Raciality of American Progress,’ I contextualize *Tuaua* within the racial, temporal, and spatial imaginings of the liberal Right. I also connect this case to a broader examining of legal exceptionalism within the section ‘, Islands of Law.’ Three important pathways of

¹⁰⁰*Tuaua V. United States*.

determining political status are considered within the section ‘Imperial Belonging,’ in apposition to the preceding study of court doctrine: the plenary power of congressional authority over the U.S. territories, military rule and citizenship, and finally the United Nations Decolonization Committee. In the last section ‘A Lament in a Time of War,’ titled after a poem by Sia Figiel. I explore the poetics of Samoan dissent locating American Samoan loss and belonging.

The Raciality of American Progress

“History matters,” testified Charles Ala’ilima and Neil Weare to the Energy Committee. The issue of consideration before congress was the Territorial Omnibus Act of 2013.¹⁰¹ The issue of contention for Ala’ilima and Weare was the American Samoan Citizenship Plebiscite, an embedded provision for a vote on the question of U.S. citizenship to take place in American Samoa, the Samoan territory of the United States. Those born in the islands are citizens of American Samoa and nationals of the United States. The political status of the U.S. non-citizen national is a literal embodiment of being ‘foreign, in a domestic sense’—a state of becoming, which Damon Salesa has described as “, a liminal position outside of the category of “Samoan” yet not fully, nor permanently, U.S. citizens.”¹⁰² For Ala’ilima and Weare,

¹⁰¹ July 11, 2013. Testimony on S. 1237, the Omnibus Territories Act, Charles V. Ala’ilima and Neil Weare.

¹⁰² Stoler, *Haunted by Empire : Geographies of Intimacy in North American History*.

both lawyers raised in U.S. territories, American Samoa and Guam respectively, citizenship for all people born in the United States is a right guaranteed by the constitution. They assert that the Citizenship Clause emerged in no small part as a constitutional overwriting of the infamous Supreme Court Case, *Dred Scott v Sanford*¹⁰³ To this effect Ala'ilima and Weare testify further that:

History shows why the Citizenship Clause includes a constitutional guarantee of U.S. citizen birth within the territorial limits of the United States. The Citizenship Clause was ratified shortly after the Civil War, and it was written against a backdrop of prejudice against newly freed slaves and growing immigrant communities who lived in both states and territories.”¹⁰⁴

It is for this very reason, the denial of citizenship and legal personhood to someone like Dred Scott, his family, and an entire race of people, that Ala'ilima and Weare take up the cause of Samoan civil rights.

Neither the first nor surely the last to proclaim the non-citizen national as an exclusionary category, second-class citizenship, these lawyers issue three arguments of particular consideration. Firstly, that the lack of U.S. citizenship is the same thing as the denial of citizenship. We might infer from this equation a Lacanian sense of 'lack', which evacuates Samoan citizenship as void of any meaning or meaningful authority, and thus as a 'lack of being' constituted by the desire for imperial belonging.¹⁰⁵ Ala'ilima and Weare postulate that the plebiscite act “asks the wrong

¹⁰³ *Scott V. Sandford*.

¹⁰⁴ July 11, 2013. Testimony on S. 1237, the Omnibus Territories Act, Charles V. Ala'ilima and Neil Weare.

¹⁰⁵ Lacan, J., *The Seminar of Jacques Lacan: Book II: The Ego in Freud's Theory and in the Technique of Psychoanalysis 1954-1955*. Norton. 1991

questions.” Whether or not American Samoa *wants* to belong to the United States is a matter for Samoans to debate, but that the Samoan territory, a ‘minor outlying possession,’ is the United States, to them, is irrefutable.¹⁰⁶ Hence, agential will, the ‘will of the people,’ is separable from the conferral of U.S. citizenship, and ultimately a matter foreclosed to Samoan consideration. Citizenship is a guaranteed birthright, regardless of a subject’s desire. Secondly, because birthright citizenship is a fundamental constitutional right, then competing claims of jurisdictional authority over this issue whether by congress, the state, or territory are infractions against ‘the people.’ Constitutionlists assert the sacredness of individual rights as the defining feature of U.S. democracy and exceptionalism. Individual rights are enshrined by the foundational charter of law as a counterweight to the designs and desires of centralized government. And in this line of reasoning, for Ala’ilima and Weare citizenship is, thusly, also a matter foreclosed to congressional consideration.

Finally, the legal duo argue that the Samoan cause is emblematic of a larger civil rights movement for “equal rights, wherever you live.”¹⁰⁷ Neil Weare, a civil rights attorney now residing in Washington, DC, is president, board member, and founder of *We the People Project*.¹⁰⁸ “Through groundbreaking impact litigation and innovative grass roots organizing,’ Weare and his colleagues, including Charles Ala’ilima, advocate for justice, equality, and true democracy on behalf of ‘, the nearly five million Americans living in U.S. territories and the District of Columbia.’¹⁰⁹ Prior

¹⁰⁶ *Tuaua V. United States*.

¹⁰⁷ "We the People Project," <http://www.equalrightsnow.org/about>.

¹⁰⁸ Ibid..

¹⁰⁹ Ibid.

to this recent endeavor, Weare was a part of the Constitutional Accountability Center (CAC). A self-described ‘think tank, law firm, and action center’, which seeks to recover the revolutionary spirit of the constitution, the CAC activates a distinctive political identity. They endeavor to ‘wrest the constitution from the tea partiers’ and to restore the charter as a force, which unites all.¹¹⁰ ‘One nation, under God, indivisible,’ the rainbow coalition formed by progressive constitutionalists traces its roots from the anti-colonial revolutionaries who settled the American nation and authored the document to the legal reformists ‘, who prevailed in the most tumultuous social upheavals our nation’s history—the Reconstruction Republicans after the Civil War, the Progressives and the Suffragettes in the early 20th Century, the Civil Rights and student movements in the 1950s and 1960s.’¹¹¹ Yes, indeed, history does matter.

Setting this point aside for a moment, I want to continue on with the idea that American Samoa functions as a metonym, in the phraseology of Allan Punzalan Isaac or as a transit, if you will, as conceived by Stephen Salaita and Jodi Byrd, for the unrepresented five million.¹¹² The experiences of the disenfranchised—imagined as equal or at the very least equivalent—thus bridges the nation’s capital to the outer edges of its periphery. These spaces of legal exception are simultaneously constituted by the rule of law, but not necessarily of the body politic. These ‘islands of law,’ include not just territories and districts, but embassies, bases, reservations, airports,

¹¹⁰ "Constitution Accountability Center," <http://theconstitution.org/about>.

¹¹¹ Ibid.

¹¹² Isaac, *American Tropics : Articulating Filipino America*; Byrd, *The Transit of Empire*. Steven Salaita, *The Holy Land in Transit: Colonialism and the Quest for Canaan* (Syracuse University Press, 2006).

and free trade zones.¹¹³ Isaac locates 'the American Tropics,' both as a place (*topos*) between the latitudes of the Tropics of Capricorn and the Tropics of Cancer, and promise (*tropos*).¹¹⁴ The metonymic qualities of the 'American Tropics,' means that islands and people are interchangeable in representation. Within the law, they exist in fragile geographic and legal contingency. For instance, when a case appears before the Supreme Court, such as *Rabang v INS*, the potential impact of the ruling goes beyond the grant of citizenship to Filipinos born during the territorial period.¹¹⁵ Rodolfo Rabang stands in for their self, their family, their nation, but also *all* of the American Tropics.

In lieu of a central office producing and administering the colonial policies of the United States, imperial subjects are regulated through controlling legal doctrines, in effect, colonial legality.¹¹⁶ The infamous 1901 *Insular Cases* doctrine of 'domestic in a foreign sense,' created 'the territories,' the unincorporated, and the non-citizen national.¹¹⁷ The effects were uneven and often capricious, and the battle between articulating and disarticulating empire was a racially charged 'politics on the boundary,' that attempted to determine what and who is 'proper from what was proprietary.'¹¹⁸

¹¹³ February, *Volume 38*.

¹¹⁴ Isaac, *American Tropics : Articulating Filipino America*.

¹¹⁵ *Rabang V. Ins.*

¹¹⁶ Pierre Legrand and Roderick Munday, *Comparative Legal Studies: Traditions and Transitions* (Cambridge University Press, 2003); Coulthard, "Subjects of Empire?." Han, "Bonds of Representation." Sora Han, defines is the form of legality. Williams, *Like a Loaded Weapon*.

¹¹⁷ Burnett and Marshall, *Foreign in a Domestic Sense*.

¹¹⁸ Isaac, *American Tropics : Articulating Filipino America*; Bruyneel, *The Third Space of Sovereignty: The Postcolonial Politics of Us-Indigenous Relations*.

That these legacies, these pesky phantasms, continue to return and haunt the innermost sanctums of Congress and the Supreme Court should be wholly unsurprising. Justice Fuller in his dissenting opinion on the *Insular Cases* warned his colleagues that this partition between permanent territoriality and statehood would in effect create an underworld of people, “Congress has the power to keep...like a disembodied shade, in an intermediate state of ambiguous existence for an indefinite period.”¹¹⁹ Specters of the law, territorial denizens revel, wreak havoc, and undo the imperial from within the pockets of interstitial jurisdiction that constitute the United States. Whether or not one may be in alignment with the political rhetoric or the strategies of individuals like Rodolfo Rabang, Leneuoti Tuaua, Isabel Gonzalez, and a host of Others, often jingoistic, their actions deserve respect and consideration of complexity than to be written off as simple desire for assimilation or incorporation.¹²⁰ As Sarita See argues cases like *Rabang*, in the sudden visibility, of the invisible, they throw into relief that which is otherwise only peripherally apparent.¹²¹ Always in excess of the perceived ‘lack of being,’ these ‘shades’ embody, perform, and give voice to a complex ‘disarticulation of empire.’¹²²

Now I would like to return briefly to the rhetorical moves of progressive constitutionalists, who imagine themselves as a different type of Main Street, USA than Sarah Palin and her Tea Party posse, a liberal, more intellectually rigorous, diverse, and grassroots collective, if you will. Beyond the individualist protections that

¹¹⁹ Isaac, *American Tropics : Articulating Filipino America*.

¹²⁰ *Rabang V. Ins; Tuaua V. United States*; Burnett and Marshall, *Foreign in a Domestic Sense*.

¹²¹ See, *The Decolonized Eye : Filipino American Art and Performance*.

¹²² Ibid.

keep government exploitation in check, the charter itself is a revered sign of anti-colonial struggle for progressive constitutionalists. For them, it represents the revolutionary radicalism of English colonists against the despotism of monarchical rule, specifically, the government of King George III who wanted to levy increased taxes to fund the expenses of his growing empire. Hence, the political slogan ‘, no taxation without representation,’ meaning no exploitation of labor, no gain in profit or capital, without a vocalized expression of consent in politics or the law. This revolutionary moment represents their transition in legal status from colonist to settler. It is the spirit of revolutionary America that progressive constitutionalists possess, and can make ‘amends’ for the continued violence of its nationalist project by renewing and reforming itself ad infinitum through a praxis of democratic protest and legal concessions.¹²³ It is in this vein that the progressive Right then understands itself as the originary point and center of the entire organizing history of civil rights in the United States. According to the genealogy of CAC political ideology and action, they claim descent from Reconstruction Republicans.¹²⁴ While many famous Reconstruction Republicans like Abraham Lincoln were vocally opposed the institution of slavery, and called for its abolition, they most certainly did not believe in the social or political equality of African-Americans.¹²⁵ Lincoln, in fact, posited really problematic ideas of belonging, raciality and nation building. Historian Eric Foner explores Lincoln’s proposal to sponsor the travel of Black freedman to Africa, which

¹²³ Aziz Rana, *The Two Faces of American Freedom* (Cambridge, Mass: Harvard University Press, 2010).

¹²⁴ Eric Foner, *The Fiery Trial: Abraham Lincoln and American Slavery*, Reprint edition ed. (W. W. Norton & Company, 2011).

¹²⁵ Ibid.

would do two types of work: firstly, expel them from the body politic, and secondly, enrich American national resources through colonial settlements.¹²⁶ Also, it was in no small part due to expansionist Progressives, hard core imperialists, like Theodore Roosevelt, Alfred Mahan, and William McKinley that in the early twentieth century, the U.S. shifted its imperium beyond contiguous borders to places like Puerto Rico, Philippines, Haiti, Cuba, Panama, Hawai'i, Guam, Samoa, Virgin Islands and Alaska. Leveraging discourses of 'mastery' and 'the white man's burden,' Progressives assuredly did not believe in the racial or social parity of imperial subjects.¹²⁷ Of course, political doctrine and social practices evolve over time, right, but the point that I am trying to make are the contradictions inherent within contemporary Progressive Republican revisions of the past in their attempts to salvage a liberal history of social inclusion based by drawing on specifically, Black political discourses emerging from the mid-twentieth century, and wholesale consuming the history 'the civil rights' in United States—a diverse social movement for racial, gender, and labor equality.

Now colonial ideology possesses eternal life through the practice of English common law.¹²⁸ Through case law precedent, Supreme Court justices like John Marshall and Richard White haunt our collective present with disturbing ideas about racial inferiority and personhood that influence the everyday lives of American subjects. Case law precedent enables the deeply profane discursive move which links the contemporary civil rights movement of these unrepresented 5 million across U.S.

¹²⁶ Ibid.

¹²⁷ Jackson Lears, *Rebirth of a Nation: The Making of Modern America, 1877-1920*, 1 edition ed. (Harper Perennial, 2010).

¹²⁸ Legrand and Munday, *Comparative Legal Studies*; Williams, *Like a Loaded Weapon*.

territories and the District to the project of freedom and personhood to which Dred Scott and his relations aspired, relief from the inarticulable everyday violence endured through a project of enslavement. And further still as a 'tie that binds' the slaver capitalist and the bondsperson, through a space of 'shared oppression' as victims of colonial legality, who aspire to overcome their ill fate of law. Within the imaginary of the liberal Right, blackness, not Englishness, becomes a transit of empire, in which the violence of exclusion, disenfranchisement, non-citizenship, exploitation, discrimination, and expulsion becomes articulable. It also transforms the anti-colonial work of Black intellectuals, spirituals, and organizing actions for freedom into seizable property.

It is this force of liberalism that enables someone like Neil Weare to fashion himself as a rescuer of the downtrodden, the racialized Others of America, by laying claim to the very distinctive discursive formations of the mid-twentieth century black civil rights movements, emblemized by Black minister, Martin Luther King, Jr. In "A Dream Deferred: "Separate and Unequal" in U.S. Territories," Weare compellingly writes that on the fiftieth anniversary of King's Dream speech, a significant population of Americans are still living in deferment.¹²⁹ He, thus, pulls King into the liberal Progressive agenda:

Speaking from the Lincoln monument, King proclaimed that " , When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir." That promise has fallen far short for the residents of U.S. territories because a series of controversial Supreme Court decisions known as the *Insular Cases*.¹³⁰

¹²⁹ Neil Weare 2013, http://www.equalrightsnow.org/a_dream_deferred.

¹³⁰ Ibid.

Linking Lincoln to King to the Founding Fathers, *Weare* reinforces the claims of Progressives over the Black civil rights movement as a uniquely American inheritance—of oppression salvaged by legal reform. In this formulation, the nation is renewed through the force of inclusion and ownership promised by the visionary property law of Euro-American men, who also once were oppressed, but then self-rescued by a movement of freedom and reform. Thus, Euro-American men are the original anti-colonial organizers. Furthermore, Euro-American men are but a passive conduit of the law, which is the real arbiter of oppression, and with their benevolent guidance—legal and fiscal aid—rescue for Others may be possible. It is, therefore, not their fault that Euro-American heteropatriarchy exists and persists, but the ill fate of law to whom they also once were victim. In the name of King’s Dream and the original ‘civil rights organizers’—the Founding Fathers—liberal Progressives campaign to represent the will of the ‘unrepresented,’ combining the American revolutionary cause, the Samoan cause, the Territorial cause, and the Black cause as distinctly American projects of progress as legal reform.

Islands of Law

According to Leneuoti Tuaua, the four other named Samoan plaintiffs, and the Samoan Federation of America, the everyday lived experience of being treated as a foreign immigrant when residing stateside, is an economic burden and moral affront. The Samoan Federation of America (SFA) founded in 1965 is a social services organization located in the greater Los Angeles area, and claims to be one of

the oldest Samoan organizations on the continent. The head of the SFA, High Chief Loa Pele Faletofo, further elaborates:

I have personally watched and suffered along with thousands of American Samoa nationals, countless hours of paperwork, expending a lot of money, standing in the cold long lines in front of the immigration building in Los Angeles trying to become a U.S. Citizen. In most cases, the end result is sheer frustration and a feeling of unworthiness, because there is no guarantee that all this work would be successful.¹³¹

Plaintiff Emy Afalava of Tafuna, after thirteen years of stateside residency and fifteen years of military service, from which he suffers post-traumatic stress related to experiences in Operations Desert Shield and Desert, was unable to obtain a passport declaring his citizenship as an American. Va'aeleama Tovia Fosi of Honolulu, also, a military veteran, during his college days in the 1980s found himself ineligible for federal work-study programs and other federal employment opportunities. Currently, under Hawai'i law his non-citizen status denies him both suffrage and the right to bear arms. Because she is not a U.S. citizen, Taffy-lei Maene of Seattle, lost her employment and benefits at the Washington State Department of Licensing, and is similarly frustrated at being denied suffrage and an enhanced Washington State driver's license.¹³² Fanuatanu Mamea of Tafuna, a Vietnam War veteran, was denied the opportunity to serve in the Special Forces, due to his non-citizen status, and his combat injuries require him to travel stateside to Hawai'i, where the Veterans Administration Hospital is located. Because his wife is a foreign national, the stringency of U.S. immigration laws inhibit Mamea's ability to sponsor her

¹³¹ "Samoan Federation of America, Inc.: "We Need to Move out of This Culture of Fear",
<http://www.samoanews.com/node/7000>.

¹³² Ibid.

accompaniment to these appointments. The primary plaintiff, Leneuoti Tuaua, currently, is a retired public safety officer and a former Marshall for the High Court of American Samoa. While he resided stateside in California for a few years in the 1960s-1970s, Tuaua could register for the military draft during the Vietnam War but was unable to vote or become employed as a state police officer.¹³³ Tuaua states:

I am not a lawyer. But I do know it is wrong that the United States is denying American Samoans U.S. citizenship at the same time our sons and daughters are risking their lives to defend the American flag overseas...So long as the American flag over American Samoa, the United States should not be able to deny us citizenship.¹³⁴

SFA director, Faletofo relatedly queries “, if we are Americans, then why not citizens?” The complaint filed by the *Tuaua* plaintiffs presents the hardships endured by non-citizen nationals. It also exhibits committed patriotism and model U.S. citizen behavior evinced in their proven record of service or alternately a desire to actively labor for various state government agencies, the military, and in pursuit of higher education.

At the heart of the *Tuaua* case rests a two-fold desire for political recognition: firstly, the grant of full U.S. citizenship for those born in the Samoan territory of the United States, and secondly for that inclusion into the American body politic to be separated from the incorporation of Samoan lands. That the expense and prolonged process of naturalization is difficult and tiresome for Samoan nationals is generally acknowledged. However, Governor of American Samoa, Lolo Letalu Matalasi Moliga raises the point of the universal application for U.S. citizenship involved with

¹³³ "Meet the Plaintiffs," <http://www.equalrightsnow.org/plaintiffs>.

¹³⁴ "Samoan Federation of America, Inc."

the claims to birthright citizenship.¹³⁵ Just because some Samoans yearn for U.S. citizenship, must *all* born in American Samoa, regardless of their will become incorporated into the body politic? The underlying issue regarding citizenship is really a fear of change according to Faletofo, who asserts that the time to move forward is now.

After 112 years of existence under this ‘unorganized structure, we need to move on and out of this ‘Culture of Fear’ we find ourselves under. Like the man said, ‘The only thing we need to fear, is fear itself.’¹³⁶

American Samoan Congressional Representative, Faleomavaega Eni Hunkin maintains that the issue is not about whether or not Samoans should become citizens. The crux of this controversial case is based upon *whose* authority and political will that decision should be made. Accordingly, Hunkin states that:

...[He] appreciates the frustration of the Samoan Federation of America that struggles to meet the needs of Samoan who are U.S. nationals who cannot vote in national elections and are precluded from certain jobs that require U.S. citizenship. However, I believe the choice of becoming a U.S. citizen belongs to the people of American Samoa, belongs to the people of American Samoa, and not by judicial legislation.¹³⁷

U.S. citizenship itself is therefore not the point of controversy, although the aforementioned community and political leaders raise valid concerns about the process through which this decision should become manifest as well as the extent of application. The conflict generated by the *Tuaua* case resides really on the implicit second point, the retention of Samoan communal land tenure and relatedly, the *pule*

¹³⁵ Ibid.

¹³⁶ Ibid. ‘The man’ being President Franklin D. Roosevelt.

¹³⁷ Eni Fa‘auaa Hunkin Faleomavaega, "The Future of American Samoa," *Samoa Observer*, May 6, 2013 2013.

of the *fa'amatai*, the authority of indigenous political leadership. These are the political stakes of U.S. citizenship, and this is where Samoan opinion radically diverges.

Now the Citizenship Clause that the plaintiffs of *Tuaua* invoke as a fundamental right, is part of the 14th Amendment of the constitution, which provides Equal Rights protection.¹³⁸ This amendment is particularly problematic for indigenous sovereignty, as much of the authority and ability to maintain cultural practices such as communal land tenure, village curfews, hereditary based officials, blood quantum based membership all of those practices are not allowable under the Equal Rights Amendment; they fundamentally rest on a political right to autonomy and separation. This issue has been tested in judicial rulings previously. In *Craddick v Territorial Registrar of American Samoa (1980)*, the High Court of American Samoa held that although land alienation restrictions based upon blood quantum violated the Equal Protection doctrine's protections against racial discrimination, the court ultimately upheld these restrictions on the premise that 'the preservation of culture demonstrated a compelling state interest sufficient to override the equal protection claim brought by a non-indigenous resident of American Samoa.'¹³⁹ Furthermore, the court wrote:

The whole fiber of the social, economic, traditional, and political pattern in American Samoa is woven fully by the strong thread, which American Samoans place in the ownership of land. Once this protection for the benefit of American Samoa is broken, once this thread signifying the ownership of

¹³⁸ U.S. Const. amend. XIV, § 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States of the State wherein they reside.

¹³⁹ *Craddick v. Territorial Registrar*, 1 Am. Samoa 2d 11, 12 (1980)

land is pulled, the whole fiber, the whole pattern of the Samoan way of life will be forever destroyed.¹⁴⁰

Therefore, in American Samoa, what might be considered a fundamental constitutional right to U.S. citizens, if posed as a threat, which could potentially endanger the cultural rights of Samoan citizens, then is summarily dismissed. In addition to the *Craddick* ruling, *Bishop v Hodel* held that while racial discrimination may not have withstood 'strict scrutiny' in other locations, when the state is given a 'compelling interest' to uphold such law, then it merely needs a 'rational basis' for the court system of a given territory to undermine fundamental constitutional rights.¹⁴¹ For instance, in *King v Morton*, a trial by jury of peers was found to be too great of a burden for the territorial courts to bear, and thus, not a fundamental constitutional right for a U.S. citizen in that space.¹⁴² In *Wabol v Villacrusis* (1992), blood quantum restrictions for land ownership for the Northern Mariana Islands were upheld by the courts. In CNMI, residents have both U.S. citizenship and protections for communal land tenure.¹⁴³ According to legal scholar Rose Cuison Villazor, indigenous rights within federal law are strictly understood as only belonging to legitimately proven American Indian tribes and bands.¹⁴⁴ A doctrinal split has occurred basically beginning with *Morton v Mancari* and continuing with *Rice v Cayetano* which

¹⁴⁰ *Craddick v. Territorial Registrar*, 1 Am. Samoa 2d 14 (1980) Citing *Haleck v. Lee*, Am Samoa 519, 551 (1964))

¹⁴¹ *Corporation of Presiding Bishop of the Church of Jesus Christ of the Latter-Day Saints V. Hodel*.

¹⁴² *King V. Morton*.

¹⁴³ United States Court of Appeals and Ninth Circuit, "958 F2d 1450 *Wabol V. Villacrusis*," F2d, no. 958 (1990).

¹⁴⁴ Rose Cuison, "Blood Quantum Land Laws and the Race Versus Political Identity Dilemma."

emphasize American Indian tribal status as a requirement to use and enforce blood quantum regulations within political and legal matters—these two cases being involved hiring preferences within a federal agency and the voting preference within a state agency.¹⁴⁵ Furthermore, *fa'a-Sāmoa* and *fa'amatai* provisions enshrined within the American Samoan constitution are vulnerable to change from the Secretary of Interior, Acts of Congress and Common law. In all the territories, legal limbo persists, but in some territories more than others the additional mapping of indigenous political rights and land alienation remain a presiding issue of concern.

The *Tuaua* case is not the first public debate regarding U.S. citizenship for Samoans. In 1867, William Barnes applied for U.S. citizenship for his 'afakasi palagi, half-caste, children.¹⁴⁶ In 1926, Samuelu Sailele Ripley of Leone, also a half-caste American and thus a U.S. citizen by descent (*jus sanguinis*), sued the Governor of American Samoa for false arrest and wrongful imprisonment. An ancillary point of *Ripley v Evans* was the inability of American Samoans, as non-citizens to effectively contest or appeal to a higher legal authority the decisions of the naval government.¹⁴⁷ In 1930, the American Samoan Commission of Congress, after conducting extensive hearings in Washington, DC and Honolulu, Hawai'i, and on the islands of Tutuila and Manu'a in the Samoan territory, proposed legislation recommending U.S. citizenship for American Samoa, which was rejected by the legislature.¹⁴⁸ In 1951, the

¹⁴⁵ Ibid.

¹⁴⁶ Salesa, *Samoa's Half-Castes and Some Frontiers of Comparison*

¹⁴⁷ Ripley v Evans (1926)

¹⁴⁸ Fofu I.F. Sunia, *The Story of the Legislature of American Samoa, 1948-1998* (New Zealand GP Printers, 1998). Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*; Kennedy, *The Tropical Frontier*.

Department of Interior upon assuming administrative oversight over American Samoa, sponsored legislation in Congress proposing an organic act for the territory, HB 4500. Embedded within this proposal was the grant of U.S. citizenship and protections for communal land tenure. Samoan leaders were hesitant to make a firm political commitment concerned by the potential for land alienation and the erosion of the *fa'amatai*. They were also annoyed by the insistent pressures of DC politicians to organize a permanent form of civil government, after a ten-year grace period in which to explore governance options had been previously agreed upon.¹⁴⁹ Of the *fono*, the American Samoan legislature comprised of *matai*, High Chief Mariota Tuiasosopo was the most vocal opponent of HB 4500. Invoking the Samoan proverb, *tatou seu i pitovao a e tatali lupe o le foaga*, Tuiasosopo eloquently advised Samoan leaders to wait until the next generation could go out into the world and become knowledgeable about governance before making any firm or permanent political arrangements.¹⁵⁰ This cautious reproach by Samoan leaders towards American government officials has defined political relations for well over half a century.

Deferred decision-making is not a political strategy utilized by Samoans alone. Other scholars of territorial law and imperial citizenship have tried to understand why exactly at the moment when American subjects have the largest say in defining their own political status, during this internationally enforced era of 'decolonization,' they are remarkably hesitant to initiate massive reform. Christina Duffy Burnett explores the outcome of a 1998 nonbinding referendum in Puerto Rico, which is the largest

¹⁴⁹ Sunia, *The Story of the Legislature of American Samoa, 1948-1998*, p 146.

¹⁵⁰ "Let us wait for the pigeons of a new season." Ibid. p 146.

territory in terms of both geographic size, and constituency with nearly 4 million residents, and consequently also the most visible in terms of media and political representation on the issue of territorial matters.¹⁵¹ After considering an array of political status options, various degrees of association resting between the poles of independence and statehood, the Puerto Rican majority surprisingly chose, “none of the above.”¹⁵² She argues that in 1898 the political status debates generated by the former Spanish colonies, Puerto Rico, Guam, and the Philippines, were ‘, the question of the hour.’ Leading legal scholars of the nation engaged in lively debate over how to consider these new relations of the American family, while the voices of these new imperial subjects were notably excluded from the conversation. Nearly a hundred years later, the opinions of metropolitan scholars are conspicuously absent from a discussion now dominated by voices from the territories. The impasse Burnett argues is largely due to the fear and uncertainty over how people on the ‘mainland’ will respond to change.

Of course, the stakes for all the territories are not even. For Puerto Ricans and even the Philippines, the matter of relations has predominantly centered the largeness of their territory, demographics, and the value of their economic trade. Over a century ago, Americans were frightened of the potential impact the inclusion of their brown masses into the body politic might bring, especially as they were primarily non-Anglophone speaking peoples unlike the incorporated territories of Hawai’i and Alaska. Fueled more so by racist ideologies, than any true philosophical concern

¹⁵¹ Burnett and Marshall, *Foreign in a Domestic Sense*.

¹⁵² *Ibid*.

about the nature of democracy, these leading legal scholars and the justices of the Supreme Court drew a boundary between America proper and imperial America. The threat of mass islander migration or voter influence to redefine the nation was not the dominant discursive concern in political relations, however, for the former and current territories of the ‘American Pacific,’ such as Hawai’i, American Samoa, Guam, the Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Belau, and the Marshall Islands. Rather indigenous land tenure, custom, social systems, cultural practices and ways of being were and still are the activated political issues. Whereas the inassimilability of Filipinos and Puerto Ricans—who specifically, tend to define the discussions around American political status (such as in the string of legal cases comprising the canon of *Insular Case* law) over say other places in the Caribbean, Latin America, or Asia—was the crux of their relations, the potential for assimilation in the Pacific islands was a foregone conclusion. Thus, conservation of endangered indigenous cultures, albeit in uneven ways, was what discursively defined policy relations in the American Pacific. ‘Indianess,’ Jodi Byrd and Stephen Salaita argue operates as the transit of U.S. settler imperialism.¹⁵³ These practices generally include removal, relocation, occupation, and ethnic salvation. What Patrick Wolfe calls the ‘logic of elimination’ is a range of genocidal practices in which the settler steadily replaces the Native as the natural and logical heir to occupied lands. Settler colonialism, however, did not always occur through a violent imposition of force through armed conflict or spatial distancing, but

¹⁵³ Byrd, *The Transit of Empire*; Salaita, *The Holy Land in Transit*.

as Andrea Smith names also through sexual conquest.¹⁵⁴ Damon Salesa illustrates this operates through the power of affective realms and the force of intimacy, those ‘tender ties.’¹⁵⁵ And alternately what Denise Fereira Da Silva terms engulfment as proposed solution towards indigenous cultural survival.¹⁵⁶ It is that proximal closeness, through which claims to knowledge and possession occur, such that colonial policies are underwritten by a desire to ‘dwell in unity.’

Lorenzo Veracini advances a difference between two practices of colonialism: classic and settler.¹⁵⁷ The latter is a logic of evacuation “, a demand to go away,” which he contrasts to classical colonialism that utilizes a logic of commodification as a demand for laboring bodies and natural resource extraction. We might reformulate these two stances as not necessarily polarizing forces, but mutually reinforcing practices that manifest property rights differently within the settler imaginary: property as a right of occupation and property as a right of commerce. What I mean by this is that both classical and settler colonialism rely on labor, occupation, and resource extraction. Within settler colonialism, occupation occurs in a plural sense; in what Maile Arvin calls a ‘logic of possession of whiteness.’ She conceptualizes how lands are not only possessed, but also the bodies of indigenous people are possessed, such that the Polynesian race, for instance, is pronounced as temporally distant kin to Europeans. Where aryanism, a specific discourse of scientific knowledge of blood and

¹⁵⁴ Smith, *Conquest: Sexual Violence and American Indian Genocide*.

¹⁵⁵ Damon Ieremia Salesa, *Racial Crossings: Race, Intermarriage, and the Victorian British Empire*, Oxford Historical Monographs (Oxford ; New York, N.Y.: Oxford University Press, 2011).

¹⁵⁶ Silva, *Toward a Global Idea of Race*; Salesa, *Racial Crossings*.

¹⁵⁷ Lorenzo Veracini, "Introducing," *Settler Colonial Studies* 1, no. 1 (2011).

tongue, pronounces Polynesians as ancestrally European, Arvin argues that liberal multiculturalism, as a specific discourse of racial amalgamation, of carnal knowledge of blood and tongue, announces the Polynesian as a dying race in need of ethnic salvation.¹⁵⁸ This 'rescue' by Whiteness might occur through carnal means to restore Polynesian dignity as lighter skinned civilized peoples and, thus, in a biopolitical sense, but also as guardians of Polynesian culture, which becomes a seizable form of knowledge as property. In this imperial imaginary, Polynesians are racially blended to whiteness, and Euro-Americans absorb Polynesian culture. I argue that Veracini's distinction between 'a demand for labor' from 'a demand to go away,' as a distinction between classic and settler forms of colonialism is not such an effective framing. As if the elimination of Native people's does not require labor—such as reproductive work—and as if the demand for 'real' labor is not also accompanied by a demand to keep away—hence, the creation of suburbs and neighborhood covenants, and other forms of 'separate but equal,' segregation. I think sometimes the distinctions between settler and Native can be reductively neoliberal in policing the boundaries of who does and does not belong, but also whose oppression is the most politically important at the moment. Also, I think that the erasure of indigenous peoples as people of color and those who do not labor is really problematic. The solution is alternately not to collapse the divergence in experience or racialization, but to ask critical questions, which build, strengthen, and pluralizes the anti-colonial critique. For instance, Andrea Smith argues that we consider heteropatriarchal white supremacy to be the underlying base of racial difference through a logic of war, a logic of capitalism, and

¹⁵⁸ Arvin, "Pacifically Possessed."

a logic of genocide. As we can see in this chapter's discussion of 'imperial transits,' how that ideological base continues to manifest these unequal power relations *through* the reform of colonial legality.

So what do settler settler colonialism, Indianess, or territoriality have to do with each other? And furthermore, in what ways do any of the above theoretical moves, matter to the interpretation of *Tuaua* or for American Samoa? Firstly, although American Samoa is not a settler colony, I do argue in the next chapter that settler colonialism did help shape the contours of military rule. And furthermore, settler colonialism is not just a practice of imperialism, but also an analytic, which importantly centers a disarticulation of governmentality. It substantially shifts conversations away from legal reform to an interrogation of legal authority. Within the extant literature on American Samoa, and for that matter, territorial law, the majority of scholars re-present cases of political exclusion and disenfranchisement and then move on to propose reforms sometimes suggesting full-scale independence, but primarily greater inclusion within America proper. What feminist scholars of Critical Race Theory, specifically Black feminist scholars, argue is that the project of legal reform is a colonial practice.¹⁵⁹ Critical legal scholarship should not be preoccupied in its interrogation of embedded discourses or tracing of colonial effects with

¹⁵⁹ Wahneema H. Lubiano, *The House That Race Built: Black Americans, U.S. Terrain* (New York: Pantheon Books, 1997); Patricia J. Williams, *The Alchemy of Race and Rights* (Cambridge, Mass.: Harvard University Press, 1991); Kimberlé Crenshaw, *Critical Race Theory: The Key Writings That Formed the Movement* (New York: New Press : Distributed by W.W. Norton & Co., 1995); Adrienne Katherine Wing, *Critical Race Feminism: A Reader*, Critical America (New York: New York University Press, 1997); *Global Critical Race Feminism: An International Reader*, Critical America (New York: New York University Press, 2000).

propositions for legal reform.¹⁶⁰ Setting aside propositions for legal reform allows us to explore in full the spaces our common analytics often dismiss those of legal exceptionalism.

The link between the unincorporated territories and reservations resides in extraterritorial legal exceptionalism. And in this argument, I am compelled by the critical theoretical encounters of geography with legal studies. Imperial America is not just the outerlying possessions or the contiguously bounded geography, but all of it. Walter Echo Hawk has described ‘reservations,’ as metaphorical archipelagos, which Leopold Lambert argues is the new paradigm of territorial sovereignty. In ‘Weaponized Architecture,’ Leopold examines the Palestinian territory of the West Bank as ‘an archipelago whose islands occupy only 39%, and the surrounding ‘sea’ of the Israeli army controlled by the ‘reefs’ of Israeli civil settlements.”¹⁶¹ “In this metaphorical archipelago, it is not far fetched that an island inhabitant cannot access the neighbor islands because of the frequent Israeli military checkpoints.”¹⁶² Dana Orenstein argues that the free trade zones, where the export/import flows of goods are contained, were in fact conceptualized within the law ‘like Puerto Rico and other literal and figurative islands in U.S. law.’¹⁶³ Overall, the application of island metaphors to describe legal exceptions on the continent exposes the disconnections

¹⁶⁰ Drucilla Cornell, *The Philosophy of the Limit* (New York: Routledge, 1992); Han, "Bonds of Representation."

¹⁶¹ March, *Weaponized Architecture: The Impossibility of Innocence* (DPR-Barcelona, 2013).

¹⁶² Ibid.

¹⁶³ Dara Orenstein, "Offshore Onshore a History of the Free Zone on U.S. Soil" (Ph.D., Yale University, 2012).

generated in contiguous space. Thus, rather than contiguous land is not as connected in reality as is alleged conceptually.

Taking advantage of both the liminality of islands and legal loopholes are venture capitalists looking to experiment with utopic world building. Peter Thiel who helped to fund Facebook, is also a radical libertarian who is capitalizing on the idea of 'seasteading.' This occurs when corporations and individuals move off-shore working and residing on mobile platforms and repurposed barges in international waters, and therefore beyond the reach of both national laws and taxes.¹⁶⁴ There is a growing market for decommissioned oilrigs and platforms, for the express purpose of creating private 'micronations,' free from all laws, such as the *Sealand* settlement on an old British fort in the North Sea. Thiel's proposed start-up, for instance, *Blueseed* would float twelve nautical miles off the coast of San Francisco, where there citizens from any nation could travel and work without need for a U.S. visa.¹⁶⁵ Whereas imperialists in the late nineteenth century sought to experiment with island cultures and governance as a 'social laboratory' of sorts, contemporarily, these experiments are continued, but in different form. Venture capitalists are physically creating mobile islands to create a more flexible workforce.

Extraterritorial spaces are defined as 'foreign in a domestic sense,' meaning germane to the United States, but not of it, this would include: free trade zones, ports, unincorporated territories, military bases, embassies, airports, detention centers, special economic zones, the United Nations, reservations, internment camps, and

¹⁶⁴ February, *Volume 38*.

¹⁶⁵ *Ibid*.

prisoner of war camps, but also ‘the commons,’ such as outer space, the high sea, water, and digital space. Foucault’s theory of heterotopia is a useful theorization of the relation of these spatialized legal exceptions.¹⁶⁶ The emphatically territorialized and homotopic spaces meaning, “generic, normal, law bound,” such as, America proper, cannot exist, without the extraterritorialized zones, imperial America.¹⁶⁷ And tellingly, Foucault proffers as extreme examples of heterotopia, colonies and brothels. These heterotopias, spaces of Otherness exist primarily as a counterweight to normal spaces. In this sense, Native scholars generally work towards re-presenting indigenous sovereignty as ‘more foreign’ than domestic, whereas territorial scholars work towards re-presenting island sovereignty as the inverse.

Recently, a human rights case emerged in American Samoa, which revolved around the collision of an erring stateless person with extraterritorial space. In this case, Mikhail Sebastian, an asylee from Azerbaijan, often traveled all over the United States, including the unincorporated territories. One Christmas vacation, he flew to the Samoan territory where he was encouraged to hop on a bush plane and visit independent Samoa not realizing that he was traversing an international boundary, and for his case, apparently, leaving the United States proper. Upon his return, INS considered he had renounced his asylee status. While he could reside in the extraterritorial space of American Samoa, because Samoans have their own jurisdictional authority and citizenship, he was not allowed back into the jurisdictional space of the United States. For an entire year, this man ardently

¹⁶⁶ Michel Foucault, "Of Other Spaces, Heterotopias," *Architecture, Movement, Continuite* 5 (1984).

¹⁶⁷ Ibid.

campaigns his case from within the McDonald's of Tafuna. He was graciously provided a place of residence within a Samoan family by the American Samoan government and also given a small economic support while he waged his case with the State department. Eventually, enough pressure from public media campaigns and an expert legal team, returned Mikhail Sebastian stateside. While his case may seem extreme because he may not have been knowledgeable about the particular history of the Samoan islands prior to his extended vacation, these boundaries are also known to confound Samoan travel between these spaces furthering the divide between the territory and the state. These 'islands of law' confound many encounters. In this sense, American imperialism and imperial America continue to shape notions of race, desire, and belonging.

Imperial Belonging

The *Tuaua* case for birthright U.S. citizenship was ultimately dismissed by the district court of Washington, DC. District Judge Richard Leon asserted that contrary to Charles Ala'ilima and Neil Weare's claims that place should not matter, it in fact very much does. Relying on the legal doctrine of the *Insular Cases*, American Samoa was not of the United States proper, *and* subject to the jurisdiction of the U.S. While it was given to all parties present that Samoa is at times subject to U.S. jurisdiction, the test of the case, became whether or not American Samoa was part of the U.S. proper. And because both the criteria of U.S. place and authority were not met, the case was dismissed. Much more recent case law was brought forth with compelling legal reasoning that when 'fundamental rights,' were in question, then the

Constitution should most definitely apply.¹⁶⁸ However, the opposition argued that in fact, there is extensive case law arguing that in all claims to birthright citizenship upheld by the courts, those persons were residing within the U.S. proper, so place matters again.¹⁶⁹ And furthermore, according to X legal cases, citizenship has never been considered a fundamental constitutional right of U.S. subjects. The primary crux of the dismissal by Justice Richard Leon was constitutional interpretation. Where Ala'ilima and Weare invoked the Citizenship Clause of the U.S. Constitution to make a claim for an infringement upon fundamental individual rights, Justice Leon, upheld the Territorial Clause of the U.S. Constitution, which expressly stipulates any change to the political relations between territories and the United States is a statutory not a constitutional provision. Furthermore, not only are territorial relations the domain of congress, but also *all* grants of citizenship have been provisioned through statutory acts, such as the Foraker Act, the Jones Act, and the Snyder Act.¹⁷⁰ Therefore, it would be remiss of the courts to produce an opinion otherwise in regards to territories and U.S. citizenship.

Dissatisfied with the district court verdict, Ala'ilima and Weare appealed the *Tuaua* case to the Ninth Circuit. Congressman Faleomavaega and the American Samoan Government then intervened not as *amicus curae*, or friendly advisors to the court, as they had with the district court, but instead brazenly named themselves as defendants to the case alongside the State department. The defense of the State

¹⁶⁸ Corporation of Presiding Bishop of the Church of Jesus Christ of the Latter-Day Saints V. Hodel; King V. Morton.

¹⁶⁹ *United States V. Wong Kim Ark*.

¹⁷⁰ The Foraker Act, Pub.L. 56-91, 31 Stat. 77 (1900). The Jones-Shafroth Act, Pub.L. 64-368, 39 Stat. 951(1917). The Snyder Act, 43U.S. Stats. At Large, Ch. 233(1924)

department allowed the Samoan political representatives to do as they wished. The State department defense motioned for dismissal again by invoking again the *Insular Cases* doctrine to state that American Samoa is not *of* the United States. The Samoan political representatives also invoked the *Insular Cases* doctrine, but told the State department it was most definitely not for any shared reasons, but in fact an exercise of Samoan *pule*, of its political authority and power, the jurisdictional power of the Samoan territory which was at question. For Governor Moliga and Representative Faleomavaega, the question of citizenship for Samoan political leadership is primarily a matter of the Samoan people and their will, and less so a theoretical inquiry into the primacy of constitutional clauses. They, also, affirmed District Judge Leon's opinion that matters both of citizenship and territorial political status rest with the statutory power of congress, the represented 'will of the people.'¹⁷¹

Let us also consider another imposition upon the 'will' of the Samoan people, the United Nations forum on decolonization. In 2001, this committee named American Samoa to the roster of global polities in need of decolonization.¹⁷² This political move infuriated Governor Tauese Sunia, and Congressman Faleomavaega, because the UN refused to acknowledge the Samoan territory as self-governing.¹⁷³ Samoans had not petitioned to be placed on this roster, and furthermore, the UN did not recognize the power of the American Samoa Constitution and its government.

¹⁷¹ September 26, 2013. Motion to Intervene Or, In The Alternative, For Leave to Participate As Amici Curiae. Filed by the American Samoa Government and Congressman Eni F.H. Faleomavaega. District of Columbia Court of Appeals.

¹⁷² United Nations, "Report of the Special Committee on the Situation with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2001," ed. General Assembly (New York: Official Records, 2001).

¹⁷³ Ibid.

Why then were outsiders trying to meddle with their political status? At an historic meeting in Havana, Cuba, Faleomavaega and Sunia held that the American Samoan model had been working just fine for them, and they did not need any assistance. And if the United Nations community was so concerned about the injustices of colonial rule, why then were they not doing something about the atrocities elsewhere in the Pacific like West Papua New Guinea? Although Faleomavaega raises a valid point about the process and criteria of the Decolonization committee, it was also an obvious re-direction of the conversation away from the colonial relationship between Samoa and the United States.

The perspectives presented thus far in this analysis of the *Tuaua* case have revolved around a limited consideration of Samoan sovereignty. No mention is made really of other perspectives aside from slight modifications of the current legal status. Part of this issue is that the public debate seems to favor ongoing relations with the U.S. if not out of patriotic loyalty then economic necessity given the underwriting of territorial finances by the U.S. federal government. This framing is reiterated in national media outlets and interpreted as a confounding lack of Samoan dissent against U.S. colonialism.¹⁷⁴ However, the 2010 American Samoa Constitutional Convention and other public forums in the islands present a more diverse range of opinions.¹⁷⁵ Most especially, local political leaders in favor of independence from the United States and potential unification with independent Samoa were vocal. To be clear, there has existed a vocal independence perspective in the eastern Samoan

¹⁷⁴ Kathy E. Ferguson and Monique Mironesco, *Gender and Globalization in Asia and the Pacific: Method, Practice, Theory* (University of Hawaii Press, 2008).

¹⁷⁵

islands since before the partition. This perspective is mostly associated with the Manu'an leadership, which was skeptical and hesitant in signing the legal agreement with the U.S. Navy. There is noticeably a gap between the 1901 agreement with the Tutuilan chiefs and the 1905 agreement with the Manu'an chiefs. High Chief Mauga of Tutuila and Commander Richard Meade negotiated the first official treaty between Samoa and the United States in 1872 for right of access to Pago Pago harbor. This, according to the U.S. political process, was in a statement of deferment for many years until it was rejected by congress. The legal agreements between Samoa and the U.S. have generally benefitted Tutuilan politics, while it has rather adversely impacted the older and venerated political system originating from Manu'a. During the 2010 Future Political Status Commission hearings, the opinions and advice offered by Faleomavaega was received with mixed criticism. This came in the context of a massive economic shift in the islands when the enforcement of the federal minimum wage laws drove the tuna canneries responsible for approximately one third of American tuna product and substantial portion of the local economy from the islands. Faleomavaega has been for many years a vocal proponent of generating a new legal agreement with the United States, a unitary one. This comes in response to a criticism of the U.S. largely emanating from the Manu'a islands. In 2011, just ten years after Faleomavaega and former Governor Sunia told off the UN Decolonization committee, Faleomavaega appealed to them for help in unifying internal Samoan political divisions by negotiating a new agreement with the U.S. This is in direct response to the vocal local opposition to the U.S. and discussions by certain island leadership to cede and rejoin independent Samoa. The elected representatives of the

Samoan territory are contending not just with Samoans circumventing the local political process to change the territorial status as is the case with *Tuaua*, but also a vocal and growing political party for independence within customary political forums. Returning to the *Tuaua* case, in response to an editorial written by Charles Ala'ilima, Faleomavaega articulates his fear as not being a fear of change, but “, that the future of American Samoa will be determined by outside social, political, and economic influence and not by the people living in the territory.”¹⁷⁶ The *Tuaua v. U.S.* federal lawsuit initiated by the CAC is an important reminder of the danger of outside influences imposing its will on the people of our territory.”¹⁷⁷ Although significantly omitted from this debate framing are the diverse perspectives from within the territory, especially those favoring a break with the U.S. and full independence. Furthermore, the role of external legal bodies such as the UN Decolonization committee or congress to settle internal Samoan political divisions as an alternative to the judiciary system is a rather loaded proposition.

Finally, I want to consider another aspect of imperial belonging that of military service as a form of citizenship. Samoans across the islands have an enduring record of military service, not unlike many others across including the U.S. territories, Native North America and African American communities, because of the historical relationship between militarism and colonialism. The military as a permanent force requiring full time employment was a post-Civil War development. During the late nineteenth century, also, ‘experiments in civilization,’ began to take place where US

¹⁷⁶ Faleomavaega, "The Future of American Samoa."

¹⁷⁷ The Future of American Samoa. May 6, 2013

colonial subjects, primarily Native and African Americans, were recruited into racial uplift training schools.¹⁷⁸ Ty Tengan has shown how this also occurred in Hawai'i with the Kamehameha Bishop Schools Estate, and Toeutu Faaleava has written about this process in American Samoa with the *fitafita*.¹⁷⁹ There are many nuances on the intersections present in this phenomenon that just will not get the adequate attention they deserve in this chapter. My goal in this discussion is really to show how military training schools were created as social uplift programs, but then in the early twentieth century also become claims towards greater political rights. How could soldiers be deployed abroad fighting for victory against oppression, when they themselves were second-class citizens at 'home'? This question has now become a rote practice. Especially, given how much military service has expanded in the post-World War II era. Pathways to U.S. citizenship are now built into the attractive benefits of military service, especially under the administration of Bush II, when many non-U.S. citizens were naturalized as a part of their service. However, within judicial reasoning, demonstrable acts of patriotism such as military service do not provide compelling reasons for awarding citizenship. Often, within discussion of American Samoa, the high enlistment rates and also the devastating casualties of the Iraq War are

¹⁷⁸ Cynthia H. Enloe, *Ethnic Soldiers: State Security in Divided Societies* (Athens: University of Georgia Press, 1980). Catherine Lutz, "The Bases of Empire the Global Struggle against U.S. Military Posts," Pluto Press, <http://search.ebscohost.com/login.aspx?direct=true&scope=site&db=nlebk&db=nlabk&AN=329616>; Alon Peled, *A Question of Loyalty: Military Manpower Policy in Multiethnic States* (Ithaca, NY: Cornell University Press, 1998). Morris Janowitz, *Military Service as Civic Education* (Chicago, IL: University of Chicago Press, 1983).

¹⁷⁹ Ty Kawika Tengan, "Of Colonization and Pono in Hawai'i " *Peace Review: A Journal of Social Justice* 16, no. 2 (2004). Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

questioned within this paradigm: if they are second-class citizens, why then do they continue to risk their lives for such a country? Many reasons are proffered ranging from economics, moral commitments, pathways to education and citizenship, and cultural tradition. Territorial life is heavily militarized, and life stateside for territorial subjects is also militarized. One can map many communities and movements of Samoans stateside around military bases. This next section moves into poetics to explore some of the more complicated notions of belonging presented by the law.

A Lament in a Time of War

Who gets to speak on behalf of the Samoan people? Moving past representation within the political sense of law towards the issue of re-representation and vocality, this section attempts to map the complicated fissures of Samoan dissent. In doing so, I heed Inderpal Grewal and Caren Kaplan's call to conceptualize power as 'scattered hegemonies,' and Lila Abu-Lughod's intervention in "resistance studies," to move beyond the romanticism of singularity, and embrace the multiple positionalities that dwell in complex unity within all of us.¹⁸⁰ While many struggle with representing the complexity of individuality, how can we ever do justice speaking on behalf of our various relations, past, present, or future? In this section, I present two public discussions on the intersections of militarism, empire, and *fa'a-Sāmoa*. They center Samoan perspectives and voices as people make sense of not only these

¹⁸⁰ *Scattered Hegemonies* — University of Minnesota Press; Abu-Lughod, "The Romance of Resistance." Sherry B. Ortner, "Resistance and the Problem of Ethnographic Refusal," *Comparative Studies in Society and History* 37, no. 01 (1995).

larger complex issues—abstracted concepts—but also their relations and their intimacies within these larger projects.

Acclaimed writer, Sia Figiel published a grief stricken poem, *A Lament in a Time of War*, mourning the loss of Samoan life during the War in Iraq. This poem was published in the *Samoa News*, the primary news outlet in American Samoa.¹⁸¹

America the Beautiful!

My America!

My Samoan Amerika!

O how sad, how terribly sad tonight is

If you would have heard us you would know that tonight

On our humble little island

The sea is wild

The birds are dead

The wind is restless in her momentous despair

And the ifilele tree

O the sad, sad, ifilele tree

¹⁸¹ Parts of Sia Figiel's poem *A Lament in Time of War* were reprinted in Michael Field's article as well as David Rotorua Louisiale Kava's response *Don't Cry For Me Sia Figiel*, both of which sparked a great deal of public circulation through Samoan newspapers as well as public debate. Michael Field, "Politics: Grieving Dead Soldiers but Territory Won't Pull out of Iraq," *Islands Business*.

¹⁸¹ Ferguson and Mironesco, *Gender and Globalization in Asia and the Pacific*.

Has closed its leaves to embrace yet another fallen son

In the line of duty

*In the defense of you America the beautiful!*¹⁸²

Teresia Teaiwa reads Figiel's possession over the United States in the first three lines: *America the Beautiful! My America! My Samoan Amerika!* The last phrase being a *fa'a-Sāmoa* claiming of the United States. Figiel then talks of the *ifilele* tree. A native plant to Samoa, the *ifilele* is politically symbolic. It is from the wood of this tree that the symbols of Samoan customary leadership are carved: the *'ava* bowl, the *fue*, and the *to'oto'o*. A famous Samoan proverb states that the pathway to power is service, and we might read her allusions to the instruments of Samoan political power through a critique of this pathway to service leaving in its wake a massive cost of Samoan life. In another sense, we might read this enwrapping of the leaves as a return to the birthplace, as in Samoan, the word for land is *fanua*, which is also the word for placenta, or womb. The enwrapping of Sgt Frank Tia'i and the other fallen is a tragic return and loving hold.¹⁸³

David Kava, a young cadet wrote a poetic response in kind, which he titled, *Please don't Cry for Me, Sia Figiel*. He writes:

Don't cry for us, at least not for Sia Figiel

Stop scaring our parents and relatives at home

¹⁸² *Gender and Globalization in Asia and the Pacific*.

¹⁸³ "Where the U.S. Military Is the Family Business," http://articles.chicagotribune.com/2007-03-11/news/0703110486_1_military-recruiters-american-samoans-boot-camp.

Above all, don't make it sounds as if we are complaining

Bringing shame to American Samoa

Most of us prefer the Military at a very young age

We were determined when our fathers and uncles

Marched off to War

Our faith strengthened when body bags were brought home¹⁸⁴

This poetic exchange in so many ways represents the realm of discourse on military service and imperial belonging in Samoa. Sia Figiel writes mourning these losses and sharing her grief and pain with the nation trying to make sense of the ceaseless violence. David Kava attempted to silence and shame her funerary wail, because the questions she provokes are discomfiting. While it might be easy to dismiss Kava as young and erring disrespectful, it is the last stanza, which illuminates the stakes for him. It is the presentation of choice. National news media present the case of military service enlistment in the islands as a tragic fate of circumstance—an impoverished island economy with little means for residents to move beyond its shores.¹⁸⁵ For Kava, his service was intentional and for him a masculine and familial point of pride that is not weakened by the presentation of death.

Please don't cry for me American Samoa

But if you must cry for my beloved Island Country

¹⁸⁴ Field, "Politics: Grieving Dead Soldiers but Territory Won't Pull out of Iraq."

¹⁸⁵ "Where the U.S. Military Is the Family Business"; "Interior Official Hits at Military Rule of Islands," *Los Angeles Times* July 8, 1948.

It is to bring you comfort and allow you

To accept the fact

That the military is what we asked for

It is our lives and our love

It is our lives and our love

And if one day it must be my turn

To make that ultimate sacrifice

All I ask that you please bury my heart

By the Tuasivitasi mountain at the Malaeimi Valley¹⁸⁶

Whereas Figiel locates *fa'a-Sāmoa* in the symbolism of the *ifilele* tree, Kava finds it in Malaeimi Valley. He tellingly requests that his heart, *fatu* in Samoan, which also means rock or earth, be placed in Maleaeimi, an historic site of Samoan battle, the valley of warriors. Kava and his generation find strength in their identities as *toa o Samoa*, masculine warriors of the nation.

God shed his grace on thee!

As we mourn our dead—in our fa'asamoa

As we roll fine mats on our malae of hurt

Wiping the pain off the face of the winds

Under this moon of blood

And stand once more on the mouths of open graves

¹⁸⁶ Ferguson and Mironesco, *Gender and Globalization in Asia and the Pacific*.

Singing this poem of anguish
This song of abysmal pain
While over-crowded commercial airplanes return our fathers
Our mothers
Our sisters
Our brothers
Our uncles
Our aunties
Our nieces
Our grandfathers
Our grandmothers
Our daughters
Our sons
To the sand-dunes of Iraq and Afghanistan
Where our beloved ifilele does not grow
Aue!

The anguish with which Figiel writes is palpable. *Fa'a-Sāmoa* is not only expressed as a form of military service, but in her poem, as a practice of grief. While for Kava military service is a boy's adventure of warriorhood, Figiel names it as an intimate national and family affair through the naming of kin relations. Samoan women have high enlistment rates as well, she reminds us. One of the most widely talked about

passing was that of a young woman, Sgt. Tina Taimi.¹⁸⁷ A death of one is a loss felt by all. And that this cycle is enduring ‘, while over-crowded commercial airplanes return our...to the sand-dunes of Iraq and Afghanistan Where our beloved ifielele does not grow, ” what then does this portend for the power and future of Samoa?

Think of us Uncle Sam, from sea to shining sea—think of us!

--In brotherhood with you

Hear our grief

Feel our pain

End this war

*NOW!*¹⁸⁸

Speaking out against the war, Figiel received praise as well as a fair amount of criticism and not just from Cadet Kava. Teresia Teaiwa has also read these poems alongside each other and argues that the controversy rests over *who* has the authority to comment publicly about militarism and war.¹⁸⁹ Do not the kin of enlisted have a voice in shaping public discourse about military life? Is their grief, anguish, and tears allowable only when in the service of unabashed jingoism? Figiel wrote a counter-response to Cadet Kava and others published to the American Samoa news, where she named her personal relations to augment her authority in speaking on these issues. Her father too was a decorated and well-respected military veteran, who had also performed a great deal of service for the Samoan community. The debate

¹⁸⁷ "Where the U.S. Military Is the Family Business".

¹⁸⁸ *Gender and Globalization in Asia and the Pacific*.

¹⁸⁹ *Ibid*.

emblemizes the tense conflation between support for ‘the War’ and support for Samoan soldiers. For Figiel these issues are separable, but for Kava and others they are the same. While they might represent conflicting sides of an endless debate for Samoans, exchanges like these at once both public and intimate challenge conventional notions of national belonging, desire, and sacrifice.

In the summer of 2010, I set out to Washington, DC to work in the American Samoa Congressional Office. As an intern, I researched the Samoan Future Political Status Commission findings, and was able to also take classes at the Library of Congress on legal research. What follows is a reflection on the ways in which a Samoan political figure re-presents and represents within the larger political arena. That summer, Washington celebrated “15 years of U.S. Diplomacy with Vietnam.”¹⁹⁰ The speakers list for the event included Former President Bill Clinton, Senator John McCain, Senator John Kerry, US ambassador to Vietnam M.W. Michalak, Ambassador of Vietnam Le Cong Phung, Assistant Secretary of State Kurt Campbell and Representative Eni Faleomavaega.¹⁹¹ The American political arena is one such forum, where orality is a recognized and vaunted art and a skill that trumps all factual data and overrides the ‘objectivity’ of the written word. As a non-voting congressional delegate there are limitations placed upon the power of the representative to affect change, and many might see the position as primarily

¹⁹⁰ President Bill Clinton on July 11, 1995 declared the formal normalization of diplomatic relations with the Socialist Republic of Vietnam. U. S. Embassy, "Former Ambassadors," <http://vietnam.usembassy.gov/ambspeech052610.html>.

¹⁹¹ Ibid.

nominal. Faleomavaega stood up at the podium in a suit with a bolo tie, a symbol of his solidarity and close friendship with members of the Lumbee tribe, and opened his speech to a room full of politicians, lobbyists, foreign dignitaries, press, interns, friends, and service people, with a recitation of his genealogy in Samoan. It was a powerful gesture to begin a speech celebrating the restoration of relations with Vietnam, not in English, but in Samoan terms and relationships, and a not-so subtle reminder of the imperial status of the U.S. and its ongoing colonial relationships.

In formal settings, Samoan leaders often begin with a recitation of genealogy, which is a relational way of situating themselves to the persons they are addressing, but also a way of claiming their place, however, specifically, or generally, the speaker desires. Orators and skills of oration are highly esteemed. For some, this practice of introduction is rote “, these are our ancestors, forebears, villages, lands, relationships,” the crafting of these opening statements are responsive to whom the speaker is talking, and it is a venerated skill and art. For many years, I thought these introductions should be relegated to contextual spaces where there are a majority of Samoans or other such spaces where orality and indigenous languages are valued and respected, but also where people are able to respond in kind. However, the exercise of being heard despite all of these limitations, and vocalizing your presence, your affiliation in your own language, leads me to believe that sometimes there are situations, where it is more powerful to be heard, and not expect a response in kind.

Earlier that same week Faleomavaega, who was then Chairman of the Asian-Pacific Sub-Committee on Foreign Affairs opened a hearing on environmental

reparations for the lingering effects of Agent Orange in Vietnam.¹⁹² Again Faleomavaega began in Samoan first and established his relationality, some of which he explained to his predominantly non-Samoan speaking audience. During the course, of the hearings testimonies were given from the State Department denying any accountability on the behalf of the U.S. to clean up the sites most severely damaged by biochemical agents released almost forty years prior, but which are still highly radioactive and poisoning the water supply. For many in Vietnam, ‘the War’ has far from concluded, as successive generations are still impacted by the environmental and genetics impacts of these chemical weapons. One woman, Ms. Hoan, a resident of a Peace Village, had flown across the world to testify to the enduring effects of this contamination on successive generations of the Vietnamese people. During her testimony, Faleomavaega began to weep openly. As a U.S. Veteran of Vietnam, he apologized personally for his role in a war that had inflicted such devastating damage. He then opened a discussion on nuclear warfare and weapons testing and the irrevocable damage experienced by Pacific Islanders, also healing from the intergenerational effects, primarily from World War II. Faleomavaega, also, went on to speak on the lack of support for veterans in coping with the trauma and stress of the duties they were called to act upon as a way of proving their value to the state, increasing their legibility.

This event adds further layers to the questions posed by Sia Figiel and David Kava. What kind of toll do these events take on the psyches and bodies of the

¹⁹² Subcommittee On Asia, The Pacific, And The Global Environment, *Agent Orange in Vietnam: Recent Developments in Remediation*, Second, 2010.

returning living soldiers? The wounded veterans? And what of the suffering and loss of life occurring not just on this side of ‘the War,’ but on the other side of the field? What about their dead? Their right to life? Their villages? Their lands? Their waters? Their families? And their children’s children?

In moments like these we participate in and bear witness to, on a daily basis, that suggest we have the power to articulate ourselves anew. These practices of strategic defiance and plural vocality, reveal years of knowledge, art and skill. It is a method of responsively locating ourselves, where we come from, who we are speaking to and building relations with. It is also a reminder that despite the contradictions of our lives that we must face our past and, as Albert Wendt suggests, live out our present as creatively as possible.

Conclusion

In closing, I want to return to the opening aphorism offered by Charles Ala’ilima and Neil Weare that “, history matters.” In this chapter, we walked through the Progressive Right’s version of civil rights history and their many causes of raciality. We, also, reviewed a contextual judicial history for *Tuaua* and considered the political stakes outlined by a legal sense of belonging to a nation and to particular lands. And finally, we turned to public discursive troubling of Samoan sovereignty, U.S. militarism, the Global War on Terror, and the many costs of national belonging.

Yet there are a few more historical claims that need further analysis, those offered by Charles Ala’ilima, in particular, which become echoed by Neil Weare and

the media campaign issued through the *We the People Project*.¹⁹³ These revolve around the origins of the American relationship with the Samoan way, and the Samoan relationship with the American project. In a Samoa News Opinion Editorial “, Flag Day—A Time to Consider Our History,” Ala’ilima presents an historical account on the denial of Samoan rights throughout history.¹⁹⁴ Flag Day is an annual Samoan celebrating the April 17th, 1900 raising of the American flag on Tutuila above the newly constructed naval station and Pago Pago harbor. Flag Day is very much associated with the event of Samoan customary leaders the signing a legal agreement of consent to American rule; a legal agreement, which took congress over a quarter of a century to affirm. And furthermore, while this might be considered by most as the dawn of American rule in Samoa, this was neither the first raising of the American flag, nor the first American government in Samoa.

Particulars aside, Flag Day is now a Samoan tradition. These festivities stretch across days filled with the performance of Samoan culture: parades, political speeches, canoe races, sports competitions, dances, food, and music. While perhaps it began as an assertion of American dominance, it has since become like many imported practices, philosophies, and goods, distinctly imbued with Samoan meaning and ways. Islands of Samoan communities residing in the United States have requested their particular municipalities or states recognize it as a public holiday, places in Utah,

¹⁹³ "We the People Project".

¹⁹⁴ "Op Ed: Flag Day- a Time to Consider Our History,"
<http://www.samoanews.com/node/73967>
<http://www.samoanews.com/?q=node/73967>.

California, Hawai'i, and Washington. In Hawai'i, for instance, July 13th was named 'Samoan Flag Day,' by Governor Abercrombie in 2013. The proclamation states:

Samoan Flag Day reaffirms the ties of friendship, culture, and mutual esteem felt between the people of Hawai'i and Samoa...Samoan Flag Day encourages the Samoan communities to demonstrate its distinguished record of civic achievement and pride in the home islands and adopted communities around the world, as well as celebrate Samoan song, dance sports, and education on Samoan culture and traditions.¹⁹⁵

Although Samoans in Hawai'i celebrate a heritage week in August, Flag Day affirms Samoan civic participation, and the local council of Samoan Chiefs and Orators, the *Atoa-o-Ali'i*.¹⁹⁶ Local news specials often highlight the celebration as a cultural festival, and Americans unrelated to Samoa or Samoans most likely will never have heard of this holiday, which has a very public and visible tradition.

Consider April 17th, 1970, and the dramatic televised failure of Apollo 13, the third attempted mission to the moon, chasing the flag planting footsteps of astronaut Neil Armstrong and the Apollo 11th mission. The crew crashed landed in the waters of the Pacific off the shores of Tutuila during Flag Day celebrations. For another brief moment in time, the Samoan islands were seen and heard by people all around the globe. Even in popular news media accounts, distinctions were made between the astronauts having landed back in U.S. waters and marking their 'real' port of entry only when they crossed into Hawai'ian territory, where the President of the United States and even more reporters awaited their arrival. Many, the American Samoan

¹⁹⁵ State of Hawai'i, "Proclamation Presented in Recognition of Samoan Flag Day in Honolulu," news release, 2013, <http://governor.hawaii.gov/wp-content/uploads/2012/09/Samoan-Flag-Day-2013-07-11.pdf>.

¹⁹⁶ "July 11 Is Samoan Flag Day in Hawaii," <http://www.samoanews.com/node/76001>
<http://www.samoanews.com/?q=node/76001>.

Historic Preservation Office, specifically and across the Samoan community, more generally, however, were disappointed by Ron Howard's 1995 Hollywood filmic occlusion of their hospitality and role as the entry point into the United States during this historic international/interplanetary event.¹⁹⁷

Returning to the history of American Samoa presented by Charles Ala'ilima, let us also revisit the troubled waters of political recognition. According to Ala'ilima, when it comes to protections of Samoan lands, Congress has plenary power, as provisioned by the Territorial Clause, however, when it comes to national legal status, the Citizenship clause reigns supreme. Again, in review, the judicial rulings on the issues of citizenship, American Samoa, and all territorial matters are upheld in the courts as being matters of statutory law, in other words the domain of congressional authority. Also, according to Ala'ilima, for nearly one hundred and thirteen years, American Samoa has been a part of the United States. I would elaborate further that if we are using legal agreements as ruling sticks, then for nearly one hundred and forty-two years, since the 1872 agreement conducted between High Chief Mauga and Commander Richard Meade over Pago Pago Harbor, Samoa and the United States have been at loggerheads concerning the extent of their relations. Now the main questions that I want to bring forward from Ala'ilima's version of Samoan history are two-fold. Firstly, when did Samoans come to know they were not actually U.S. citizens? And, relatedly, how has Samoan political status changed over the last century and a half? When did Samoans come into this non-citizen national status? Secondly, what is the history of 'civil rights' in American Samoa? And less pointedly,

¹⁹⁷ American Samoa Historic Preservation Office, "Apollo 13 and American Samoa."

what is the historical movement towards U.S. citizenship? These are questions that lead into the next chapter ‘, Samoa’s American Morning,’ which examines naval colonialism, martial law, and the Samoan movement for civil government.

Chapter Three

Sāmoa's American Morning

Introduction

On April 17, 1900, Samoans and naval personnel proceeded up the recently clear-cut slopes of Sogelau Hill in Fagatogo. Six heavy iron caps from the naval station wharf had been hauled up the hillside earlier to anchor the prominent flagpole erected at the summit. The American flag was hoisted above the newly constructed U.S. Naval Station Tutuila sitting on the harbor of Pago Pago.¹⁹⁸ Opening ceremonies following the parade of colors consisted of an invocation by the Naval chaplain, public addresses by the Naval Commandant and Samoan Chiefs, and a benediction from a local missionary. The Star Spangled Banner played by the *fitafita* band¹⁹⁹ concluded the formal speeches, and an afternoon full of sports, sivas,²⁰⁰ and

¹⁹⁸ W.M. Crose, "American Samoa: A General Report by the Governor," ed. Department of the Navy (Washington, D.C.: U.S. Government Printing Office, 1913). April 17th 1900 is celebrated as Flag day on Tutuila, however, the Manu'a Islands formally ceded July 14, 1904, and consequently have different Flag day celebrations.

¹⁹⁹ *Fitafita* in English refers to a 'guard' or 'soldier'. Landsmen were the lowest ranked personnel providing land support for the naval command. The *fitafita* were commissioned by the U.S. Navy as landsmen. Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."; J. A. C. Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration* (Annapolis: United States Naval Institute, 1960).

²⁰⁰ *Siva* refers to traditional Samoan dance.

feasts ensued.²⁰¹ Samoans from all over gathered to partake and observe Flag Day festivities, which began with a formal procession. While the entirety of Flag Day deserves close attention, the parade of colors—the beginning of the celebration—is of particular significance. *Fitafita*, also known as Samoan landsmen, and Samoan nurses led the procession followed by ranking government officials including both Naval personnel and Samoan Chiefs. Samoans of ranking families were selected and trained as seaman and nurses, and in these positions as “middle-men” or cultural intermediaries, they were hailed as the “honor” and “shining lights” of this newly configured polity.²⁰² This procession symbolized the naval colonial project to re-make the indigenous political order. This tableau of place claiming as symbolized in the planting of the U.S. flag above the harbor of Pago Pago did not mark the start of official US political relationships with Samoans nor political governance. What these Flag Day ceremonies commemorate is the beginning of American Samoan nationalism, colonial partition, and the start of martial law and naval occupation of the islands. President McKinley’s Executive Order for U.S. Naval Station Tutuila a few months earlier would expand within the next five years to the “Kolony of Amerika Samoa,” an island government constructed and operated by the U.S. Navy.²⁰³

²⁰¹ "Flag Day at Tutuila. Natives Celebrate Raising of the American Colors Three Years Ago," *The Washington Post* May 12, 1903.

²⁰² Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

²⁰³ The naval administration began a newspaper called *O Le Fa'atonu*, which means “The Instructor.” This circular was published in English primarily, but by the 1920s in both Samoan and English. It was where the navy would publish new regulations and policies, and began to report on events in the islands. The early years of this circular and naval government reports reflected this titling of American Samoa and its spelling as the “Kolony of Amerika

The title of this chapter refers to a Samoan oratory phrase, *taeao*, translated as “morning,” a *taeao* marks a major historical event like the coming of the missionaries bringing “the Good news” to the islands, or even supernatural events. They indicate a major social and political shift.²⁰⁴ As Samoan historian, Salesa writes *taeao* operate as genealogies of the present, “they are histories, metonymies of Samoan life and values, parables of morality and identity.”²⁰⁵ They tell of ancient Samoan kings and queens, arrival of missionaries from particular religious denominations, political divisions, plants and land, and so forth. *Taeao Gagamoe*²⁰⁶ marks the moment of “Samoa’s American morning.” Salesa argues “, as with Christianity, American rule has been appropriated, domesticated, and narrated by Samoans.”²⁰⁷ In this sense, Salesa is intervening in imperialist historiography to not just privilege discourses and frameworks of imperial actors, but to also center indigenous ways of knowing. Gagamoe is the *malae* of Fagatogo the village of Pago Pago harbor. It is the center of the *nu’u* (village), and is used for public gatherings. It is not unlike a court or a village green. This *taeao* places the beginning of Samoa’s American morning with the signing of the international legal agreement by the High Chiefs of Tutuila in 1901 rather than the 1899 Treaty in Berlin or the raising of the American flag over Pago Pago harbor on April 17, 1900. *Gagamoe* was the *malae* where these officials convened to sign the historic document. Damon Salesa illustrates how the imperial presence

Samoa.” Some Samoan scholars and those critical of U.S. imperialism, namely Caroline Sinavaiana, have defended the usage of an indigenized spelling of Amerika with a “k.”

²⁰⁴ Tatupu Faafetai Mataafa Tu’i, *Lauga: Samoan Oratory* (Suva: University of South Pacific, 1987).

²⁰⁵ Salesa, *Samoa's Half-Castes and Some Frontiers of Comparison*

²⁰⁶ Ibid.

²⁰⁷ Ibid.

was a two-way exchange; it was not just the imposition of American structures upon indigenous peoples. Samoans fundamentally transformed these structures imbuing them with alternative meanings and associations. According to Salesa, the Samoan American morning conceptually is a domestication of American *mālō* to Samoan *pule*.

In this chapter, I analyze the establishment of a native policy as enacted by the naval administration, which was heavily informed by discourses of salvage ethnography and colonial paternalism. One of the defining features of military rule in the islands was a re-working of the indigenous juridical and political order to protect Samoans from cultural loss and biological extinction. In this chapter, I will provide historical context to the establishment of the U.S. military colonial order, present and analyze its native policy, and anti-naval resistance with the movement for civil government. I continue an interrogation of the historical narratives circulated by Charles Ala'ilima and others about the nature of colonial rule in the Samoan territory, but also the social movement for civil governance. This chapter focuses on reads three sets of trials between 1920-1930 across different legal bodies, which interrogated the authority and shape of naval rule in the Samoan territory. I look at the various Samoan Causes articulated by naval officials, who sought to defend their actions and continue to protect Samoans from opportunistic settlers and the manifold costs of civil governance. I, also, examine the formations of the American Samoa Mau, the social movement for civil government in the Samoan territory, which involved a coalition of forces in Samoan territory and the United States of Samoans, naval officials, Bishop Museum anthropologists, religious networks and Euro-American businessman. In this chapter, I read the period very differently bringing to the fore

events and materials dismissed as exercises of political failure. In 1920, the U.S. Navy conducted a Court of Inquiry to evaluate Samoan complaints of abuse and petitions for civil government as well as the attending circumstances of Governor Terhune's suicide. This trial significantly involved the court martialling and deportation of the navy's own men, advocates for regime change and reform. It attends to the absurd extents to which the rank-and-file tried to challenge and transform their own institution, and the costs of these civilization projects on their mental and physical health. The 1926 *Ripley v Evans* trial in which a Samoan-American sued the naval commandant for unlawful arrest, was a widely discussed case in the United States that brought into question the legality and extent of martial rule. While contemporary historic analysis of the colonial period in the Samoan territory claims an absence of organized and significant dissent to martial rule, the events of this trial and the one preceding, demonstrate the very real frustrations colonial officers felt with Samoan leaders having too many opinions, petitions, and legal complaints. The last 'trial,' is more of a congressional hearing, in which the American Samoa Commission in 1930 solicited testimonies in Washington, DC; Honolulu, Hawai'i; and finally in Pago Pago and Ta'u of the Samoan territory. Within the dominant historical narrative, Samoan resistance is not simply written out, but written off. I argue these proceedings and events offer invaluable insights as objects of analysis to consider both the space, form, and process of Samoan politics and naval rule of law. Extant scholarship on Samoan history largely characterizes the period of naval rule as absent of social conflict. In these narratives, techniques of 'indirect rule' led to the emergence of a bi-cultural model of colonialism that was harmonious with the Samoan way of life.

Literature that supports or complicates this thesis of naval benevolence often reduces Samoan agency. Either pacified or passive, most scholars agree that Samoans in the eastern islands not only consented but invited U.S. imperialism with little complaint.

U.S. Naval Station Tutuila

Often referred to as the “finest coaling station”, U.S. Naval Station Tutuila was strategically located as a midway Pacific refueling stop, and traffic only increased after the construction of the Panama Canal. Matson liners brought tourists from the port of San Francisco to Honolulu to Pago Pago and finally to Sydney, New South Wales.²⁰⁸ This idea of coaling stations and Pacific outposts as “The Rock of Gibraltar” was often applied to USS Guam and U.S. Naval Station Pearl Harbor-- the first coaling station established in the Pacific.²⁰⁹ It goes hand-in-hand with the massive growth of the US Navy in the late nineteenth century and military service as a career, as well as U.S. modeling of European empires through Alfred Mahan’s doctrine of sea power. In 1713, Gibraltar an area at the southern tip of the Iberian Peninsula became a British colony, and was viewed as a critical entry point into the

²⁰⁸ Only two ships at a time could pass into Pago Pago Bay, hence the naval harbor’s nickname as the ‘Gibraltar of the South Pacific.’ Newspaper coverage frequently compared the harbors of Tutuila and Upolu finding the Apia harbor much inferior. Furthermore, the harbor was not just a strategic coaling station, but protection against attacks along the West coast. “It supplements Pearl Harbor as an outpost of the United States, which must be first considered by a possible enemy contemplating operations on the Pacific coast of America.”

²⁰⁹ The Navy, however, first began installing coaling stations beginning with Key West in 1857 and then in 1866 in Pearl Harbor. November, *The Influence of Sea Power Upon History, 1660-1783*, New edition edition ed. (New York: Dover Publications, 1987). B. Franklin Cooling, *Gray Steel and Blue Water Navy: The Formative Years of America’s Military-Industrial Complex, 1881-1917* (Hamden, Conn.: Aarchon Books, 1979). Mahan, *The Interest of America in Sea Power, Present and Future*.

Mediterranean sea. Alfred Mahan in his analysis of 'sea power' as the definitive strength of successful empire, compared the Mediterranean to the Caribbean and the Pacific, and sought to find and make equivalent Gibaltars.

Mahan's sea power doctrine held that national power was dependent upon the exchange of goods and flow of wealth across the ocean. Three factors contributed to the greatness of seafaring nations: production, shipping, and colonies. Maritime states should, therefore, build their navies to protect their commerce and intercept the shipping of 'enemies.' The Sea Power doctrine is very much akin to manifest destiny, reducing Oceania conceptually to a "Pacific Station." Charles Wright Mills described the US Navy of the late nineteenth century as a "gentleman's club, which occasionally went on exploring and rescuing expeditions." According to Navy Secretary, Paul Morton, the Navy's mission was that of "the watchdog of American commerce everywhere on the high seas." It was to be "the policeman by day and the watchman by night of our foreign trade." As foreign diplomats, in the 1860s and 1870s, Naval Commanders were negotiating executive agreements between the local chieftains and "the King of the United States," in much the same way that US army officers were concurrently dealing with Native American tribes along the "Western frontier." By 1904, the navy also scouted natural resources of foreign countries to report back to the business community. In order to enable trade in Asia, the Navy and merchantmen established coaling stations throughout the Pacific in the late nineteenth century. By the early twentieth century, naval expeditions had been sent to Cuba, Honduras, Nicaragua, Haiti and Santo Domingo which involved greater degrees of persuasion and use of punitive and occupation forces. The local naval administration echoed

these philosophies with the start of its own newspaper, *O Le Fa'atonu*, “The Instructor”, which was where the navy would publish new laws and regulations.²¹⁰

Amerika Samoa

In 1911, Manu’ans pressured Naval Commandant to change the name of the island government from “Naval Station Tutuila,” which privileged *matai* titles in Tutuila, so the name was changed to “Kolony of Amerika Samoa,” an echo of the western islands as the “Kolony of German Samoa.”²¹¹ Eventually, the indigenized spelling of Amerika Samoa became “American Samoa” an anglicized and possessive re-naming of the islands, which now refers to not just Tutuila, Manu’a, Rose Atoll, and Aunu’u, but also Olohenga²¹². This nominal transition reflects this process of slow and continual encroachment upon Samoan sovereignty and geopolitical re-making of its boundaries. Commander Benjamin Tilley was the first “governor” of

²¹⁰ Gilson, *Samoa 1830 to 1900; the Politics of a Multi-Cultural Community*; Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*. Meleisea, *The Making of Modern Samoa: Traditional Authority and Colonial Administration in the History of Western Samoa*. The newspaper was intended for a literate Samoan readership. The missionary presence in the Samoan islands began in 1830s. The London Missionary Society missionaries created a Samoan alphabet and started the first printing press in Samoa in 1839. It was the second press in all of the Pacific. The missionaries ran a monthly journal, *Sulu Samoa*, which the Samoan Congregational Church or *Ekalasia Faapotopotoga Kerisiano Samoa* (EFKS)—the first indigenous church of the Pacific—publishes today. The first translation of the Bible in Samoa, *O le Tusi Pa’ia*, was completed in 1855. George Pratt, an LMS missionary, living in Savai’i primarily since 1839 printed the first Samoan dictionary in 1862. had created dictionaries and translated the Bible into Samoan, so there was a sizeable literate population prior to the naval newspaper.

²¹¹ Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*; Kennedy, *The Tropical Frontier*.

²¹² To clarify, there are two islands within American Samoa referred to as Olosega. Manu’a is comprised of three islands: Ta’u, Ofu, and Olosega. There is a second Olosega, which until the 1926 congressional recognition was not part of Samoa. This Olosega also known as Swain’s Island, historically and culturally was part of Tokelau and known as Olohenga. Because Olohenga came to be privately owned by an American, it was renamed and also incorporated as part of Samoa and the U.S. Claims to this island disputed by Tokelauans.

Naval Station Tutuila in 1900. It is to Tilley whom the reputed “indirect rule” administration style is attributed. One of the primary goals of military colonialism was the preservation of indigenous leadership, in Samoa the *matai* system. Up until the establishment of the Naval administration in American Samoa, international powers intervened in Samoan affairs to create kingships. While Samoans had not centrally organized as a monarchical government prior to the mid-nineteenth century, Malama Meleisea posits:

What Samoa did have...was a unitary system of dispersed power. Samoan oral traditions also attest to periods in which a single national authority was recognised, and the idea, if not the reality, of a centralised Samoa, has existed for many centuries, as evidenced by the existence of a *fa’alupega*.²¹³

Samoans had a very defined legal and political system, which as Meleisea and Saleimoa Vaai point out was expressed through the *fa’alupega*—“a ceremony style and address of an individual, village or district.”²¹⁴

Although Commandant Benjamin Tilley was widely celebrated as a popular political figure according to naval reports and newspaper accounts, there was still great anxiety regarding U.S. naval administration. Secretary of the Navy Denby and

²¹³ The *fa’alupega* is a, “set of ceremonial greetings which are recited when the *fono* meets. It serves as a constitution and encapsulates, in a few phrases, the origins and rank of each constituent title of the *nu’u* and the order of precedence and ranking in the *fono*.” The *fa’alupega* unified Samoans genealogically, mythologically, and politically through a *unitary systems of dispersed power*, but the U.S. Naval administration changed the political landscape and power. Meleisea, *The Making of Modern Samoa: Traditional Authority and Colonial Administration in the History of Western Sfamoa*. Malama Meleisea, *Lagaga: A Short History of Western Samoa* (Suva: University of South Pacific, 1987); Faaleava, “Fitafita: Samoan Landsmen in the United States Navy, 1900-1951.”; Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*.

²¹⁴ Meleisea, *The Making of Modern Samoa: Traditional Authority and Colonial Administration in the History of Western Sfamoa*; Vaai, *Samoa Faamatai and the Rule of Law*.

Commandant Tilley expanded upon those powers granted to them through the executive branch to create an island government administered by the Navy. Tilley and the succeeding Naval Commandants were uncertain of the legalities of their actions, which prompted Tilley to draft the “Instruments of Cession” which the Tutuilan chiefs signed in 1901. The Manu’an chiefs did not sign a legal agreement with the U.S. until 1905.

Malietao Tanumafili I wrote a protest letter to published in *The London Times* against the Samoan treaties made with the United States, Great Britain, and German characterizing the division of Samoa as a gross violation of the treaties and as a “crime against the law of nations, only equal to the dismemberment of Poland, Denmark, and France.”²¹⁵ Malietao Tanumafili I not only railed against international political intervention, but also upon the politically divisive and exploitative behavior of the missionary community:

The missionaries who graced our country with their holy or unholy presence introduced the same religious differences and hatreds against each other as pertained at the hour in civilized States. The missionaries live in palatial, concrete houses, with all the luxuries their countries can afford, and charge us for Bibles and Prayer Books, which we understand are sent as free offerings.²¹⁶

At the turn-of-the-century Samoans were not unified in support of American governance, and neither did they passively accept American rule or missionary directives.

²¹⁵ Malietao Enters a Protest. Declares a Partition of Samoa a Crime Against Law of Nations—Says Natives Are not Benefitted. *New York Times*. January 13, 1900.

²¹⁶ *Ibid.*

The U.S. naval administration not only faced resistance from various Samoan factions, but also from the resident foreign population. In addition to subversive tactics by the missionary community, the local trader community also resented military regulations and taxes on commerce and the prohibition of alcohol and firearms sale. Commander Tilley, who was reputedly well liked by the Samoan community, was court-martialed on charges of public indecency lodged by discontented settlers. Tilley's name was cleared and he returned to the U.S. Samoans would later petition the U.S. government to retain Tilley as the commandant of the US Naval Station for purposes of political continuity, but their request would be denied and a new governor would rotate through the islands every sixteen months. Commandants of Naval Station Tutuila were usually captains nominated for special duty by the Secretary of the Navy.²¹⁷ The concentration of power between the commandant and the Secretary of Native Affairs was so great, that it was a contentious issue amongst Naval administrators. Commandant Tilley, Sebree, and Graham all reported to Congress that the power of commandants worked to destabilize the governance system. With great urgency almost twenty years after Commandant Tilley lodged similar sentiments, Governor Graham wrote to the Secretary of the Navy, "the Governor is clothed with too great discretionary power."²¹⁸ For these commandants concern regarding the imbalance of power was a grave issue as both the resident foreign community and the Samoans were not as passive as

²¹⁷ The tenure of commandant ranged between 16-24 months. All regulations issued by the commandant carried the force of law.

²¹⁸ Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

‘civilizing’ discourse would suggest.²¹⁹ The office of the Secretary of Native Affairs in Samoa was established in 1903 ostensibly to share the weight of the commandant’s power. The Secretary of Native Affairs was the only civilian position within the American Samoan naval administration. The Secretary of Native Affairs acted as ‘the sheriff, the judge, and the prosecutor’ and, thus, exercised unchecked power over all judicial matters.²²⁰

Naval Trials

On November 8, 1920 the *USS Kansas* docked in American Samoa fully outfitted with a naval court. Prompted by letters and petitions from Samoans and allies protesting abuses of power and gross neglect to the Governor of American Samoa, Secretary of Navy, and the President, the imported court of law was convened to investigate claims of maladministration against several officers stationed in Tutuila. The members of the court selected by the Secretary of the Navy, Josephus Daniels, consisted of two naval Captains and a Lt Commander as well as a Major from the

²¹⁹ Frequently, travelers, discharged naval personnel, and even the wife of naval commandant would submit memoir narratives describing their time and experience in Samoa. Portrayed as ‘children’ and ‘savages’, these accounts celebrated the efforts of the United States governance in educating Samoans in not only proper governance and militia techniques, but in home and health practices. "Mrs. William Michael Crose. Wife of the Retiring Governor of Tutuila, the United States Naval Station in Samoa, Is One of the Entertaining Women of the Hour," *The Los Angeles Times* June 29, 1913. Editorial, "Good Work in Samoa," *The Washington Post* September 6, 1906. "Not Tilley's Fault: Mason Mitchell Blames the Samoan Missionaries," *ibid.* December 6, 1901. "Island Children of Uncle Samoa," *The Washington Post* November 23, 1902. "Uncle Sam's Island Children," *The Washington Post* November 2, 1902.

²²⁰ Judicial matters included the five judicial districts each with a presiding Samoan judge. Also, each village had a Samoan magistrate. All decisions made by the native judge must be reviewed by Secretary of Native Affairs. W.L. Calnon, *Seeing the South Sea Islands: Being the Story of a Jaunt through Hawaii, Samoa, Tabiti, the Cook Islands, Australia and New Zealand* (F.H. Hitchcock, 1926). Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

JAG office of the US Marine Corps. The inquiry was divided into three sets of hearings: the court of inquiry, board of inquest, and court-martial, which all took place over the course of a month. These seemingly banal and, thus, easily overlooked procedures upon closer analysis, I argue reveal the construction of the ‘tropical frontier’ through martial law and the contradictory workings of legal pluralism. Furthermore, these cases expose the fracturing of Theodore Roosevelt’s turn-of-the-century progressivism of masculine high-adventure and direct military intervention into femininized nervous disorders and tropical inertia. Madness cannot only be thought of as an outcome of the cultural stressors of overseas colonial services for naval men in the early twentieth century, but also be used as a greater metaphor for the chaotic and contradictory rule of law characteristic of the tropical frontier. The confusion of legal pluralism was stressful to those who might be held culpable for punitive rulings in the local courts, economic opportunism, and identity fraud rampant in these far-away places deemed contradictorily “domestic” but “foreign.” Concomitantly, with the growth of military careerism in direct proportion to its interventions abroad was the development of the legal apparatus.²²¹ The officers under investigation within this Court of Inquiry, for instance, were not held culpable by the laws of the American Samoan government, which had recently been codified by the local Naval administration. Rather military officers could only be tried through Courts of Inquiry as regulated by the *Articles of War*, the governing body of military

²²¹ The first naval solicitor was contracted in the mid-1800s, but by the turn-of-the 19th century the position of Judge Advocate General became permanent. While the Court martial is a legal practices which pre-dates the Constitution, the scale of investigation and expansion of military jurisprudence to accommodate its role as a colonial administrator was rather unprecedented.

justice. Within the process of a court martial there was a chance of appeal to higher body of law, unlike the decisions of the High Court in American Samoa. In the early 1900s, the justice of the High Court of Samoa was the Secretary of Native Affairs whose decisions were approved by the Governor of American Samoa with no higher court of appeal. Consequently, Samoans demonstrated against the naval administration through a variety of legal and extra-legal means: boycotting copra farming, throwing rocks at the sailors, songs and dance, holding *fónos*--large public meetings, and writing petitions to the President, Secretary of the Navy, and the Governor.²²² One such petition was signed by over 300 Samoan Chiefs lodging complaints against the Naval Administration requesting a Court of Inquiry by the Secretary of the Navy as a method of appeal, since the judicial system of the islands permitted no further course of addressing these inequalities. Reputedly fearful of an insurrection much like those occurring in the Caribbean, the Secretary of the Navy ordered a special naval court of inquiry be sent to investigate these grievances, which were beginning to gain public attention.²²³

The Terhune Trial

In 1921, the *USS Kansas* was sent to Tutuila by the Navy to investigate the political turmoil on the island and allegations of misadministration. While awaiting the arrival of the ship, matters took an unexpected turn when the present Naval Governor took his own life. Terhune was of frail health; unable to walk short

²²² Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration* by Captain J.A.C. Gray; Kennedy, *The Tropical Frontier*.

²²³ *The Tropical Frontier*.

distances without assistance, a Ford truck was adapted for his condition. Terhune's inaccessibility only added to his growing reputation for strange behavior. Naval officers and business lawyers alike found his behavior mystifying; topics of conversation shifted abruptly and he was prone to great mood swings. Some suggest that the senior medical officer, Doctor Dollard had a personal interest in seeing Terhune remain Governor enjoying privileges on the island and a close friendship. Commander Arthur Kail related a conversation between Dr. Dollard and Ives that as long as no pathological reason could be reported to the Navy Department, there was not enough evidence and medical personnel would be under suspicion of attempting to remove Terhune from office for other reasons. They then admitted to a "white-wash" of the records to support Terhune's case of mental competence.

Historian Joseph Kennedy interprets Terhune as angling for a promotion to captain for the retirement benefits. Having been passed over in 1911 and nearing the age of 54, a position in a remote Pacific outpost would be the ideal location to hide his mental problems with the assistance of an old friend.²²⁴ A.M. Noble and Luther Cartwright, the advisors for Governor Terhune enlarged upon these opportunities and were the real source of a great deal of trouble within the administration. In the last weeks of his life and as Terhune's mental and physical health declined, Samoan frustration with the administration was heightened antagonized by the actions of Noble, Cartwright, and MacDonald, they took to stoning the governor's mansion.

On November 6th, just three days after Terhune's suicide the naval court aboard the *USS Kansas* investigates the circumstances of his death. The trial lasted only two

²²⁴ Ibid.

business days. The first day all witnesses were called and testified and on the second day summaries were read and a conclusion reached by lunchtime. The witnesses called to testify included an attorney for the South Seas Pacific Company from Wall Street. Merrick W. Creigh testified that during his meeting with the governor just a few days before his death, he looked feverish and was under severe mental strain. Creigh mused that it was not wholly unsurprising as he had seen a man in the Philippines under a similar condition.

Q: What is your opinion of the Governor's mental condition the last time you saw him before his death?

A: I figured, sir, he was *non compis mentis*. I had a similar experience in Manila. We had a man in our Hemp Dept who had been under a heavy mental strain, as businessmen sometimes are, and he broke the same way as the Governor.²²⁵

Mr. Creigh's suggestion was that the mental affliction Terhune suffered from was common amongst professional men. Captain William J. Maxwell, Naval governor of Guam was relieved of duty and confined to quarters until he could be transferred after being pronounced *non compis mentis* by the senior medical officer. Governor Woodruff of American Samoa was similarly relieved after serving a term of three months due to 'personal problems.'

According to his medical history, Terhune suffered from a number of ailments. Between 1911 and 1915 he was admitted thrice for gout of the toes. In 1915 he was diagnosed with diabetes mellitus as well as hemiplegia otherwise known as one-sided paralysis. By 1917 he was suffering from neurasthenia as a consequence of being overworked at the Key West Naval Station. The medical and executive officers under

²²⁵ Court of Inquiry. 1920

his command concluded that Terhune definitely displayed symptoms of insanity and the report states that he warrants observation. The Bureau of Medicine and Surgery concludes that on the basis of his medical records there is insufficient evidence to diagnose governor Warren Terhune as definitively insane and that his debilitating physical ailments could have affected his mental state.

It is very probable that Commander Terhune's mental processes were those of certain individuals who, under stress and responsibility, develop indecision, suspicion of the motive of others and egotistic supervaluation of their own opinions, and when in authority a disposition to disregard the opinions of others, to exercise their authority in a manner trying to those particularly in the Military service, serving under them. This attitude of mind necessarily makes the individual difficult to others, and in the Military service reacts adversely, personally and officially, on juniors to such an extent that unhappiness and general inefficiency follows, and as an end result to the commanding officer's peculiar departures from the normal expectation as regards decision, actions, and temperament, in a belief that he is insane to some degree.²²⁶

The objective was to review Terhune's medical history and determine whether or not he was insane at the time of death, and whether or not insanity was contracted in the line of duty. Neuroasthenia was commonly known as "Americanitis", a popular diagnosis in the late nineteenth and early twentieth century. Coined by American psychiatrist George Beard, neuroasthenia was described as an illness relating to anxiety and depression, the effect of modern civilization. These professional shaped what are seemingly secular definitions of madness, around religious (exceptionalism or redemption), arguing that suicide was an act of madness, which was a modern phenomena, an effect of "modernity" and civilization. The medico-legal discourse was

²²⁶ Court of Inquiry. 1920

an alternative explanation of “self-death” and helped to dilute the enduring shame for family members as well as spiritual condemnation. Neurasthenia was transformed from a disease of hysteria associated with housewives to overworked men depressed, tired and incapable of dealing with a modern and fast-changing world. In the late nineteenth century, some physicians viewed suicide as a product of not just social, but also racial degeneration.

As you can see the issues of colonial administration to be resolved by this this court of inquiry were far from it, and in fact spilled over into the federal district courts and congressional committees. The crisis in the legalities of overseas expansion was reflected in a crisis of masculinity through the trope of madness. With the emergence of this type of militarism, there was a great deal of anxiety provoked by anti-imperialists and within the War and Navy departments regarding the legalities of these actions. “Madness” was not just a mental illness derived from excessive colonial service in tropical climates, but can also be understood as a metaphor for the legal chaos characterizing the claiming and disavowals that belie US territorial constructions. Boucher, Terhune, and Kail were ridiculed as crazy individuals degenerated through overexposure in the tropics to differing states of feminized hysteria and deviousness. These trials while very localized and specific to American Samoa have broader resonance. They demonstrate the anxieties of colonial administration and the confusion within the courts.

The Court of Inquiry

On November 8, 1920 the Court of Inquiry commenced investigating claims of

misadministration against several officers at US Naval Station Tutuila. The trial was convened by order of the Secretary of the Navy, Josephus Daniels, to investigate allegations of misconduct by Lt Commander Creed Boucher, USN as well as the entire island administration. Over the course of November, trials were held on US Naval Station Tutuila and on the *USS Kansas* to clarify these entanglements. The final opinion of the court was such that Lt Commander Creed Boucher and civilian Mr. Arthur A. Greene were guilty of misleading the Samoan leaders, High Chiefs Mauga and Satele and consequently the Samoan people with misinformation in their personal interests against the navy. The court redeemed Governor Warren Terhune of any blame resulting from the misadministration due to a diagnosis of insanity caused not by personal factors but from the hazards of occupation.

Throughout the trials, countless witnesses were called and cross-examined in an open court fashion, which allowed accused and accusers to enter into official dialogue and questioning for the record as well as a JAG official to represent the issues and concerns of the U.S. government. The officers under investigation were not held culpable by the laws of the American Samoan government, which had recently been codified, but by the *Articles of War*.²²⁷ For almost two hundred years, the *Articles of War* was the governing charter of military justice. Samoans and U.S. citizens, however, were held to the law of American Samoa, which was administered by the naval administration with no higher court of appeal. With a court martial there was a chance of appeal to higher body of law, unlike the decisions of the High Court in

²²⁷ The leading body of law prior to the institution of the Uniformed Code of Military Justice adopted in 1951.

American Samoa. The justice of the High Court of Samoa was in the early 1900s the Governor of American Samoa. To appeal his decisions would be to petition the Secretary of the Navy or the President, since the relationship between the Samoan islands and the US was initiated not by Congress nor with Congressional approval, but by an extension of executive powers.²²⁸

The opinions of the court-martial were along the thesis that Samoans were being misled by the actions of a few interfering and opportunistic foreigners who had captured the attentions of the Samoan elite and half-castes. If not for these external influences, then the atmosphere in Samoa would be peaceful. However, the claims of the court were fixed and undeniably heavy-handed in misinterpreting events and involved persons. The trials that took place on November of 1920, the core issues of mistrust and restrictive administration, would continue to be an issue for at least another decade.

The Samoan High Chiefs Mauga, Satele, and Tufele were subpoenaed by the Judge Advocate General. They were then asked leading questions as to the origins of the conflict.

Q: Testimony given in this court indicates, and your testimony has just indicated, that someone has misinformed you and the Samoan people as to the financial and administrative affairs of AS. Who has been misinforming you?

A: No one has misled us, as we did have the papers from one Samoan.²²⁹

²²⁸ States United and George Melling, *Laws Relating to the Navy, Annotated. Including the Constitution of the United States, the Revised Statutes of the United States, and the United States Statutes at Large. In Force March 4, 1921* (Washington: Govt. print. off., 1922).

²²⁹ Court of Inquiry. 1920.

When pressed further, High Chief Mauga clarified that it was information made public by a Samoan working in the offices, Nelsoni, not any of the accused standing trial that provided him with information about the on-goings in the government. Much of the dissent against the naval government centered the anti-miscegenation laws, the inconsistencies of the court system, and the corruption of the finances.

Commander Arthur Kail was called as the first witness in the trial proceedings. Having arrived on the islands on September 6, 1920, Kail was a relative newcomer onto the scene. He was brought in first as senior member of the auditing board of the naval and island government affairs and later as captain of the yard. He testified that Noble, Cartwright, and MacDonald had taken over the island government, which was being facilitated unknowingly by several of the naval officers. Essentially, he makes the point that the three men operated rather covertly on behalf of Commandant Terhune, who was often indisposed. Kail had recommended the suspension to Terhune that Noble be suspended until a full investigation of the government funds could be made. He went on to further state:

I made no further recommendations, because I realized the mental condition of the later Commander Terhune was such that any recommendation that I should make would be of no consequence.

Kail's testimony corroborates the reports of a few officers and civilians interacting with the late governor in the months leading up to his suicide. Terhune was of an increasingly fragile mental state and physically unwell. Further in his testimonies, Kail also relates a conversation between himself and Doctor Dollard who maintained that while Terhune was overrun by anxieties pertaining to the civil unrest in the islands he was otherwise perfectly sane. Reportedly Dollard told Kail that it was a

difficult job to prove a commanding officer insane. Kail retorted that it was not so hard when he already had three instances on his health record already. Terhune's unstable mental health prior to the arrival of the court of inquiry was becoming increasingly public information amongst the naval personnel. Kail wrote a letter requesting Terhune's dismissal on this basis, a copy of which had been found on the body of the late governor on the day of his death.

Making no secret of his involvement with Samoan chiefs and advocacy on their behalf since his appearance in Tutuila, the courts asked Kail of his opinion on the discontent twice.

Q: Can you inform the court of the reasons for their[Samoan people] discontent?

A: Because generally, after practically twenty years of American occupation, they have practically nothing to show for it. There are practically no schools, no roads, I might say no public health service. In the past they have had no word with the Government, they have had practically no public statements as to the disbursement of Island Government funds. In regard to their courts, particularly this District Court here, No. 1, they consider that they have had no justice, that Judge Noble has practically made his own laws and has disregarded the Samoan laws, and has practically sent the people into bondage, and I understand that in their appeals for a higher court their appeals have been denied, or, if granted, the same judges who served on the District Court were the judges of the higher court. I might say also, I do not know the date, the two District Governors, Mauga and Satele, were removed by Governor Terhune from office without apparent cause or trial. Two new District Governors were appointed who had practically no following and were not desired by 95% of the Samoan people.²³⁰

The main tensions revolve around the issues outlined in the 1920 petition regarding an underdevelopment of infrastructure in the islands, lack of transparency in the

²³⁰ Court of Inquiry, 1920

handling of copra monies, and the frustrations with the western court system and the stripping of titles by the governor.

Q: During your tour of duty at this Station, have the natives at any time made complaint regarding the Government, in any way, or do they, on the contrary, seem to be satisfied with the conduct of affairs?

A: No, they are very much dissatisfied and have rendered petitions to me in which they have stated their reasons for being dissatisfied. Those statements were turned over to the Admiral here. Well, one was, they wanted the removal of Governor Terhune, Secretary of Native Affairs Noble, secretary to the Governor, Mr. Cartwright, Lt Commander Dollard, Public Health Officer, Lt Commander Reed as Island Treasurer, Lt W A MacDonald as Customs Officer. As near as I can remember, they were dissatisfied with the present administration as administered by Governor Terhune and Secretary of Native Affairs Noble. There was injustice in the courts, they said: they were dissatisfied with Judge Noble's manner of performing his duties in conducting the proceedings of the court; that Judge Noble considered the people here as being "Niggers" and not fit to associate with except on official occasion. This, I believe, is the same with Mr. Cartwright. They have entered a petition, and in this they state that Mr. Cartwright has, as a Government official in conducting the census of the Island, corrupted and attempt to corrupt the morals of their young men and women. I think the fault with Lt MacDonald is that he was inefficient in the performance of his duties and his lack of tact in handling natives,—in his dealings with the natives. The complaint against Lt Commander Reed as Island Treasurer is that he had misappropriated funds belonging to the Island Government; and Lt Commander Dollard that he had grossly neglected his duties as Public Health Officer of this Island.²³¹

During his testimony, High Chief Mauga reported that he had reached out to and struck a friendship with the Lt Commander Boucher, discussing the reasons for Samoan agitation. Based upon these revelations, Boucher took it upon himself to initiate an undercover investigation into the allegations of corruption within the

²³¹ Court of Inquiry, 1920

administration. He ultimately decided to request a court of inquiry that would confer with the native chiefs, because the statements and advice of Judge Noble were misinforming the Governor as to the true state of affairs regarding the reasons for discontent. Boucher claimed that if he did not take matters into his hands and promote a quick and fast resolution that the situation would escalate to the murder of Judge Noble by the Samoans.

The Court Martial of Boucher

On May 3, 1920, Lt Commander Creed Boucher arrived as a replacement officer and assumed post as captain of the yard and to assist Governor Terhune. Boucher was a graduate of the Naval Academy with extensive postings in the preceding ten years including Jamaica, Cuba, Panama, and Haiti. Boucher's entire family relocated with him to the islands including his wife, Dorothy, who was the granddaughter of the former Governor of Washington, DC, and their children.

The conclusion of the general court of inquiry found fault Boucher, Kail, and Greene with stoking the political crisis in the islands “, this spirit of unrest and disloyalty to the Administration and its officials.” The court then moved to a court martial of Lt Commander Creed Boucher based on six charges of indecent conduct. The first charge was drunkenness on duty while the US was in a state of war. Boucher had reportedly met with other officers at Coal Wharf while smelling strongly of alcohol. The second charge was conduct unbecoming an officer and a gentleman. While on duty multiple witnesses had seen Boucher pass his infant child through a porthole of the docked ship while it was being quarantined. This incident also

occurred while the US was in a state of war in 1920. The third charge was disrespect to the President of the US, because Boucher had told two witnesses that the president, “by virtue of his ignorance of diplomatic customs is the laughing stock of Europe.” The fourth charge was disrespect to the Navy. A witness claimed Boucher defamed the Secretary of Navy to his cousin, Judge Noble saying:

The Sec Navy is the most incompetent Secretary that the Navy has ever had, and that since the Republicans have gotten charge of the Senate, the Secretary is now, however, only a figure-head. The Navy Department is run by the Republican Senate Naval Committee with the advice of Admiral Coontz, the Chief of Naval Operations.

The fifth charge laid against Boucher was conduct to the prejudice of good order and discipline. Lt Commander Boucher falsely represented himself as a Secret Service agent to multiple individuals, including the postmaster, storeowner, and yeoman in effort to gain intelligence information. Furthermore, Boucher delivered to Governor Terhune a list of criticisms against the current administration along with a litany of ultimatums, which included the removal of Judge Noble from office. Boucher also sent a telegram to the Secretary of the Navy lodging complaints and requesting a court of inquiry on Commander Terhune.

The final charge was disrespect in language and deportment to his superior officer while in execution of his office. He told the governor in a loud voice and with vulgar language that Terhune was inefficient. Most of the charges seem at first glance rather extraordinary that a naval officer would be considered for removal for vulgar language, loud opinions, alcohol on the breath, and pranks on the docks. The primary reason was neither of these citations, but rather the understanding that Boucher had sided with Samoans against specific naval administrators. However, the truly bizarre

charge remains, the methods with which Boucher attempted to expose the backdoor dealings within the local government and his pursuit of redress. Boucher defends his tactics in his testimony:

The government operated in a lot of secrecy and back door dealings type. The Governor, Judge Noble, Mr. Cartwright, and Lt MacDonald were known as the “white mice.”...Because of this unpleasant espionage system, life was made decidedly unpleasant for real Americans, a few of whom were residents here. These “star chamber” methods were sufficient to cause me to undertake some secret service work on my own account.

He goes on to describe how incidents of unrest were occurring prior to his involvement with High Chief Mauga. Samoans and sailors were frequently clashed resulting in the throwing of rocks. Boucher intervened and forbade the sailors from engaging in any such incidents. High Chief Mauga then contacted him and struck a friendship with the Lt Commander, discussing the reasons for Samoan agitation. Based upon these revelations, Boucher took it upon himself to initiate an undercover investigation into the allegations of corruption within the administration. He ultimately decided to request a court of inquiry that would confer with the native chiefs, because the statements and advice of Judge Noble were misinforming the Governor as to the true state of affairs regarding the reasons for discontent. Boucher claims that if he did not take matters into his hands and promote a quick and fast resolution that the situation would escalate to the murder of Judge Noble by the Samoans. The rock fights and other skirmishes were the result of Judge Noble’s administration and the forbidding of marriage between Samoan women and American sailors.

As a result of these proceedings, Commander Arthur Kail was found guilty of abetting Lt Commander Creed Boucher in activities, which “bordered on sedition.”²³² Boucher was consequently dishonorably discharged, Greene and his family were removed from their family home and then deported to Hawai’i, and finally Kail was detached from the islands on the *U.S.S. Kansas*. The court found no financial, legal or official irregularity with the administration. The presiding Commander of the Court of Inquiry, Captain Waldo Evans, was appointed the replacement for Warren Terhune. Under Commandant Evans the fear of sedition increased and the naval government did not hesitate to further Terhune’s policies of arrests, deportations, and revocation of *matai* titles. Captain Evans reportedly arrested a Samoan woman for sedition, when she was caught singing a song mocking the administration. There was a great unease in the islands during the trials as a result of failing copra prices and antagonism driven by two High Chiefs Mauga and Satele. Samoans boycotted the copra plantations in protest of the suspension of the high chiefs and Terhune’s treatment of Boucher, Kail, and Greene.²³³ When they were deported from the islands, the Boucher family paranoid against retribution by the naval administration smuggled in the lining of their baby bedding a second petition signed by Samoans chiefs, and continued in the succeeding years to clear the charges and influence change in the Samoan islands.

The Ripley Trial

²³² Court of Inquiry. 1920

²³³ SecNavytoMacArthur. April 11, 1921

Samuel Sailele Ripley was a Samoan-American living in Richmond, California. Originally, from Leone, a village on the island of Tutuila, where the U.S. naval station was based, Samuel Ripley outlined his family's commitment both as an American and as a Samoan:

That my grandfather, Edward Ripley, a citizen of the US and formerly resident of the City of New York, and a United States veteran of the Mexican War, located in Samoa about the year 1849; that he married a Samoan woman. Both died, leaving my father, Edward Ripley, as the only surviving child and sole heir to the property acquired by them. He also married a Samoan woman and both of them are living at Leone, American Samoa, and have valuable property interests acquired under the laws of Samoa. That there are now living 6 children, issue of said marriage all of whom, as well as their children, are loyal to the United States and are deeply interested in the agricultural, horticultural, and commercial development of the islands, and in the cultural and vocational education and advancement of the present and future generations of American Samoa.²³⁴

Having left Samoa in 1904, Ripley relocated to Richmond, California where he worked for the California and Hawaiian Sugar Refining Company for twelve years. During WWI, Ripley had served as a sergeant for the US Army in France. After being honorably discharged in 1918, he became an electrician at the Mare Island Navy Yard, in San Francisco. Samuel Ripley had one brother, Ned, and two sisters, Lucia Falke and Helen Wilson both married to Americans.

Samuel Ripley was a person of good character. His wife, Margaret was a member of the Richmond Club, which was a woman's organization comprised of "the leading society women of Richmond." She was also active in the Federation of Women's Clubs of Contra Costa County. Margaret was also a secretary to attorney-

²³⁴ Samuel Ripley, April 25, 1921.

at-law, C.S. Hannum, whom the Ripley's and collective of Samoan chiefs hired to advocate their interests. According to his lawyer, C.S. Hannum:

That is a man of Probity, well-educated, industrious and frugal; of correct moral and business habits; he is highly esteemed and respected and has the confidence of all who know him; he is now employed as a 1st class electrician at the Mare Island Navy Yard. He is likewise held in high estimation by the chiefs and inhabitants of American Samoa and exercises a strong influence with them.²³⁵

Samuel Ripley and his wife were involved with a group of chiefs organizing for greater Samoan self-determination and civil government, who called themselves “the Samoan Cause.” Ripley had before the incident with Captain Evans been traveling back and forth between the islands and the states documenting the affairs of the islands:

I left Samoa in 1904. At that time the people were contented and satisfied with the administration of Governor Tilley, and were hopeful of cultural and vocational advancement and internal improvement. A few months after my discharge from the military service of the United States and after being advised that the affairs at the islands were in a chaotic conditions, my wife and I went to the islands in June, 1920, to visit my people and obtain first-hand information respecting conditions there. After my arrival I made a thorough investigation and found that the chiefs and people had lost confidence in the honesty and integrity of the Naval officers and civilian officials then in control, that this lack of confidence has existed for several years.

Based upon this preliminary investigation, the Samoan Cause organized and created a petition against the naval administration, which Ripley forwarded to the Governor of American Samoa, the Secretary of Navy and the President of the United States. The *Mau* set forth nine specific claims against the naval administration:

²³⁵ Hannum. Personal Communication.

- 1) Samoans were kept ignorant of the law. They were not published in the Samoan language and the *O Le Faatonu* was not published regularly.²³⁶
- 2) No accounting for the Island Government's revenues or expenditures
- 3) Inadequacy of roads beyond the Naval station
- 4) Underdeveloped schools
- 5) Lack of an agricultural and vocational training
- 6) Harsh judicial sentencing
- 7) Prohibition of the meetings of chiefs and of "Government of Samoa"
- 8) Exploitative prices at the hospital pharmacy
- 9) Samoan women were being violated by the marriage regulations of the Naval administration

The Naval Governor at the time wrote a counter-petition, which was signed by a number of Samoan Chiefs in support of the naval government.

Accompanying the petition were two separate letters, one written by Samuel Ripley and a second written by his lawyer, C.S. Hannum, attesting to his character and the veracity of the documents enclosed. Ripley wrote in conclusion to President Wilson, requesting a Congressional investigation into these matters:

In conclusion, I earnestly contend that the Father of men never intended that the Samoan people should be exploited by the white race for personal gain; that the government of the United States in taking over the control of American Samoa intended to deal with its people fairly and honestly and give them an opportunity to obtain a cultural and vocational education, and encourage internal development and as a Samoan and as a citizen of the United States, I earnestly request in behalf of my people that an immediate investigation be made of Samoan affairs by a Committee of Congress; that a delegation of Samoan chiefs, to be selected by a council of chiefs be given a hearing by such Committee, that they be given transportation from the islands to Washington, and be given a hearing by you in order that full confidences may be restored respecting the good intentions of the United States in the administration of Samoan affairs...²³⁷

²³⁶ *O Le Faatonu* means "The Instructor" and was a monthly news publication produced by the naval administration.

²³⁷ Ripley.

These documents were all issued into evidence as part of the trial initiated by Ripley against Captain Evans. The Ripleys' have been portrayed in various historical treatments as being primarily self-serving with entrepreneurial desires to expand their family's lands and establish a trade company.²³⁸ But according to Ripley, he also, felt charged to help usher Samoans into the American family:

And I regard it as my sacred duty, which I owe to my people, as well as my duty as a citizen of the United States, to do all within my power to place before the President of the United States, your Department of the Government, and the proper Committees of Congress, a statement of the condition of affairs as they have existed and do now exist in American Samoa, to the end that the Samoans may come to feel and fully realize that they are a part of the American Republic, and to regard it as their duty to encourage and seek advancement for themselves and their posterity and actively engage in building the islands up, and, by internal improvement, to make them productive so that they will attain the commercial importance which they justly deserve, thus encouraging the present, growing generation as well as the future generations to adopt American ideals and become truly American.

This movement for self-sufficiency in Samoa was very much couched within the language of republicanism, for progress and Americanization.

The extant scholarship on U.S. colonial governance in Samoa—aside from work primarily authored by Samoan scholars—has focused on the invisibility of resistance as an index of the happiness and well being of Samoan subjects under martial rule.²³⁹ “The Samoan Cause” was an appellation for the porous collective of

²³⁸ T. F. Darden, *Historical Sketch of the Naval Administration of the Government of American Samoa, April 17, 1900–July 1, 1951* (1952); Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration* by Captain J.A.C. Gray; Kennedy, *The Tropical Frontier*.

²³⁹ Salesa, *Samoa's Half-Castes and Some Frontiers of Comparison*; Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."; Fa'anofa Lisaclaire Uperesa, "Fabled Futures: Development, Gridiron Football, and Transnational Movements in American

agitators across California, Hawai'i, and Samoa for civil governance in the American colony of Tutuila and Manu'a. It was also an anglicized reference to the *Mau*, the independence movement involving participants across the colonial partition, which was concentrated in the *pule* of Samoan leaders from Savai'i, Upolu, Manono, and Apolima. Some scholars have tried to distinguish the *Mau* through difference in geography and aspiration reflected across various cycles and positions of leadership; for instance, the California *Mau* (which was not the *Mau* against the State of California) versus '*the Mau*' which drew from the *pule* of Old Samoa.²⁴⁰ In this manner, the *Mau* formations against the US naval administration are dismissed as lacking customary political power and unity. Pacific historians have argued over what was and was not the real *Mau*, imbuing scholarly inquiry into the formations of the eastern islands as a product of post/colonial desires to invent romantic ideas of resistance where none existed.²⁴¹ Engaging debates around the facticity of Samoan politics, scholars tend to reduce the complexity of Samoan 'opinion,' center rather than displace colonial formations, and dismiss indigenous forms of knowledge and memory keeping.

Samoa" (2010); Eni Fa'auaa Hunkin Faleomavaega, *Navigating the Future: A Samoan Perspective on U.S.-Pacific Relations* ([S.l.]: KIN Publications in association with the Institute of Pacific Studies, University of the South Pacific and the Pacific Islands Development Program, 1995); Gilson, *Samoa 1830 to 1900; the Politics of a Multi-Cultural Community*. Campbell, "Chiefs, Agitators and the Navy."; Chappell, "The Forgotten Mau: Anti-Navy Protest in American Samoa, 1920-1935."; Kennedy, *The Tropical Frontier*. Thomas F. Darden, "Historical Sketch of the Naval Administration of the Government of American Samoa April 17, 1900-July 1, 1951," (Washington, DC); Robert W. Rydell, *All the World's a Fair: Visions of Empire at American International Expositions, 1876-1916* (Chicago: University of Chicago Press, 1984); Felix Keesing, *Modern Samoa: Its Government and Changing Life* (New York: AMS Press, 1978).

²⁴⁰ Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*.

²⁴¹ Campbell, "Chiefs, Agitators and the Navy."

According to naval historian, JAC Gray, the *Mau* movement would have ended had it not been for the agitation of the Ripley Family and their lawyer, C.S. Hannum. The cartography of resistance against the US naval administration did not involve a singular group of chiefs, but was a fractious entity within the islands and furthermore involving Samoans living in Hawai'i and California, such as Samuel Ripley. After being deported in 1920, Arthur Greene wrote numerous articles in the Honolulu newspapers and initiated a letter campaign to Senator Reed Smoot of Utah and President Calvin Coolidge. Upon his arrest and deportation, Samuel Ripley also authored a newspaper article, "Our American Autocracy in Samoa," which was published in the *Record-Herald* in California as well as *The Nation*.²⁴²

The American Samoa *Mau* has not received a great deal of scholarly attention, in comparison to that which has been written about the *Mau* of the western islands, and even that field of literature although growing is still quite sparse. The discrepancy according to some scholars in regards to the American Samoa *Mau* has been conjectured in part to do with its lack of cohesion and clear objective.²⁴³ In contrast, they argue the *Mau* in the western islands desired full-scale independence from New Zealand, whereas the counterpart in the eastern islands negotiated for a specific relationship with the U.S.

The anthropologist Felix Keesing wrote *Modern Samoa* in the 1930s. Early copies of which were in heavy circulation amongst anthropologists, politicians and naval administrators working investigating tensions with the naval administration and

²⁴² Ripley the nation article

²⁴³ Campbell, "Chiefs, Agitators and the Navy."; Chappell, "The Forgotten Mau: Anti-Navy Protest in American Samoa, 1920-1935."

drafting policy on American Samoa. Keesing's interpretation of the *mau* characterizes it as:

...a manifestation of a cultural pathological condition in Samoan life, product of a long period of conflict, repression, psychological stress, lack of interest and excitement, social disintegration, baulking and general unbalance and malaise aggravated after 1924 by sudden official pressure.²⁴⁴

Writing against the dominant historiography, Samoan theorist, author, and historian, Albert Wendt characterized the *Mau* of the 1920s as an inter-connected formation across the eastern and western islands, which in the beginning was 1) a response to the 1918 epidemic 2) political trouble of pre-partition, partition, and German *mālō* 3) economic grievances associated with growth of a money economy 4) large-scale land alienation 5) fear of social disintegration and finally 6) resentment of the palagi *mālō*.²⁴⁵²⁴⁶ Taking issue with Keesing primarily, he wrote that the *Mau* was the revolt of Old Samoa against foreign domination, which originated in the nineteenth century. It was an alliance between Samoans and European residents in a "national" movement codifying the Old Samoa traditions into a modern legal language. I agree with the Samoan historiography that the *Mau* movement was an inter-connected formation across the colonial partition, and also that it was a coherent and active anti-colonial social movement. However, I do think when examining the manifestation of

²⁴⁴ Felix Maxwell Keesing, Relations Institute of Pacific, and Committee International Research, *Modern Samoa; Its Government and Changing Life* (London: G. Allen & Unwin Ltd., 1934).

²⁴⁵ Albert Wendt, "Guardians and Wards: (a Study of the Origins, Causes, and the First Two Years of the Mau in Western Samoa)" (Victoria University, 1965).

²⁴⁶ *Mālō* in this usage refers to government, but can also mean rule or kingdom, and was furthermore a strong political distinction in the nineteenth century as meaning the victorious side in opposition to the losing war party known as the *vai'vai*, which translates to 'weak.'

the *Mau* movement against the American naval administration over the 1920s, very particular differences arise in shaping the primary agenda and analysis.

These tensions between Old Samoa and western law were also present in the eastern islands of Samoa. Gray's history of Amerika Samoa characterizes the conflict with the U.S. naval administration as inevitable given the inability of naval officials to contend with the Samoan political system. The navy attempted to accommodate indigenous politics by drawing three major districts: *Sua ma Vaifanua* in eastern Tutuila, *Fofo ma Itulagi* in western Tutuila, and the Manu'a islands as the third political district with district was overseen by a High Chief, also, referred to as the District Governor. Conflict erupted regarding the equanimity of these historically unequal titles. The Trial of the Ipu and the Skip Jack Trial were instances of conflict between the Old Samoa customary law and justice administered by the naval government, which further contributed to the discontent of Samoan leaders with the naval administration.²⁴⁷ This period of transition was riddled with slippages as both

²⁴⁷ The 'Trial of the Ipu' was a series of trials centering conflicts regarding the power of the venerated title of *Tui Manu'a* and the new naval political order. After annexation of Tutuila, the naval government elevated the status of the High Chiefs to District Governors of Tutuila. High Chief Mauga of Tutuila in a ceremonial visit to the Manu'a islands challenged the Old Samoan political order in an 'ava ceremony, essentially claiming that the new naval title was superior to the highly revered *Tui Manu'a* title. The *Tui Manu'a* forbade any Manu'ans with complying with High Chief Mauga's request threatening exile and the razing of communal lands as punishment to any who cooperated. The *fitafita* were called in to quell the conflict. The *Tui Manu'a* prior to the annexation of the Manu'a islands agreed to go before the western court of law, but ultimately lost, even as he was in and out of the courtroom for a year and a half. "The Skipjack Trial" refers to the consumption of a sacred fish by a non-elite Samoan, which was forbidden by Samoan customary law. The skipjack fish was taboo for anyone to eat but the chief of that village. The Samoan man appealed to the naval legal system for protection from punishment through customary law, in which it was typical that the man and his family would be exiled and their communal held lands razed. Tilley, the presiding judge as well as acting Governor, punished the chief for his retribution with house

Samoans, *matai*, administrators, and European settlers continued to test the uneven merger of U.S. military authority with *fa'a-Sāmoa*.²⁴⁸ Similar to the creation of hybrid bureaucratic institutions in the western islands, new political structures and positions emerged with the U.S. *mālō* to enact order and discipline across the islands.

The issues of colonial administration to be resolved by this the Court of Inquiry were far from it, and in fact spilled over into the federal district courts and congressional committees. The crisis in the legalities of overseas expansion was reflected in a crisis of masculinity through the trope of madness. With the emergence of this type of militarism, there was a great deal of anxiety provoked by anti-imperialists and within the War and Navy departments regarding the legalities of these actions. “Madness” was not just a mental illness derived from excessive colonial service in tropical climates, but can also be understood as a metaphor for the legal chaos characterizing the claiming and disavowals that belie U.S. territorial constructions. Boucher, Terhune, and Kail were ridiculed as crazy individuals degenerated through overexposure in the tropics to differing states of feminized hysteria and deviousness. These trials while very localized and specific to American Samoa have broader resonance. They demonstrate the anxieties of colonial administration and the confusion within the courts. In light of the grievances listed by the American Samoa *Mau* in the 1920 petition, patterns of conflicts between Samoan customary law and naval justice as evinced in the Ipu and Skipjack trials, and the

arrest and ‘property compensation.’ Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*.

²⁴⁸ *Fa'a-Sāmoa* is a complex and constantly invoked concept of Samoan philosophy that is translated to, “the Samoan Way,” and can be understood in this context to refer to Samoan customs and especially to customary law.

growing political and social power of these hybridized government positions and trainings of Samoan elite, the widespread discontentment of Samoans was unsurprising. As the events of the naval inquiry trials unraveled, it becomes clear that the focus of the investigation was placed upon the local naval administration dismissing Samoan grievances and *Mau* formations as a by-product of a few crazed and dangerous individuals in the naval administration as a by-product of a few crazed and dangerous individuals in the naval administration as well as settlers and troublesome half-castes.

The Bingham Commission

In 1930, the American Samoan Commission set out to the Pacific to research the source of discontent in the island territory. Public Resolution No. 89 passed by Congress and the President in 1929 provided for a committee of four congressional members and three Samoan chiefs to hold public hearings and make recommendations for legislation. The committee was composed of two members from the Senate, Hiram Bingham (CT) and Joe T. Robinson (AR), and two members from the House, Carroll L. Beedy (ME) and Guinn Williams (TX). The first hearings held by the Bingham Commission, so named for the presiding Chair, took place in Honolulu over a period of three days in mid-September. The commission then moved on to American Samoa where they met with the three district chiefs, High Chief Mauga (Eastern District), High Chief Tufele (Manu'a), and High Chief Magalei (Western District) who were updated about the findings in Honolulu and joined the board for the rest of the hearings which took place over

eight days. The Bingham Commission published the transcripts of the hearings as well as their final recommendations for civil government and citizenship for American Samoans. These types of commissions were not uncommon. A similar committee was sent to the Philippine Islands twice-a-year allowing people to come before Congress, who otherwise would not be able to travel to Washington, DC and lay their grievances and requests. When Congress was considering the annexation of Hawaii, they similarly sent a commission to report back and make legislative recommendations.

The original intent of Joint Congressional Resolution of 1928 was to speed up the annexation of the eastern Samoan islands by ratifying the Documents of Cession, which were signed by Samoan chiefs in 1901 and 1904. In January 1928, three days hearings were held by the “American Samoa Joint Hearings to form a Committee to Investigate the Conditions in American Samoa.” The intent of the hearings was to decide whether or not to pursue the ratification of the Documents of Cession, but also whether to approve the formation of a Congressional commission to look into the troubles surfacing in the media due primarily to the controversial 1926 *Ripley v Evans* trial. However, the 1928 Joint Ratification had been pushed by three, white, men living in Hawaii: Albert Judd, Lorrin Thurston, and Bruce Cartwright. Both Albert Judd and Bruce Cartwright were members of the “scientific community” as described by Hiram Bingham, protesting the naval governance of the islands. Judd and Cartwright were employed by the Bishop Museum as anthropologists and had performed fieldwork in American Samoa in the early 1920s. The work they performed in the islands was “preaching the Bishop museum” to the chiefs in Tutuila

to record and preserve the oral traditions and ancient crafts and practices. Albert Judd was also appointed as the legal advisor to the committee and accompanied the members of congress to American Samoa. Peter Buck Maori anthropologist and Director of the Bishop Museum, also submitted testimony, but primarily on the organization of customary Samoan politics. According to Cartwright's letter both him and Judd were given titles as honorary high chiefs, *Falesau* and *Laloifi*, respectively, and, thus, made claims on behalf of the Samoan community not only as university trained experts from the scientific community, but also as honorary members of the Samoan community in the islands. They posited a three-pronged platform for Samoan self-governance: 1) annexation to the U.S. with American citizenship, 2) fee simple ownership of land by Samoans, or part Samoans, of American registry, and 3) the right of appeal over the Navy governor's decisions. Cartwright also claimed there were three causes for the current "unrest." The first reason was due to the "the color line," he further explains:

Samoans are treated as if they are a despised conquered people, when the facts are that they are still Samoans not Americans. The US has never accepted the cession of the islands made by the chiefs in 1900 but on the other hand has purchased land on which is located the naval station on Pago Pago Harbor. The balance of the part ceded is still Samoan over which the Navy Dept has established a protectorate, without any action by Congress.²⁴⁹

The second tension was the "disintegration of Samoan culture" due to the socializing influence of the Naval presence in the islands:

²⁴⁹ American Samoa Commission, *The Report of the American Samoan Commission Appointed Pursuant to Public Resolution No. 89, Seventieth Congress, and Public Resolution No. 3, Seventy-First Congress*, 1931.P.5

In contact with American culture as practice by the US naval rulers of Samoa, the native institutions are crumbling. Samoans recognize this...The Samoans feel that white men, especially those who are not familiar with or in sympathy with Samoan customs have no right to judge as to who their hereditary chiefs should be.²⁵⁰

And the third tension had to do with the shift in the choosing of matais from within a group of families to being the head of each individual to each individual family.

According to Cartwright, in this significant transformation of the Samoan political and family system, there is no desire to accumulate or produce anything beyond the immediate needs. He goes on further to say that “, whether we like it or not, however, the US is in Samoa; and, for good or ill, we have Samoa on our backs.”²⁵¹

In addition to Judd and Cartwright, Lorrin Thurston also sent protest letters, which he published in his newspaper, *The Honolulu Advertiser*. Thurston, family friends of the Bingham, was also descendant of a famous missionary family of Hawai'i that participated in the overthrow of the Hawaiian kingdom and the annexation of the islands to the U.S. Lorrin A. Thurston expressed ambivalence about the annexation of Samoa because of its remote location and commercial “meagerness,” but felt that Pago Pago was valuable for its strategic location and harbor. Like Cartwright, he expressed criticism of the Naval administration's current regime as a “monarchical” in the islands.

Margaret Ripley, wife of Samuel Ripley, opened the first day of hearings. She verified her credentials to speak upon the troubles based upon her three months visit to American Samoa in 1920. She is current on the political developments in the

²⁵⁰ Ibid.P.5

²⁵¹ Ibid.P. 5

islands receiving monthly mail from the steamers. She also asserted that Samuel Ripley's "American side" had resided in Tutuila since 1849. During her testimony, Mrs. Ripley advocated education as the best method to dealing with "the white man," since the U.S. is not willing to let go and there will be some form of government provided there. Although some people have accused her and her husband of inciting trouble in the islands, she claims that the unrest was partially to do with a murder in which a Samoan man who killed a naval officer was then hanged by the Naval administration without a trial. Mrs. Ripley's proposal is that American Samoa should become a district of Hawai'i and become jointly governed. She also recommends bringing in Native Hawaiian teachers to improve the current education system. One of the findings of the *Ripley v Evans* trial of 1926 was that the presiding Judge of the High Court, A.M. Noble, who had condemned seventeen chiefs to imprisonment for period of 5-7 ½ years upon only one testimony, was not even a lawyer. His only experience in law was a year's internship in his father's firm. Madge Ripley, also, presents a petition for civil government sent to President Calvin Coolidge signed by "80% of the Samoan adult population in 1924."

The first day of hearings was entirely devoted to hearing the voices for civil government and critiques of Naval governance. According to a Naval Captain Clark of the *USS Ontario*:

...naval authorities say that they want to hold the Samoan in his present isolated state but the administrators are all sleeping with Samoan women and blaming them. Moral dilemma since the white men are supposed to be models of civilization.

Most of the testimonies are themed along concerns about racial mixing, land acquisition, ability to self-govern, and the strategic value of the island territory. On the second day of hearings, various representatives of the Naval administration presented to Congress including Captain Bryan (Governor of American Samoa, 1925-1927), Captain Kellogg (Governor of American Samoa, 1923-1925), Captain Kinmel (Chief of Naval Operations), Commander Wilson, and Mr. McNemar of the Judge Advocate General's Office.

Captain Bryan testified to in Congress in support of sending a committee to investigate conditions in Samoa, but was adamantly against civil government in the islands. He cites discontent in the islands originating with complaints over one naval officer and a civilian, Arthur Greene. He describes former Governor Terhune as a "sick" man who was bullied into suicide. Bryan cites the origins of the American Samoa Mau as originating with Samuel Ripley's petition to President Coolidge. He goes on to explain that the main unrest is "due to whites and half-castes in Western Samoa." Bryan has been in communication with the New Zealand administration, that state it is "absolutely necessary to have an autocratic power over primitive people."²⁵²

The investigation of the political unrest in American Samoa began with public hearings in Honolulu, Hawaii in September 1930. Honolulu was the primary residence of the three civilians who had pushed for Congressional investigation: Albert Judd, Bruce Cartwright, and L.A. Thurston. Honolulu was a normal port call for Steamers leaving San Francisco on their way to Samoa, and also the former home

²⁵² Ibid.p. 34

of Hiram Bingham missionary family. On the first day of hearings, September 18, 1930, the three men were asked to testify. The main questions the committee posed were centered around the question of land ownership and whether fee-simple title should be reserved for Samoans of pure-blood, extended to half-castes, and exclusionary to whites and other foreigners. The other question that came up repeatedly in the hearings materials is one of blood quantum. Was it “traditional” for Samoans to discriminate or treat differently those of mixed ancestry? It was found, resoundingly, that Polynesians often intermarried and did not discriminate against “mixed bloods.” Those distinctions and discriminations came when settlers arrived and the naval administration began enforcing anti-miscegenation regulations and refusing to force their naval officers to take care of their mainly illegitimate offspring. Cartwright is interestingly against Samoans holding fee-simple title because it would dramatically change their relationship to land to enforce private ownership over communal land tenure in existence.

A host of people with various degrees of expertise on colonialism, ethnography, conservation, and Samoa testified before congress. Doctor E.S. Handy, an ethnologist with the Bishop Museum for ten years and spent only about a month in Samoa, but has also spent almost a year at in both the Marquesas and Society Islands, testified:

I think the leaders in Samoan society are plenty enough intelligent to take care of themselves and their own affairs; but I do think that if in some way American Samoa could be protected from traders and invasion by tourists...The natives are not sufficiently intelligent in a commercial sense to grasp the disadvantages of trading with an outsider and I believe that if you open up American Samoa to traders, it will be the beginning of what has happened in Tahiti and the

Marquesas, where the natives are at the mercy of the most unscrupulous Chinese and white men.

Gerrit Wilder a botanist with the Bishop Museum testified next. He had been to both the western and eastern islands in Samoa, the Australs, Marquesas, Tahiti, Guam, and New Zealand. He also owned an island in Tahiti. Te Rangi Hiroa also known as Sir Peter Henry Buck was a highly esteemed Maori anthropologist and the director of the Bishop Museum in Hawai'i. Amongst the many manuscripts he published, he also wrote "Samoa Material Culture." For the commission, he submitted a statement about the "Samoa System of Chieftainship" as Exhibit No. 12, which explains the various levels of chieftainship and title succession.²⁵³ J. F. G. Stokes was a former curator of the Bishop Museum and although he had no expertise on Samoa, he did of Polynesia in general. His testimony and warned the commission of the negative impact the whites have had on Polynesians and pleaded the need to 'conserve' the Samoan culture. ²⁵⁴Victor Houston is of Hawaiian descent and testifies before the commission against land alienation in Samoa comparing it to the "Mahele" of Hawai'i.²⁵⁵ Chief K. Su'a testified about being the former principal of Poyer school and also served on the Pan-Pacific Congress on Conservation. His testimony was debunked the next day after the commission received a letter claiming he had been indicted for embezzlement. Su'a had moved to Laie as part of the Mormon settlement from Samoa.

²⁵³ Ibid.p.70

²⁵⁴ Ibid.p89

²⁵⁵ Ibid.p. 90

Napoleon Tuiteleapaga from Leone in the western district of American Samoa used to serve in the Naval administration as a cost accountant and general statistician for T.H. Davies and Company. Tuiteleapaga was also a delegate of the Samoan Civic Association (SCA).²⁵⁶ He was one of eight members of the SCA present a prepared statement on behalf of the group. The SCA argued for a civil government and enactment of an Organic Act that would naturalize Samoans as U.S. citizens. The SCA was a subsidiary of the Pan-Pacific Union, which existed:

...for the sole purpose of instilling in Samoans the relation of civic betterment and impart in them that inalienable spirit. The SCA is also a branch of similar civic associations in Hawai'i such as the Hawaiian, Chinese, Japanese, and Korean. The SCA is comprised of at least fifty Samoans living in Hawai'i.

The second point of discontent that Napoleon raises was the trial of the seventeen chiefs who were stripped of their titles. During this trial, Napoleon served as the stenographer of the court under Judge Hall. At the age of 13 or 14, Napoleon kept records of the court and was sent by the judge back to school. He testified, further:

These high chiefs they didn't do anything, they didn't commit any crime but just part of the Mau, people in favor of civil government. The governor tried them before the court and they were put in jail without consulting with the Fono. One of the chiefs was tried for the same cause and when this chief heard the verdict of the court he stood up and said "Nobody in this world will take my title away from me. The governor has no power to take my title."²⁵⁷

²⁵⁶ The Association of Hawaiian Civic Clubs was founded in 1918 by Prince Jonah Kuhio Kalaniana'ole as a community-based grass roots organization.

²⁵⁷ *The Report of the American Samoan Commission Appointed Pursuant to Public Resolution No. 89, Seventieth Congress, and Public Resolution No. 3, Seventy-First Congress.*p. 76

Tuiteleleapaga goes on to make a distinction amongst the half-castes brought up in the previous questioning of the commission. He was not in favor of a division between half-castes and full-blooded Samoans. But agreed that the distinction was between whether or not the half-caste marries another Samoan. If they do, then they are considered Samoan. If they don't, then they are no longer considered Samoan. Then there is tension outside of Samoa, which Tuiteleleapaga stated that the half-castes in Hawai'i look down upon full-blooded Samoans as debased. Tuiteleleapaga in addition to serving as the court stenographer also worked in the Office of the Registrar for Land Titles. He was in full support of the ban against the alienation of lands to non-Samoans.²⁵⁸

At the conclusion of the hearings in Hawai'i, the commissioners sailed to American Samoa. The meeting opened with a traditional Samoan *'ava* ceremony and the announcement of the February 20, 1929 passing Senate Joint Resolution No. 110, which ratified the cession of the Samoan islands. Anthropologist and lawyer, Albert Judd then read the resolution aloud. To commemorate the meetings of the American Samoan Commission in Samoa, a medal was minted with an engraving of the name of the commissioner on the back. All commissioners were asked to wear them during the official sessions. Senator Bingham also appointed Albert Judd as legal counsel to the commission without consulting the chiefs. Senator Bingham spoke on behalf of Albert Judd saying that he has known him his whole life and they grew up together in Honolulu. Bingham then states:

²⁵⁸ Ibid.p.79-80

It may interest the chiefs to know that my grandfather was the first missionary in Honolulu and used to live near Mr. Judd's grandfather. Our grandfathers were both among the first missionaries to Hawaii. His father and my father went to the same school and college. His father was afterwards the chief justice of the Hawaiian Islands and my father was a missionary in the Gilbert Islands. Mr. Judd's grandfather was asked by the high chiefs of Hawaii to be their legal advisor; and therefore, it seemed to me very fitting that he should be the legal advisor of this commission because of his aloha for Samoa. He has been here and visited among the villages, knows the chiefs and knows the customs and was so interested to have justice done in Samoa that he kept after me until I did something about it.²⁵⁹

On the roster to testify in the hearings in American Samoa were 73 Samoan witnesses plus 2 white residents. Alex T. Willis provides an extensive statement on the two strands of the Mau movement.²⁶⁰ When arriving in Tau, Chairman Bingham clarifies the role of the committee as well as the history between the U.S. and Samoa:

For nearly 30 years the Navy ruled the islands under the direction of the President without the Congress of the United States, the law-making body, taking any notice of the kind of the chiefs. It has not been the custom or the practices of the United States to annex or secure groups of islands as has been the practice of Great Britain and Germany, and it has only been done in two or three cases. By act of Congress we annexed the Hawaiian Islands, the Philippine Islands, the Virgin Islands, and Porto Rico.

After the war with Spain we secured Guam and the Philippines, and Porto Rico as the result of that war; however, although we have possessed as a result of conquest, the Philippine Islands and annexed them for more than 30 years, we have never given to the natives of the Philippine Islands citizenship—they are not American citizens. We annexed Guam but we did not make the people of Guam, of whom there are twenty-five or twenty-six thousand, American citizens. Last year the Congress finally decided that they would accept the Islands of Samoa and they passed an act agreeing to the cession and formerly annexing the Islands of Samoa. In this act the President was authorized to continue to rule Samoa as he had done in the past, until

²⁵⁹ Ibid.p. 94

²⁶⁰ Ibid. 206-208

such time as the Congress should pass an organic act. By this same act this commission was created to recommend to the Congress the necessary legislature for American Samoa. The act of Congress, did not change any of the laws and did not give American citizenship to any of the people.

In this statement, Senator Bingham clearly states that citizenship is not a right for imperial subjects derived through annexation of territory, *but* a statutory right provided through an organic act approved by congress. Much of the testimony given in Ta'u the main seat of power in the Manu'a islands, consisted of protests over Naval interference with the succession of the Tui Manu'a title to Chris Young. The local naval government and mainstream American press lampooned Chris Young as a young upstart, desiring to be a 'King,' but in his failure ended up back at his regular job employed by the navy making 48 cents a day.²⁶¹

In Nu'uuli, an historic seat of power on Tutuila, Chairman Bingham makes another opening statement regarding the history between the U.S. and Samoan islands. He tells the Samoan people that population and natural resource wise, they are insignificant to the Philippines, Puerto Rico, Guam, and Hawai'i. And, furthermore, none of these areas were granted citizenship without the passing of an organic act. After the hearings in the islands the seven commissioners prepared a report to present in Washington, DC. It came in the form of Organic Act legislation, which ultimately failed in Congress. With the promise of civil government, the Mau movement lost energy after the congressional hearings. Although according to Fofa

²⁶¹Parke Brown, "Fine to Be King, but Not at 48c a Day in Samoa. Chris Young Seeks Old Job with Uncle Sam," *Chicago Daily Tribune* December 13, 1926. "American Bans Title of Samoan Chieftain," *The Washington Post* January 11, 1925.

Sunia, they remained an active political party into the 1940s within the *fono*, the Samoan legislature. As a consequence of the Bingham Commission hearings, the Secretary of Native Affairs, the office, which had been the intense focus of tension and debate as the primary author of unpopular colonial policies, was abolished. Further explored in more detail in the next chapter, the Secretary of Native Affairs, regulated colonial policies amongst many things those focusing on marriage, travel and native pass systems, *matai* titles, the court system, incarceration, and reform schools. The position was split into the attorney general's office and the Chief Justice to preside over the courts. During World War II, many parts of Oceania, also, became occupied under martial law and rule, although for a much short duration than American Samoa and Guam. By 1947 with federal restructuring, the Secretary of State, War, Navy and Interior wrote to the President of the United States that American Samoa, Guam, and the Trust Territory of the Pacific be transferred from the Department of the Navy to the Department of the Interior. The transfer was highly controversial between Samoan political leaders, including the Mau representatives in the *fono*, naval officials, and the Department of Interior. Despite Samoan leadership protesting vocally the drafting of HB 4500, which would enact an organic act for American Samoa, the Department of Interior went ahead and submitted the proposed legislation to congress. Samoan political leaders and exiting naval government officials expressed concerned again that U.S. citizenship and an organic act would dispossess Samoans of their lands and cultural endanger their way of life. Ultimately, HB 4500 would also fail in congress.

Conclusion

In summation, this chapter argues overall that the period between the 1920s-1930s was rife with Samoan contestation of naval rule. The analysis presented in this chapter is in direct negation to dominant historiography that presents Samoans as passive beneficiaries of American imperialism. Particular attention to three major legal inquiries into the legitimacy and conduct of the local naval administration, the 1920 Naval trials, the 1926 *Ripley* trial, and the 1930 Bingham Commission overwhelmingly indicate otherwise. Martial rule not only presented an issue for Samoans, but for many officers stationed to the islands, who saw the arrangement as wholly autocratic. Contesting martial rule was difficult for even naval officers, who tried to circumvent the local leadership through official and unofficial means. Samoans over the course of the 1920s contested martial rule through direct petition and cases brought forth to the naval courts, civil courts, and congressional commissions. In government reports, naval officers complained bitterly about Samoans having too many opinions and being easily misled by outsiders. Furthermore, the navy defended itself from 'seditious' attack by reinforcing its claim as a wiser government protecting Samoans from being misled by opportunists, who would if civil law were instituted, take over the islands and displace Samoans. Reading just the island administrative records would significantly omit naval and Samoan dissent against martial rule.

Furthermore, these early trials offer important context for the *Tuaua* case examined in the previous chapter. It is very clear from the administrative records and these cases that Samoan leaders never assumed they had acquired U.S. citizenship

through the 1901 and 1905 legal agreements negotiated by Commandant Benjamin Tilley. Furthermore, citizenship was an ancillary issue for all three major legal conflicts across the 1920s. The primary issue for the *Mau* was Samoan civil governance. I hypothesize that there might be a larger range of Samoan opinion than what has been presented thus far in this chapter. The administrators were baffled by the many opinions of Samoans meaning various parties made separate and at times competing political claims. With further investigation into the Samoan archive, for instance, the *fono* proceedings as well oral histories and songs I think a more nuanced understanding would emerge of the internal division of Samoan political opinion on the U.S. during this time period.

This chapter has primarily focused on the exchanges of men in power, and an analysis of colonial and legal effects at a higher level. In the next chapter, I want to explore the intimate relations and implications of martial rule. While citizenship was an ancillary concern, marriage regulations and the mistreatment of Samoan women were a primary concern presented in all three major trials of this time period, which I address in the next chapter. I, also, analyze well-known cultural texts on unions in Samoa as part of a larger American colonial discourse of 'Polynesian Primitivism.' Furthermore, I juxtapose this reading of cultural texts on unions in Samoa with regulations on unions and hygiene. Polynesian Primitivism not only underwrote the cultural texts, but also local colonial policies, which primarily targeted Samoan women. Whereas the conception of Samoa as a sexually promiscuous society free from conventional American moral or legal constraints, an examination of naval

hygiene and marriage regulations on the islands offers a very different portrait of everyday life.

Chapter Four

A Salvage Romance

Introduction

In this chapter, I consider the intimate domains of colonialism in Samoa. By examining the colonial policies of law and testimonies from the trials of the preceding chapter, I look at everyday practices of life in Samoa under martial rule and the regulation of intimacy, I read Samoan women back into the historical narrative. Within colonial histories of Samoa, women are discursively present but agentially absent. On their behalf, Samoan men petitioned for regime change and challenged naval policies against interracial unions and attempted to hold officers accountable for these intimate affairs. The rationale for regulating Samoan intimacies was to prevent loss of land and people from foreign political and physical contact. Samoan women—their bodies and reproductive practices—were a primary site upon which martial rule was contested.

In this same period, America came of age in its primitive love affair with Samoa. Through popular representations in film, literature, and science, unions in Samoa were an enduring fantasy of Polynesian Primitivism. Alongside the domestic policies enacted by the naval administration upon Samoan women's bodies, this chapter

considers fantasies of imperial intimacy in Samoa produced through a range of well-known cultural texts. In the confluence of imperial policy and fantasy, Samoa became overdetermined by real and imaginary sexual encounters.

The Romance of Hoaxing

A young twenty-four year old from Columbia University, a contributor to the Bernice Pauahi Bishop Museum and the American Museum of Natural History, and a student of anthropologist, Franz Boas, Margaret Mead was a promising researcher when she arrived in 1925 to the Samoan territory. The ethnographic passions of this Euro-American northeasterner were nurtured by close companionship with other Boasian students like Ruth Benedict. Ella Deloria, Sioux ethnographer and writer, as well as Zora Neale Hurston, African American ethnographer, folklorist, and author, at around the same time worked, also, as students and as researchers for 'Papa Franz,' the 'father' of modern anthropology.²⁶² While Mead's reputation and oeuvre has become canonical in the field, the role of her contemporaries, women of color like Deloria and Hurston in this period of salvage ethnography has until relatively recently been largely overlooked.²⁶³ These women wrote to multiple audiences, not just concerned with how their work would be received by the American Philosophical Society, but very much preoccupied by the intimate boundaries of their communities and their role within as women who exceeded gender, class, racial, and sexual norms.

²⁶² MarÌa Eugenia Cotera, "Native Speakers Ella Deloria, Zora Neale Hurston, Jovita Gonz'Lez, and the Poetics of Culture," University of Texas Press, <http://site.ebrary.com/id/10273759>.

²⁶³ Ibid.

Mead came of age as an anthropologist amongst a cohort of strong female visionaries, many of whom had to negotiate accountability to academic rigor, but also to their home communities. These women of color ethnographers invented new methods for walking these 'politics on the boundaries,' negotiating their many layered subjectivities through the documenting of culture, but also giving transformative offerings in kind, what Maria Cotera calls 'a poetics of culture.' They turned their doubled vision, their causes, into novels, poetry, and other creative forms of expression and critique to give voice to that which they could not otherwise.

Margaret Mead's *Coming of Age in Samoa* is a canonical text of American anthropology. The debates incurred by this research have become a preoccupation of the field and has generated an entire library worth of reactions primarily revolving around field methods, research ethics, paradigmatic debates on culture versus biological determinism, and feminism, specifically, liberal white feminism.²⁶⁴ In the prefatory remarks to the 1973 edition of her text Mead reflects back on her role as an

²⁶⁴ Lois Banner, *Intertwined Lives: Margaret Mead, Ruth Benedict, and Their Circle of Friends* (New York: Random House, 2004). Banner, *Intertwined Lives: Margaret Mead, Ruth Benedict, and Their Circle of Friends*; Derek Freeman, *Margaret Mead and Samoa: The Making and Unmaking of an Anthropological Myth* (Cambridge: Harvard University Press, 1983); Richard A. Goodman, *Mead's Coming of Age in Samoa, a Dissenting View* (Oakland: Pippeline Press, 1983); Lowell Don Holmes, *Quest for the Real Samoa: The Mead/Freeman Controversy & Beyond* (South Hadley: Bergin and Garvey 1987); Janiewski and Banner, *Reading Benedict / Reading Mead*; Jeanette Mageo, "Malosi: A Psychological Exploration of Mead's and Freeman's Work and of Samoan Aggression," *Pacific Studies* 11, no. 2 (1988); Newton, *Margaret Mead Made Me Gay*; Martin Orans, *Not Even Wrong: Margaret Mead, Derek Freeman, and the Samoans* (Novato: Chandler and Sharp Publishers, 1996); Paul Shankman, "Virginity and Veracity: Rereading Historical Sources in the Mead-Freeman Controversy," *Ethnohistory* 53, no. 3 (2006); Albert Wendt, "Three Faces of Samoa: Meads, Freeman, and Wendt's," *Pacific Islands Monthly* 1983; "Mead and Western Disillusionment," *Pacific Islands Monthly* 1984.

ethnographer in Samoa fifty years prior, and the surprising situation of accountability, she found herself facing:

I did not know then, could not know then, how extraordinarily persistent Samoan culture would prove, and how fifty years later the grace that I had attempted to record as something that was surely going to vanish would still be there.²⁶⁵

She defends further that she wrote the 1930 book for a largely American and western audience, and when asked why, she explains that it was because there was not a large enough English literate Samoan population at the time to consider inclusion to her imagined readership. A paltry excuse, it is not the truth-value of her assertion around literacy, but rather I want to contend with the confidence in which she writes off the Samoan interrogation of her scholarship. Naval officers throughout the administration from 1900-1951 struggled greatly with Samoan readership and political opinion. Even within the many histories of Naval Station Tutuila authored by naval commandants and published by the government printing office, unabashedly high colonial texts, the authors fret about whether future larger publics including Samoans will read them as on the right side of history. The interventions Boas and Mead make on the sexual politics of American culture, but also the fields of women, gender, and sexuality studies are significant and paradigm shifting. The persistence of her work and others within the salvage anthropological paradigm is not to be underestimated. Herbert Lewis reminds us, “Whatever one may think of Margaret Mead’s research and writings—so extraordinary in their volume and variety—there is

²⁶⁵ The 1973 Preface was re-printed in the 2001 edition of the publication. Margaret Mead, *Coming of Age in Samoa : A Psychological Study of Primitive Youth for Western Civilisation* (New York: Perennial Classics, 2001).

hardly an field of learning associated—rightly or wrongly—with one person the way American anthropology is with Margaret Mead. (The exception of course, is physics and Albert Einstein.)”²⁶⁶

Derek Freeman, another anthropologist with a Samoan Cause, published a research study charging after the credibility of Mead’s research not that long after her death. *Margaret Mead and Samoa* was a crusade by Freeman to expose the sexual truths of these Samoan girls of Ta’u, the ‘informants’ of Mead’s research.²⁶⁷ Malama Meleisea and Penelope Schoeffel assert that Mead’s data on female premarital sexual experience was probably accurate, but that she was wrong to claim that adolescent female promiscuity was socially acceptable in Samoa, and Freeman was equally wrong to insist that actual behavior reflected Samoan social values.²⁶⁸ Freeman was impassioned to correct the record on Samoan culture as a free loving sexual paradise, to expose the darker truths of culture, an inherent savage propensity towards violence and aggression. Freeman’s intent was to create a more complex portrayal of Samoans beyond the light sunny romantic notions that colored the dominant ethnographic field of vision. The best summary of the debate contends, “[Mead and Freeman] both became victims of their own celebrity and never allowed a nuanced consideration of the evidence to stand in the way of an attention-getting analysis.”²⁶⁹ To deny the existence of violent or sexual practices in any society is to diminish the struggles and

²⁶⁶ Paul Shankman, "The "Fateful Hoaxing" of Margaret Mead: A Cautionary Tale," *Current anthropology* 54, no. 1 (2013).

²⁶⁷ Freeman, *Margaret Mead and Samoa: The Making and Unmaking of an Anthropological Myth*.

²⁶⁸ Shankman, "The "Fateful Hoaxing" of Margaret Mead."

²⁶⁹ Ibid.

everyday lived experiences of those, who cohere its membership. However, these studies of Samoan culture failed as complex portrayals, as Freeman simply ran the pendulum from Mead's 'noble' to the opposing end of the primitivist binary.

The extant literature, thus far, has not engaged with Samoan women, as much as it has been about them. Additionally, nowhere is it conceived that 'hoaxing' be considered a strategy of agency nor an assertion of will to opacity--the refusal or willful undermining of a project of knowledge. Instead, 'hoaxing,' as the recent media debates around the sexual controversy between young Samoan men, has been an underlying thesis concerning Samoan culture: the idea that Samoa is a repressive society that promotes evasive half-truths or outright lying to assuage the interrogator and or save face.²⁷⁰ Hoaxing rather than pranking is a rather grave allegation. In his study of the *fitafita*, Toeutu Faaleava relays a story about Samoan High Chiefs pranking the marine drill sergeant during routine exercises. Rotundity, a full figured physique for men, was a visible marker of elite status. When the Samoan High Chiefs desired a break from the physical exertions of drill practice, they would get an untitled villager to substitute for them. Faaleava suggests that they preyed on the unseeing racial distance of the colonial officer, who could not distinguish these brown men from one another.²⁷¹ While I recuperate a lighter connotation of "hoaxing," as playful pranking, the reigning paradigm suggests quite seriously that Samoans are not trusted

²⁷⁰ Ilana Gershon, "The Samoan Roots of the Manti Te'o Hoax," <http://www.theatlantic.com/entertainment/archive/2013/01/the-samoan-roots-of-the-manti-teo-hoax/272486/>
<http://www.theatlantic.com/entertainment/print/2013/01/the-samoan-roots-of-the-manti-teo-hoax/272486/>.

²⁷¹ Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

to either regulate or preserve their own culture, but furthermore they are unreliable and biased 'informants' or contributors of knowledge. In most court cases or large legal disputes, a cultural anthropologist, usually a perceived non-member of the community is called in to objectively 'inform' the court on the particularities of Samoan culture. Paul Shankman offers an important assessment of the debate:

Freeman is not claiming that Mead misled her readers, but rather that she was misled by Samoans. She was also misled by youth and foolish preconceptions...Freeman absolved Mead of being a charlatan by finding that she was 'in a state of cognitive delusion.' Her 'fateful hoaxing' the result of her own 'self-deception.'²⁷²

Shankman suggests that Freeman is misread as attacking Mead, when by the end of his treatment she is absolved of any missteps—true, in an obnoxiously paternalistic manner, but nonetheless, she simply could not be helped apparently. The assignment of blame is not to the project of knowledge itself, but to the ignorance of innocent and unprepared field practitioners, and the wily subjects of study, in this case, her male research assistant and a group of young Samoan girls. Most attention in the Mead-Freeman controversy focuses blame on the Samoan subjects rather exploitatively; young village girls from Ta'u are harassed well into their elderly years regarding their infamous exchanges with the researcher. Shankman offers an important recovery of these two Samoan women, Fa'apua'a Fa'amu and Fofoa, in particular by re-reading Freeman's assisted interviews from the 1980s and 1990s. The discrepancies in the interviews and Freeman's claims are major, which Shankman

²⁷² Shankman, "The "Fateful Hoaxing" of Margaret Mead."; *The Trashing of Margaret Mead Anatomy of an Anthropological Controversy* (Madison, Wis.: University of Wisconsin Press, 2009).

meticulously outlines in his book.²⁷³ Furthermore, other scholars investigating Derek Freeman's claims have proven that Fa'apua'a Fa'amu was not Margaret Mead's primary informant after all.²⁷⁴

I want to shift the attention on Margaret Mead's informants and consider her part-time research assistant, who matured into a controversial public political figure of the Samoan territory. Implied, but unwritten, is the influence of Mead's research assistant, a young Leone man, Napoleon Tuiteleapaga. He went on to eventually publish his own ethnographic account on Samoa. The anthropologist Lowell Holmes was not as taken with Tuiteleapaga. Holmes shredded Tuiteleapaga's ethnographic account of Samoan culture as a sad disappointment. "This book depresses me," reviews Holmes, and further:

It is the hope of every anthropologist that the society he or she has studied will someday produce an ethnographer of its own who will describe the culture from the perspective of an indigenous participant. The author of this book is not that individual, although he certainly got started right—as Margaret Mead's informant and occasional interpreter in her 1925-26 study of adolescent girls in Samoa.²⁷⁵

Tuiteleapaga contacted Holmes and volunteered—a suspicious proposition to the wary academic researcher—to become an informant. At the time, Tuiteleapaga cheekily promoted himself as a law student, detective in training, and an amateur ethnographer, “engaged in a study of Samoan sexual behavior, primarily through

²⁷³ *The Trashing of Margaret Mead Anatomy of an Anthropological Controversy.*

²⁷⁴ Shankman points to the work of Martin Orans' *Not Even Wrong: Margaret Mead, Derek Freeman, and the Samoans* and James Cote's *Much Ado About Nothing: The Fateful Hoaxing of Margaret Mead.* Ibid.

²⁷⁵ Lowell D. Holmes, "Review," *American Anthropologist* 84, no. 3 (1982).

participant observation.”²⁷⁶ In reviewing, Tuiteleapaga’s book, Holmes found large tracts of *Samoa: Yesterday, Today, and Tomorrow* had been lifted directly and without credit from missionary George Turner’s nineteenth century account of Samoan culture.²⁷⁷ In addition to rampant plagiarism, the book achieves a few really interesting feats of human imagination. Firstly, Margaret Mead supposedly wrote the introduction in an eerie impersonation of Tuiteleapaga’s writing style and voice. And, secondly, according to the dedication page, she managed to write the introduction from the grave, after posthumously reading Tuiteleapaga’s work in its entirety, from, “her office in New York shortly after her death.” Holmes generously suggests that the dedication page must be an error of proofreading, of which was committed rather egregiously throughout the entire book. After reviewing many more problematic and mysterious assertions, Holmes concludes:

I believe that this book does a great disservice to the Samoan people. I hope that its many shortcomings will serve to motivate some future Samoan ethnographer to do the job right—with objectivity, accuracy, sensitivity, taste, and footnotes.²⁷⁸

Here I will, respectfully, depart from Holmes’ insightful analysis, and make a risky suggestion to consider Tuiteleapaga’s contribution as a strategy of hoaxing. This most assuredly was not Tuiteleapaga’s original intent, but I think such an interpretation may add another dimension to the Mead debate. I rely on rumor, as is circulating quite publicly via the digital commons, to fill out a fuller understanding of

²⁷⁶ Ibid.

²⁷⁷ Napoleone A. Tuiteleapaga, *Samoa, Yesterday, Today, and Tomorrow* (Great Neck, New York: Todd & Honeywell, 1980).

²⁷⁸ Holmes, "Review."

Napoleon Tuiteleapaga.²⁷⁹ I am interested in his reputation fabled and otherwise, which I argue enriches this examination of salvage ethnography and its blurring of the borders between fact and fiction. Not only does his ethnographic text *Samoa: Yesterday, Today, and Tomorrow*, claim impossible and some might persuasively argue crooked feats, so too does his online biographical account.

A musician, political figure, writer, lawyer, and detective--a jack of all trades, Napoleon Tuiteleapaga undoubtedly led a very colorful life. Tuiteleapaga is a national and public figure of American Samoa. While we should keep a wary distance to many of the specific claims on his online biographical profile, I can verify through research in the island government records that Tuiteleapaga held a variety of government positions from a very young age. According to the online profile, over the course of Tuiteleapaga's lifetime he had been:

...a teacher, clerk, secretary, stenographer, statistician, reporter, editor of the only government paper, the "O Le Fa'atolu," research officer for the legislature of American Samoa, translator, interpreter, chairman for the High Court of American Samoa, and head of the magistrates and village courts. His Government work had taken him to nearly all the 50 states of the union and as far overseas as Puerto Rico and the Virgin Islands, and the foreign countries, Tonga, Fiji, and New Zealand; and offered him the rare and coveted opportunity of sitting, chatting, eating, and drinking with kings, queens, prime ministers, and many other dignitaries.²⁸⁰

He appears throughout the early naval administration records as a court stenographer, but also in 1930 as a representative of the Samoan Civic Association in Hawai'i during American Samoan Commission hearings. According to the digital commons:

²⁷⁹ "Napoleon Andrew Tuiteleapaga," in *Wikipedia, the free encyclopedia* (2014).

²⁸⁰ Ibid.

His desire to be of use to his people caused him to study law by correspondence, and receive an LL.B Degree after almost five years...He was a big fan of Perry Mason, and that is the style he followed. Following that, he took another correspondence course in detective work...He nearly got into serious trouble when he practiced “shadowing” on the Captain of the Yard, naval officers, and men and their wives during the naval administration. These studies proved very useful and effective in his work as investigator, prosecutor, probation-juvenile-presentencing investigation officer.²⁸¹

Not to diminish the serious power differential between Samoans and the naval administration, Tuiteleapaga, Tuiasosopo, and many other Samoan customary leaders were commonly reproachful towards representatives from the U.S. government in more ways than surveillance. For instance, Tuiteleapaga reportedly told off the Department of Interior for failing to recognize the *pule* and *mana* of the Samoan Chiefs, and separately a naval commandant for dressing down to a ceremonious occasion. And finally, he was, also, the author of a fateful account on Samoan culture. Again I would like to suggest that the book *Samoa: Yesterday, Today, and Tomorrow*, “the first written ethnographic account by a full-blooded Samoan,” be considered as a hoax of sorts.²⁸² Indeed, it was a mockery of the entire anthropological project of knowledge: sloppy, historically flavored fiction, replete with errors, and astonishing claims to have been carefully edited by the spirit of a deceased practitioner—the most famous American anthropologist—from the grave. The significance of Tuiteleapaga’s work is perhaps as Lowell Holmes fears a dangerous portrayal of Samoan culture, but also I argue the text itself disassembles the entire notion of scholastic authority and indigenous authenticity in the service of salvage

²⁸¹ Ibid.

²⁸² Tuiteleapaga, *Samoa, Yesterday, Today, and Tomorrow*.

ethnography, a genre of tragic romance itself. To be clear, powerful and rigorous critical scholarship by indigenous anthropologists, and more specifically Samoan anthropologists exists, and Napoleon Tuiteleapaga's text does not belong to this genre at all. Whereas colonial officials considered themselves guardians of Samoan culture by protecting their land from settler alienation, *salvage* anthropologists are understood to be the knowledge-keepers and cultural experts greater than the indigenous peoples themselves. Both projects contribute to the discourse of Polynesian Primitivism in that they render Samoans incapable of self-governance and cultural persistence. In many cases, the illegibility of Samoan criticality leads to an opening for crooked representations and spoofing caricatures.

Casting Imperial Desire

Within American popular culture, two popular texts of salvage romance stand out as classic examples of Polynesian Primitivism: Robert Flaherty's, *Moana: A Golden Age of Romance*, and Somerset Maugham's *Rain*, better known filmically by its eponymous name, *Sadie Thompson*.²⁸³ These texts emerged roughly from within this same period of salvage ethnography, *Rain* was published in 1921, and *Moana* premiered in New York City at the Rialto Theater in 1926 under a slightly different heading, *Moana: The Love Life of a South Sea Siren*.²⁸⁴

²⁸³ W. Somerset Maugham, *The Trembling of a Leaf; Little Stories of the South Sea Islands* (New York: George H. Doran Co., 1921); Robert Joseph Flaherty et al., *Moana a Romance of the Golden Age* (Phoenix, Ariz.: Grapevine Video, 1995).

²⁸⁴ Richard Meran Barsam, *The Vision of Robert Flaherty: The Artist as Myth and Filmmaker* (Bloomington: Indiana University Press, 1988); Frances Hubbard Flaherty, *The Odyssey of a Film-Maker / Robert Flaherty's Story* (Urbana, Ill.: Beta Phi Mu, 1960).

American filmmaker, Robert Flaherty is best known for his film *Nanook of the North*, the infamous 1922 portrayal of an Inuit community. The name and genre of “documentary” emerged in relation to *Nanook*, a project of salvage romance very distant from any contemporary association with the genre as non-fiction or at the very least a realist account of a topic.²⁸⁵ After *Nanook’s* commercial success Paramount pictures encouraged Flaherty to, “ go anywhere you want in the world...all you have to do is bring us back another *Nanook*.”²⁸⁶ In 1923, Robert Flaherty and his family arrived in the western islands of Samoa. This film project occurred just five years after the 1918 influenza pandemic. The Spanish Flu within less than a month caused a massive and incomprehensible loss of Samoan life. Nearly one quarter of the population by some estimates had died during a very short time period and was a fulcrum for the *Mau* movement. While discourses of population preservation and rescue had been present prior to colonial partition in 1900, after the devastation of the 1918 influenza pandemic, almost everyone living in the islands was preoccupied with national health in the succeeding years. Filming began in 1923 during the beginning of the infamous Richardson administration in the western islands. Searching for a “tropical *Nanook*,” Flaherty desired to construct a dramatic portrayal of primitive peoples in a state of nature battling monstrous octopi and man-eating sharks. His wife, Frances Flaherty, wrote that, “it was not to be—the conflicts and creatures that they hoped to find ‘simply were not there.’”²⁸⁷ In substitution, the Flahertys’ generated

²⁸⁵ Francis Gooding to Colonial Film: Moving Images of the British Empire 2010, <http://www.colonialfilm.org.uk/node/4765>.

²⁸⁶ Ibid.

²⁸⁷ Ibid.

an original solution to place the exaggerated romance not on the tropical landscape, but the Samoan people. Aligned with the primary thesis of salvage anthropology, and arguably salvage colonialism as a whole, the Flahertys' proposed to capture the endangered customs of Old Samoa—the “fabulous old Polynesian ways.” They created “old” clothing, hairstyles, and asked the lead actor to undergo a *pe'a* for the film project.

At its heart, *Moana* is another “coming of age in Samoa” narrative following the lived experiences of a Samoan man—not a ‘south sea siren’—his family and village. The film follows Moana through his *pe'a*, an almost six-week ceremonial affair, and his marriage to a *taupou*, village maiden. Overall, the film failed as a project of storytelling. Although not because the notion of a ‘tropical *Nanook*,’ was lacked romance, but as one critic suggests because it lacked proper ethnographic narrative construction. In *Nanook*, Flaherty was able through to render the Strangeness of Inuit life as a familiar and relatable story, whereas *Moana* contains no such guidance for the audience as they view a very particular but less structured and ruptured examination of Samoan life. Glaring omissions and misconstrued timing in the hunting and gathering, marriage, *siva*, and *tatau* sequences unintentionally breaks the audience’s experiential consumption. Another critic suggests that ultimately the film fails because it doesn’t deliver the carnal act, the final consummation of the so-called primitivist mating and union rituals. This leaves the viewer disappointed and the project is rendered incomplete and wholly unsatisfying. The film is, ‘suffused with magic and ritual,’ a heightened state of *ava* induced ecstasy that the characters never come back down from:

Flaherty abandons them in a state of trance-like excitement without release, suspended forever in an endless dream that documents its own filmic vision of a Samoan society more imaginary than it was real.²⁸⁸

I would argue that the film fails cinematically not just because of the Flahertys' inability to bring the audience to release with a charged sexual encounter of the Samoan couple. Rather it is a lesser fantastical and relatable romance to a beloved one, preceding *Moana*, featuring the emergence of the now wildly popular "hooker with a heart of gold" storyline, a Euro-American romance set against the backdrop of the formidable tropical Samoan islandscape.²⁸⁹

Somerset Maugham's *Rain* is a popular western romance set in Samoa. It is about the failed conversion of a sex worker by a zealous missionary bent on reform and rescue. The story features the sinful religious fervor of the male clergyman exposed by the tropical rains of Samoa, and the baptismal redemption of the sinning woman, who in various endings courageously makes a stand against the policing gaze of Christian morality. But the true crux of the story rests in the film's liberal feminist overtures, the reclamation of a wild, primitive female sexuality, existing in excess of the social and spiritual law. *Rain* was adapted into a stage play, and at least four, almost five film incarnations. The short story premiered in 1921 as part of a collection inspired from Maugham's 1916 Pacific escapades, *The Trembling of a Leaf*. Sadie Thompson and the many incarnations of her story are claimed to be a major turning point in brothel dramas and the genre of romance with the emergence of the strong,

²⁸⁸ Ibid.; Barsam, *The Vision of Robert Flaherty*.

²⁸⁹ K. N. Johnson, "Before Katrina: Archiving Performative Downpours and Fallen Women Named Sadie in *Rain* and the Deluge (1922)," *Mod. Drama Modern Drama* 52, no. 3 (2009).

sassy, “hooker-with-a-heart-of-gold” archetype.²⁹⁰ Escaping Europe during WWI, Maugham launched on a tour of the Pacific with his male companion, Gerald Haxton, an extramarital affair. Infamous for his colonial romances many of which were turned into filmic dramas, Maugham to say the least was attentive to the spectacle and performance of colonial rule. He admittedly hunted for inspiration within legally exceptional locales, not just the colonies, but brothels, looking for seedy, red light experiences.²⁹¹

It was Maugham’s Matson liner journey between the islands of Hawai’i and Tutuila that became immortalized. The night prior to the ship’s departure, the Honolulu police department raided *‘Iwilei*, the red light district. Hustling up the gangplank just prior to setting sail was a loud and an antagonistic persona, an *‘iwilei* prostitute fleeing the law. And, thus, Miss Sadie Thompson in the flesh makes her entry onto the scene. En route to Tutuila, Thompson managed to irritate just about the entire passenger roster with her drunken revelry—blasting ragtime music on a portable gramophone and keeping loud late night hours in her cabin with the ship’s crew. She most notably offended a doctor and a young missionary couple. As if the space of the commercial liner was not already limited by the ocean surround, once docked in Pago Pago, a deluge of ceaseless rain kept this cast of characters confined to more intimate quarters, the two-story building that was Trader Haleck’s hotel.²⁹² The ship was remanded in quarantine due to an outbreak of measles in Pago Pago, which

²⁹⁰ Ibid.

²⁹¹ Selina Hastings, *The Secret Lives of Somerset Maugham: A Biography* (New York: Random House, 2010).

²⁹² Ibid.

did not prevent the missionary couple from filing complaints with the naval commandant against the ‘hot lallapalooza from Honolulu,’ and requesting her removal if not from the islands, then most definitely from the hotel premises—a space of respectability. It was in these observations by Maugham that the fictional story of ‘Shady Sadie’, the redemptive portrayal of a brassy woman of the world, also a victim of circumstance emerged.

Cultural fantasies featuring Samoa were pervasive. They drew upon colonial discourses of Polynesian Primitivism, which I argue, is a project like Orientalism of power-knowledge. I, also, want to offer a Samoan reply, theorized as a hoax in the first section, I want to suggest in response to these readings of theatrical Samoa, a “casting out” of imperial desire.

Historically, Haleck’s was a site in which white travelers could seek segregated rest and recreation away from the “natives and trouble-some half-castes.” Hotels are important spaces of colonial encounter. Historian Maurizio Peleggi writes that between 1870 and 1930 these “European” style hotels were common fixtures, “ of the built and social landscapes of colonial cities,” especially port cities.²⁹³ Furthermore he writes that these hotels were constructed spaces that allowed patrons, ‘to relive the metropolitan lifestyle, thus, acting as localizers of modernity in the colonial milieu.’²⁹⁴

Haleck’s Hotel was not nearly as grand nor luxurious as the hotels Peleggi studies—those that emerge with the opening of the Suez Canal flourishing in the Indian

²⁹³ Maurizio Peleggi, "The Social and Material Life of Colonial Hotels: Comfort Zones as Contact Zones in British Colombo and Singapore, Ca. 1870-1930," *jsh Journal of Social History* 46, no. 1 (2012).

²⁹⁴ Ibid.

Ocean port cities of Singapore and Sri Lanka. However, I do maintain that these traveler's lodgings, although most definitely rustic, were still, "comfort zones" as much as "contact zones" where different social, ethnic and national groups interacted."²⁹⁵ Peleggi argues that hotels are overlooked commercial institutions by urban and colonial scholars due to a lack of public archival records, since they were underwritten by private, local firms rather than Public Works Departments, such as hill stations, which have received a great deal of attention in colonial histories. Secondly, they remain hidden in plain sight by the glossy romanticism of contemporary hotel brochures. The promotional materials characterize these colonial spaces as heritage sites in need of preservation, an enduring and important nostalgic spectacle to the island economy. These romantic narratives are constructed in contrast, to say the darker social history of the space and the labor that created its brick and mortar façade, maintained the divisions of segregated social space, and imbued the site with its vaunted historical value; to say nothing of the relationship between the hotel to the larger social space of the port city.

The focus of my study will be much more abbreviated than the important directions Peleggi leads us. Trader Haleck's Hotel capitalized on the commercial success of *Rain*, renaming the establishment, "The Sadie Thompson Inn." Although The Sadie Thompson Inn nee Trader Haleck's and Aggie Grey's are the two most famous hotels in Samoa situated in the port cities of Pago Pago and Apia respectively, and they do deserve a richer social history analysis as Peleggi proposes. For the purposes of this chapter, I want to focus on the historical re-narrativization by the

²⁹⁵ Ibid.

newer ownership of Sadie Thompson Inn, and its connections to the larger project of salvage romance. The Samoan narrative presents Sadie Thompson, as a legend, a ghost story really of unrequited romance not *of* Samoa, but importantly *with* Samoa. Maugham's Sadie Thompson was on the lam not just from the Honolulu Police, but San Francisco, where she accidentally murdered her lover or is falsely accused of his murder; it is unclear. She therefore runs away from the States to reside in the liminal legal spaces of territoriality in Hawai'i, first, and then Samoa. In the Samoan telling, 'Shady Sadie' becomes marooned with the passengers of *S.S. Sonoma*, but does not fall in love with a charismatic local American officer, who promises to flee the country with her to live in Australia as exiles. Rather 'Shady Sadie,' takes up with a local Samoan lover.²⁹⁶ The tragedy of her circumstance rests in his betrayal and rejection of Sadie, because she is culturally unacceptable, essentially unassimilable to Samoan society. Thus, Sadie's romance is short-lived and she is cast out of Samoa back to where she belongs, 'Mainland, USA', San Francisco, where we are led to believe she is held accountable for her crimes. While she is a useful lure for tourists, Sadie does not belong in Samoa; she is alternately welcome to visit, but not to settle and put down roots. She ultimately must be cast back to her port of origin. Through Maugham's and Samoan storytelling, "Sadie in Samoa" like much of the larger cultural productions of Samoa continue to invite fantasy and accrue capital. These causes of Polynesian Primitivism continue to generate colonial nostalgia, but also importantly, a Samoan re-writing of its project.

²⁹⁶ Sadie's Hotels: American Samoa's Best Accommodation, "Sadie Thompson Inn," <http://sadieshotels.com/hotels/sadie-thompson-inn>.

A Salvage Colonial Romance

While the previous section explored the intimate American cultural productions in Samoa, in this section, I want to look at examine intimacies produced and regulated through the culture of law. In the extant literature on U.S. colonial history, marriage laws and “half-caste Samoans” are considered to be a problem for the naval administration. I want to place these concerns in conversation with the popular representations of Polynesian Primitivism. Whereas the imperial fantasies for Samoan men and women in ethnographic romance were seen as sexually charged, wild, pagan primitives, an examination of colonial legality demonstrates the stakes involved in the sexual regulation of Samoan women, specifically, as their reproductive labor promised to increase the Samoan population. The navy was especially concerned over counting the progeny of interracial romances because their legal and cultural positioning was difficult and ‘trouble-some’ for administrators.²⁹⁷ While their sexual lives and bodies were the focal point of ethnographic romance and proto-colonial ethnographic photography and studies, Samoan women, are rarely mentioned in any substantial way within U.S. colonial histories, and they often go missing in these larger histories of American Samoa. The archive enables their disappearance, as men in power, mainly spoke with and to men in power on official matters. However, as we return to laws, regulations, and biopolitical practices of population ‘rescue’, we can see women figure quite prominently as subjects of debate. Their representations were still somewhat obscure given the extent to which many Samoan women became intimates

²⁹⁷ Salea, *Samoa's Half-Castes and Some Frontiers of Comparison*

of naval officers. I rely on oral histories to strategically add dimension and a window into the everyday lived experiences for Samoan women under colonial rule. Samoan women were not the only people written out of the colonial record. As Damon Salesa importantly points out so too are the experiences of children, who were the great focus of missionary and colonial reform.²⁹⁸ The *fa'afafine*, a Samoan gender formation of being culturally female, translated as “in the way of a woman,” are also missing. Non-heteronormative or queer relationships are also missing, and not because they simply did not exist.²⁹⁹ Furthermore, the colonial archive of the Samoan territory tends to collapse racial difference to three categories: native, half-caste, and white. However, the presence of racialized Others from greater Oceania, like the Tonga, Fiji, the Solomon Islands, as well as from Asia, such as the Philippines and China are also missing.³⁰⁰ Towards the end of this chapter, I review creative strategies in which some of “the missing,” assert themselves anew within representations of the indigenous past. In this section, I want to return to a reading of the fantasies of law and the stories that are constructed through its contestation.

German doctor and amateur ethnographer, Augustin Kramer compiled the most prolific cultural and scientific documentation of the Samoan islands. His three set volume on Samoa published in the early 1900s is still a widely sought after

²⁹⁸ Ibid.

²⁹⁹ Qwo-Li Driskill, *Queer Indigenous Studies : Critical Interventions in Theory, Politics, and Literature* (Tucson: University of Arizona Press, 2011).

³⁰⁰ Gilson, *Samoa 1830 to 1900; the Politics of a Multi-Cultural Community*. Richard Gilson notes their presence in his historical accounts up to 1900, but then during the colonial period of American Samoa there is little mention of the different racial groups aside from white, native, and half-caste. Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*; *ibid.* Darden, *Historical Sketch of the Naval Administration of the Government of American Samoa, April 17, 1900-July 1, 1951*.

reference on Samoan customary life and knowledge. In the introduction to *The Samoan Islands*, Kramer had a certain readership in mind for his study:

I especially hope that the new governments [Germany and the United States] will be able to profit from this book...a stimulus to compile similar materials for other islands before it is too late. Now is the best time for Polynesia and Melanesia; for the fruits fall from the tree if the roots are attacked, the moths lays its eggs before it must die...Fruit must be picked when it is ripe. Although green fruit often ripens later, once decayed it is irretrievably lost.³⁰¹

Hence, nearly thirty years prior to the arrival of Margaret Mead and Robert Flaherty, amateur ethnographers of the pre-colonial period, fervently documented the ‘disappearing’ culture of Old Samoa. A prominent and important collective of salvage ethnographers of the Pacific were the Polynesian Society. Having traveled around the islands, primarily in Upolu, Savai’i, and Manu’a, Kramer hoped that his work would prove useful to colonial administrators of U.S. Naval Station Tutuila and German Samoa. A naturalist and an ethnographer Kramer used terms for conservation and applied them to flora, fauna, and people. He argued the ‘roots’ of Samoan culture required benevolent protection by the colonial government, so that they might be able to rescue the ‘fruit’ and allow it to ‘ripen.’ On his second voyage, (1897-1899), which was published in 1906, Kramer wrote:

...there is nothing for Europeans to govern in a new native colony...The colored...have been governing themselves since ancient times all by themselves, and have usually done quite a good job of it. And when whites start intruding in their government, the native state is destroyed, and with it the organic components.³⁰²

³⁰¹ Augustin Kramer, *The Samoan Islands: An Outline of a Monograph with Particular Consideration: German Samoa*, trans. Theodore Verhaaren, III vols. (Auckland: Polynesian Press, 1994).

³⁰² Ibid.

Kramer called for a 'wise' colonial government that would work against missionaries and settlers in a 'mitigating' way. German historian, Hermann Hierry claimed that Germans had informally turned Samoa into an anthropological nature reserve. Steinmetz argued this formulation overlooks the ways in which colonialism necessarily redefined indigenous culture in the very act of traditionalizing it, "german policy as simple preservationism is a euphemism in the same way the word 'protectorate' was substituted for 'colonies.'³⁰³ Nature reserves, however, are constructed spaces of "untouched" wilderness and wildlife preservation that necessitate active population management. I am hesitant to claim that American colonialism unintentionally turned the territory into a 'nature reserve,' nevertheless, ideologically the paradigm of 'rescue,' and practices of salvage colonialism operated to coercively contain, manage, and reform Samoan people and lands. Power rarely expresses itself in a negative assertion, but generally towards a positive formation as advanced by theorist, Michel Foucault.³⁰⁴ And the rationale for the high-handed reshaping of indigenous customs, political order, and intimacies was for their own betterment as Samoans were an endangered culture and peoples on the brink of 'dying' out. Colonial legality existed so that Samoans may persist into the future. For the Samoan future, a *Samoa mo Samoa*, hygienic policies, land regulations, and unions became a fixation of the colonial government. And the bodies of the historically "missing" were critical to this project of biopolitical reform.

³⁰³ Steinmetz, *The Devil's Handwriting*.

³⁰⁴ Ann Laura Stoler, *Race and the Education of Desire : Foucault's History of Sexuality and the Colonial Order of Things* (Durham: Duke University Press, 1995).

Live, live, live our fields and woodlands need you,
Live, live, live, our hopes and blessings speed you,
Live, live, live, and may the great God lead you

Love, love, love, the wind and storms that bend you,
Love, love, love, and yield though they would rend you,
Love, love, love, the sun and rain that tend you

Grow, grow, grow, till never tree shall shade you,
Grow, grow, grow, till homage proud is paid you,
Grow, grow, grow, and climb to Him who made you³⁰⁵

In 1934, the Atauloma Girls School rebuilt a *fale* on the school property, and they sang this Tree Song in commemoration. Naval commandant Landenberger wrote that this tree like the school of knowledge, “ will not grow down...it will grow up.”³⁰⁶ The young girls educated at Atauloma were seen as the promised fruits nurtured through perseverance, discipline, and Godliness. Atauloma Girls’ School was built in 1901, and was the sister institution of an all-girls school Papauta in Apia. It was administered not by naval personnel but teachers from the London Missionary Society. One hundred students attended the school in its opening year; the girls

³⁰⁵ Atauloma Girls’ School Report for 1934. Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray.*

³⁰⁶ Landenberger

learned English and American history as well as how to sew and other household duties.³⁰⁷ A large two storied European style building, the facility served as both a dormitory and classroom for young girls to train as nurses or pastor's wives. It also housed a small primary school for boys. Prior to 1900, girls attended village schools usually run by the local pastor and their family, which generally did not exceed an elementary grade education. If girls were from prominent families they were sent to Papauta Girls School in Apia. The international rivalry in Apia was a concern for their families, who perceived the port city as a rather dangerous and shifting place:

Teenage Samoan girls clustered in a school dormitory were feared to be in danger of sexual attack during the occasional rioting in and the takeovers of the Apia port vicinity by foreign sailors.³⁰⁸

The London missionary society intervened in the fluctuating and tense political situation to create an institution, which would instill the gospel, as well as public health reform. Papauta sent young Samoan women, usually once married, for assignment to the Samoan villages and their churches and schools, but also as missionaries into greater Oceania, places like Niue, Tokelau, Tuvalu, Kiribati, Vanuatu, and Papua New Guinea.³⁰⁹ Following Atauloma, girls schools were additionally constructed by the Catholic Schools of the Marist Sisters and the Mormon School at Mapusaga. There also existed in Samoa the first nunnery in Oceania located in Apia.

³⁰⁷ Mar 24, 1901 WA Post. Mar 24, 1901. NY Times.

³⁰⁸ Record Group 284. Annual Report of the Secretary of Native Affairs and Governor Reports. 1934.

³⁰⁹ Ibid.

The pupils of Atauloma were girls from powerful Samoan families some like Faasu Wilson, a well-known graduate of the nursing school, who were expected to become *taupou*.³¹⁰ Pathways to power for women preceding public education and nurse training consisted of customary female roles. Samoan women served in the village women's council, the *auluma*, attended the village missionary school, worked family plantation lands and fished. Some girls trained to become missionary teachers or domestic workers for American settler households. Concomitant with the development of the *fitafita*, the Samoan landmen, who worked as an internal island wide police force, was the emergence of a "culture of domesticity."³¹¹ Samoan women began to assume men's work while they were off serving as *fitafita*. Aside from traditional village activities, the opportunities for women entering the job market were limited to domestics, missionaries, teachers, and nurses.³¹²

Anxieties over the health of the nation were directly attributed to population growth. In American national presses, the Samoan colony population was often compared to the census of German Samoa. Furthermore, the smaller numbers were attributed primarily through a discourse of family practices. Factors including faulty data collection methods, geographic area, and the civil wars of the nineteenth century could also account for the discrepancy in population statistics. Why was census data such a concern for the naval administration, but more largely for the American public? Census data was proof 'the American way,' specifically, the naval way worked.

³¹⁰ Barclay, Lesley; Jennifer Fenwick, Faamanatu Nielson, Barbara Poston-Anderson, Pele Stowers, Jennifer Wilkinson. *Samoa Nursing: The Story of Women Developing a Profession*. Allen & Unwin, St. Leonards. 1998.

³¹¹ Faaleava, "Fitafita: Samoan Landmen in the United States Navy, 1900-1951."

³¹² Ibid.

The naval administration sanitary laws were the first set of colonial policies in American Samoa regulating the ‘intimate domains’³¹³ of Samoan family cultural practices. Samoa frequently made headlines, which described the islands as rampant with diseases such as elephantiasis, influenza, hookworm, and gonorrhea. Samoan women were targets of health reform in the service of village wellness, but also in a much larger sense of the body politic. Sexually transmitted diseases were brought into the islands by European and American traffic. However, they were not the focus of health reform like Samoan women. For instance, a gonorrhea outbreak in the early years of the colonial administration led to the arrest of three known Samoan female prostitutes, who were jailed in an empty schoolhouse, and forced to undergo treatment.³¹⁴ The intersection of colonial health and morality by the navy has also been explored in other parts of U.S. empire. Anne Hattori has written about the transformation and displacement of customary Chamorro knowledge systems by colonial power and morality through hygiene policies in Guam, a process, which she calls, “colonial dis-ease.”³¹⁵ Christine Taitano Delisle explores imperial domesticity through the intimate shared relations of EuroAmerican navy wives and Chamorro women.³¹⁶ Catherine Choy in *Empire of Care* examines the history of

³¹³ Stoler, Ann Laura. *Carnal Knowledges and Imperial Power*. University of California Press: Berkeley. 2002.

³¹⁴ Record Group 284. Annual Report of the Secretary of Native Affairs and Governor Reports. 1910.

³¹⁵ Anne Perez Hattori, *Colonial Dis-Ease : Us Navy Health Policies and the Chamorros of Guam, 1898-1941* (Honolulu: Center for Pacific Islands Studies, School of Hawaiian, Asian, and Pacific Studies, University of Hawai'i Press, 2004).

³¹⁶ Christine Taitano DeLisle, "Navy Wives/Native Lives: The Cultural and Historical Relations between American Naval Wives and Chamorro Women in Guam, 1898--1945" (Ph.D., University of Michigan, 2008).

Filipino nurses tracing their training and migration to the transformation of hygiene and medical practices under in the Philippines under U.S. colonial rule.³¹⁷ Nayan Shah's important study of racialized health discourses on the Chinese community in San Francisco is another pivotal study of community battles with U.S. public health policies.³¹⁸

At the very start of colonial rule, Commandant Tilley advertised U.S. Naval Station Tutuila as a prime location for American nurses to perform "humane work."³¹⁹ The American newspapers had maligned Samoans for their poor child-rearing skills attributed to the high infant mortality rate. The article stated:

The infant mortality is great and this is due in a large measure to the ignorance and carelessness in dieting the young...With the sanitary laws now in force, and the laws concerning the health of the people generally throughout the island it is hoped that during the next decade there will be a considerable increase of the native population.³²⁰

In 1914, the naval administration recruited young Samoan women to train as naval nurses. The discourse surrounding founding of a nursing school was strikingly similar to that of the *fitafita* in 1900. The training of Samoan nurses fulfilled not only a medical personnel shortage for fractional pay, a cost savings, but Samoan women were perceived as the most effective way to disseminate western 'hygienic' and 'sanitary' knowledge and practices. It was also a method for displacing 'bush

³¹⁷ Catherine Ceniza Choy, *Empire of Care: Nursing and Migration in Filipino American History* (Durham: Duke University Press, 2003).

³¹⁸ Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001).

³¹⁹ *Samoan Have Consumption*. New York Times. June 26, 1901.

³²⁰ LA Times. Advices from Samoa. Census shows heavy infant mortality due to ignorance—Native Officers are improving. Apr. 12, 1901.

medicine,' local healing knowledge and methods, which engaged the spiritual practices of Old Samoa.

The headmistress of the Atauloma Girls' School in Pago Pago would nominate the young women to the naval administration for training at the American Samoan Hospital Nurse's Training School. The premier class of Samoan nurses included three young Samoan women, Initia, Feiloaiga, and Pepe, who are valorized in American Samoa as the "pioneers of nursing."³²¹ The first graduation exercises of the American Samoa Nurse's Training School were held at the naval officers hall. In attendance were the entire Naval administration, *fitafita*, Native officials, Samoan chiefs, missionaries, and Samoans. Governor Poyer address importantly began with a recitation of the census:

I consider that the graduation of these young women—Pepe, Winnie, and Initia—marks the successful completion of an important part of a work which will be a large influence for the good of the Samoan people. When the American Flag was raised over these Islands, there 5,563 inhabitants of American Somoa [sic]; at the last census there 7, 251—an increase of about 30 per cent. It is believed that this increase was largely due to improved sanitary conditions and to the work of the Medical Corps of the Navy."³²²

Echoing sentiments expressed in a New York Times article almost 16 years prior, the importance of Samoan nurses remained couched within a discourse of sanitization and anxieties over population growth.

³²¹ Fulisia Aiavao Lesley Barclay, Jennifer Fenwick, and Kaiarina Tooloa Papua, *Midwives' Tales: Stories of Traditional and Professional Birthing in Samoa* (Nashville: Vanderbilt, 2005); Jennifer Fenwick Lesley Barclay, Faamanatu Nielson, Barbara Poston-Anderson, Pele Stowers, and Jennifer Wilkinson, *Samoan Nursing: The Story of Women Developing a Profession* (St. Leonards: Allen & Unwin, 1998). *Class Day Exercises*. O Le Faatonu. June 1917.

³²² *Class Day Exercises*. O Le Faatonu. June 1917.

To this end and with this hope, we shall send these nurses to the Districts. We ask you to receive them in the same spirit we send them, and we send them with our confidence with our respect and with our affection.”³²³

Unlike the *fitafita* who were nominated by districts and sent to reside in Pago Pago, the Samoan nurses were trained in Pago Pago and on rotation throughout the districts. Senior Medical Officer, Surgeon Parker in his speech said:

These young ladies now well equipped will go about among their people nursing the sick and advising as to matters of hygiene and sanitation. That this is capable of the greatest good to the Samoan people there can be no doubt, since the Samoans now have available not only a corps of skillful nurses of their own race, but also competent and willing advisors who will devote themselves to the physical betterment of all the people of American Samoa.³²⁴

The naval administration strategically trained Samoan girls as nurses to ‘civilize’ rural Samoan villages as enforced through the sanitary laws. They were what Faaleava calls the “middle ground” between the naval government and the village mayor.³²⁵ Parker ended his speech with a poetic reference to the Samoan women’s role in the new national formation:

I will close with the sincerest wishes that our hopes will be realized to the fullest extent, that the good brought to the Samoans by the example and advice given them by these most faithful nurses will be everlasting. It is my wish in which all I know join that the names Winnie, Pepe, and Initia will be the shining lights of American Samoa.³²⁶

These three young girls and others following were seen as the rays of morality and civilization bursting through the darkness of the Samoan past.

³²³ *Class Day Exercises*. O Le Faatonu. June 1917.

³²⁴ *Ibid.*

³²⁵ Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

³²⁶ *Ibid.*

The girls attending the school were in the early years mostly from prestigious backgrounds, like Faasu Wilson. The story of Faasu Leiatua Wilson symbolizes the disruption of Samoan traditions through naval opportunities. According to her daughter Sally Wilson, in an oral history narrative entitled, *The Princess as told by daughter Sally*, Faasu entered the School of Nursing in 1924 at the age of 19, and graduated in 1927.³²⁷ Wilson was born to a high-ranking family in the western Samoan islands. Her father was a boat builder and her grandmother was a very important woman in the village. Wilson left her ancestral village, because she did not want to become the *taupou*³²⁸. She lived with her father's sister in American Samoa in order to attend the 'Atauloma Girls' College for 3-4 years.' Only upon graduation, Wilson was made a *taupou* of another village. "She then ran away to become a nurse."³²⁹ After certification Wilson returned to the western islands, and in 1929 she was the first American Samoa qualified nurse to be accepted to work at the Government Hospital at Apia governed in British Samoa.

Before closing this section, I want to tell a ghost story. Not a real one, but a hoax. In 2012, the spirit sleuthing team of SyFy Network's program, *Ghost Hunters International*, arrived in American Samoa to film the episode, "Ghoul's School."³³⁰ Atauloma Girls School caught the eye of the GHI after viewing a documentary film

³²⁷ Lesley Barclay, *Samoan Nursing: The Story of Women Developing a Profession*.

³²⁸ *Taupou* is a highly revered title bestowed upon only one young Samoan woman of a village. *Taupou* were chaste and virtuous, and accorded important traditional ceremonial duties.

³²⁹ Barclay, Lesley; Jennifer Fenwick, Faamanatu Nielson, Barbara Poston-Anderson, Pele Stowers, Jennifer Wilkinson. *Samoan Nursing: The Story of Women Developing a Profession*. Allen & Unwin, St. Leonards. 1998.

³³⁰ Barry FitzGerald et al., *Ghost Hunters International. The Final Season the Final Season* ([United States]: Image Entertainment, 2013).

produced by Zene Iese, a high school instructor and local filmmaker. The three part documentary series, entitled *Toe Manatu* but showcases interviews with former attendees, archeologists, historic photos and sketches of the school and its pupils, and footage of the surrounding area.³³¹

In the documentary, an Afao villager tells the story of a guardian spirit who oversaw the school. While the story is being told, Iese runs an image of the Atauloma corner stone set in place by the first island administrator, Commandant Benjamin Tilley. Whenever someone would be disobedient at the school, the spirit would punish them. Iese then traverses the jungle surrounding the Atauloma Girls School in order to examine the unmarked gravestones, the paths to which are mysteriously maintained while everything else in the area runs wild with overgrowth. “This is the essence of *Toe Manatu*, to remember that which is forgotten and to bring it back into my life as a Samoan,” says Zene Iese. The project description claims to , “ rediscover the lost histories of the native Samoan people on Tutuila island. In Memory of Atauloma delves into the mysterious and haunted history of an early London Missionary Society All Girls’ School located in Afao...”³³² The spirit stories are really secondary to the main portrait, Iese offers, which is the intimate history of the Atauloma Girls School and the historic lands of the Afao village upon which it rests. Spirit stories are common in Samoa, and they come out especially when elders begin recanting the past about certain sites and lands.

³³¹ In Memory of Atauloma Part 1, (2007); In Memory of Atauloma Part 2, (2007); In Memory of Atauloma Part 3, (2007).

³³² *In Memory of Atauloma Part 3.*

The GHI team investigation departs drastically from Iese's original vision to recover the Samoan past of Atauloma; the Ghoul's School episode is a complete hoax.³³³ Zene Iese's role changes from a public historian and documentarian of Samoan history to a cultural informant and guide for the team. Iese invents gibberish stories about a Samoan King Tui Atua who spiritually possesses and kills trespassers on the Atauloma school premises. Afao villagers also tell exaggerated tales of the haunted school in which the young possessed girls, speak in tongues, perform strange dances, issue guttural screams and pull out their hair. They claim Fijian woman with knowledge of voodoo and red and green-faced jungle spirits also haunt the premises. The ancient Samoan King Tui Atua is not only homicidal, but a pervert that stalks girls wearing hibiscus flowers in their ears, who are then recipient to "slap by the ghost," a supernatural face slap which causes muscle death. After the episode aired, John Enright, the former director of the American Samoa Historic Preservation Office angered by the gross misrepresentations wrote a scathing review.³³⁴ The building is on the National Register of Historic Places, and according to Enright:

What was actually on display was evidence of American Samoa's sincere disregard for itself and its past. At the beginning of the show it was mentioned that Atauloma Girls School was a unique architectural historic site in the South Pacific. This was followed by endless shots of a gutted, deserted, overgrown, and graffiti-defaced ruin of a building.

³³³ *Ghost Hunters International. The Final Season the Final Season.*

³³⁴ John Enright to Tiotala2012, <http://tiotala.com/2012/03/ghost-story-atauloma-is-a-tragic-story/>.

Any half-awake viewer would have had to wonder, if this place is so special how did it get so totally trashed?³³⁵

Enright blames contemporary Samoan villagers of Afao, who he says gutted, stripped, and trashed the place, the Congregational Church, who abandoned the property, and the 1980s American Samoa Government, who mismanaged FEMA monies following two major hurricanes.

Historical memory can be a public mess—the preservation of a rundown building dedicated to the strict colonial education of young Samoan girls and boys—has become a point of fantasy for GHI viewers, who traverse ‘international’ spaces, including the Philippines and Puerto Rico to chase the ghosts of American imperialism. Zene Iese and the Afao villagers mock the illegibility of the Samoan past to an American audience by feeding the GHI team nonsensical stories. The episode is a true waste of an hour, but not because of the ruin porn and the silly bushwhacking antics of the GHI crew wandering the Afao jungles at night, but because everyone continues to miss the real story, what Enright calls, “the deep history that makes a place resonate spiritually.” This is the story and method Zene Iese begins to awaken in his stream-of-conscious guerilla filmmaking. Yes, the “facts” and criticality are not quite there, but Iese attempts a project of collecting oral histories and exploring the past through the everyday lived experiences of Samoans.

³³⁵ Ibid.; "Rhetoric and Reality: The Frustrations of Cultural Conservation in American Samoa, a Case History," *Pacific Arts* January (1992).

The naval regulation of marriage during the colonial years was more in the service of population management to prevent land alienation by opportunistic settlers through inheritance laws, and also to preserve and racially revive the Samoan population. The expression of the Christian moral impulse towards wedlock was also present, but its discursive dominance was secondary and really dependent on the Secretary of Navy in power. In the Samoan territory, the increase in *'afakasi palagi* children, or "half-castes" was a grave concern to many.³³⁶ The Samoan political leadership were concerned that naval officers were shirking their responsibilities. The *Mau* petition against the navy invoked the sacred covenant between brothers and sisters, *feagaiga*, and challenged the administration.³³⁷ These issues loomed large locally, and presided over larger national trials as well including the *Ripley v Evans* and the American Samoan Commission.

Marriage regulation was the domain of the Secretary of Native Affairs. Established in 1903, the Secretary shared the weight of the commandant's power. It was the only civilian position, and considered second in political power to the commandant within the American Samoan naval administration. The Secretary of Native Affairs acted as 'the sheriff, the judge, and the prosecutor' and, thus, exercised unchecked power over all judicial matters.³³⁸ A.M. Noble, a white southerner, and

³³⁶ 1921, 1922, 1923, 1924, 1925 Naval Governor Reports of American Samoa

³³⁷ Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration* by Captain J.A.C. Gray; Kennedy, *The Tropical Frontier*; Campbell, "Chiefs, Agitators and the Navy."; Chappell, "The Forgotten Mau: Anti-Navy Protest in American Samoa, 1920-1935."

³³⁸ Judicial matters included the five judicial districts, each with a native judge presiding and a native magisterate in each village. All decisions made by the native judge must be reviewed by Secretary of Native Affairs Furthermore, the governor issued regulations, the

cousin to Secretary of the Navy, Josephus Daniel, was the primary author of racially charged policies in 1920s. Samoans colloquially referred to Noble as one of the “three white mice,” white supremacist naval officers informally in charge of the Terhune administration in the 1920s.³³⁹ The Court of Inquiry investigated allegations Noble and his colleagues committed gross abuses of power and disrespect. At once holding multiple offices—District Judge, Secretary of Native Affairs, Register of Titles, Vice-President of the Bank of American Samoa and Superintendent of Education—Noble had unparalleled access to the Samoan territory coffers, a great deal of concentrated power, and light oversight. He was both the legal representative of Samoans in business and domestic affairs and the confidential and legal advisor to the governor. For any cases brought to trial in the islands, he was simultaneously the council for the defense, prosecuting attorney and the judge. Unknown at the time of the court of inquiry, Noble had all this power and no formal legal degree, relying on his one-year clerkship in his father’s law firm. Growing up in the southern US, Noble’s ideas about racial purity and the inferiority of Samoans were clearly reflected in the multiple reports of his mapping of southern racial paradigms upon Samoans. He also discouraged Samoan from wearing *palagi* clothing and constructing western style housing. Unsurprisingly, he was accused, but ultimately found not guilty of “corrupt” activities: embezzling copra monies, habitual denial of Samoan court appeals to

fono, an annual legislature made up of the governor, secretary of native affairs, high chief, and ten delegates from each of the five districts. The Fono met every October and legislative sessions could range anywhere from 4-5 days or longer. Calnon, *Seeing the South Sea Islands: Being the Story of a Jaunt through Hawaii, Samoa, Tahiti, the Cook Islands, Australia and New Zealand*. *Seeing the South Sea Islands*. Faaleava, "Fitafita: Samoan Landsmen in the United States Navy, 1900-1951."

³³⁹ 1920 Court of Inquiry. Kennedy, *The Tropical Frontier*.

higher authorities, removing High Chiefs and stripping *matai* of their titles, as well as banning interracial marriage.³⁴⁰ Testimonies during the 1920 Court of Inquiry claimed:

there was injustice in the courts, they [Samoans] said they were dissatisfied with Judge Noble's manner of performing his duties in conducting the proceedings of the court; that Judge Noble considered the people here as being "Niggers" and not fit to associate with except on official occasion."³⁴¹

In his final report as Secretary of Native Affairs in 1921, he went on to recommend amending the anti-miscegenation laws he originally authored to require any foreigner applying to marry, "a Samoan woman, or woman, either of whose ancestors was a Samoan or an aboriginal inhabitant of any South Pacific or Line Islands," to swear to a local residency requirement of at least two years prior. This was the maximum length of time most naval officers were stationed in Samoa. The short terms in place to ward against familiar relations with Samoans as well as 'tropical neurasthenia', an hysteria of the nerves and degeneration of the Euro-American body through exposure to both the stresses of colonial rule and the extreme tropical climate.

There also importantly existed a great deal of anxiety regarding 'half-castes' because they were a powerful collective knowledgeable in both American and Samoan.³⁴² 'Half-castes' also inherited *jus sanguinis* American citizenship rights, which meant they also, had more power to leverage against the local naval officers. They could like Samuel Ripley of Leone sue the naval government, and actively pursue legal redress in congress, where non-citizen U.S. nationals could not. There

³⁴⁰ 1920 Court of Inquiry. 1926 *Ripley v Evans*

³⁴¹ 1920 Court of Inquiry

³⁴² Salesa, *Samoa's Half-Castes and Some Frontiers of Comparison*

were multiple testimonies in the 1930 hearings of enlisted personnel being deported off-island for these relationships once they were discovered by the naval administration.³⁴³

Reformed marital law looked to ‘rescue’ Samoan women, and dissuade their amorous partners specifically non-native outsiders. A report on the utility of the navy in Samoa alleged, “ it is against these that the Navy is protecting the 9,876 natives.”³⁴⁴ As a result, marriage policies focused on the growing illegitimate, in-betweenness of the ‘half-caste.’ At one point, the navy did require interracial couples applying for marital licenses to prove the American partner would take responsibility for their ‘issue.’ Noble was anxious about the increasing number of ‘half-castes,’ children born of these types of liaisons, many of whom were abandoned after the father’s term of duty had expired. Some of these men were already married with families in the mainland U.S., and others were openly discouraged by the naval administration from legitimizing their relationships. The governor reports to the Secretary of Navy would reference the increase in Samoan population from 1900 in 5, 679 to 9, 876 by 1930. Additionally, by 1930, the year of the congressional investigation, there were 819 ‘half-castes’, and 25 whites outside of the naval personnel reportedly living in

³⁴³ Commission American Samoa, *American Samoa. Hearings before the Commission Appointed by the President of the United States in Accordance with Public Resolution No. 89, 70th Congress. A Resolution Accepting the Cession of Certain Islands of the Samoan Group and Providing for a Commission to Recommend to Congress Legislation Concerning Those Islands, and Public Resolution No. 3, 71st Congress. September 18, 19, 20, 1930--at Honolulu, September 26, 27, 29, 30, October 1, 2, 3, 4, 1930--in American Samoa* (Washington: U.S. Govt. Print. Off., 1931).

³⁴⁴ USN Tutuila Report: Written for Mr. French on February 14, 1931. NARA Record Group 80. Box 2033. File number

American Samoa.³⁴⁵ The American citizenship of the ‘half-caste,’ enabled a greater freedom of movement between the colony and the states. Samoan “natives” unlike the half-caste were under complete martial rule. This meant their mobility was greatly restricted, and until 1951 Samoan nationals were contained to the islands, unable to travel to the states without permission from the naval government.

Practices of salvage colonialism sought to ‘rescue’ the Samoan people through hygienic reform laws and education, as well as marital laws targeting Samoan women as the problem. The discussion of the vulnerability of Samoan lands through the out-marrying of Samoan men was hardly ever a point of discussion in colonial policy. While the promiscuity of Samoan women was heavily fined and policed by various Secretaries of Native Affairs from 1903-1933, white women imagined their lives quite differently during this time period. Margaret Mead’s *Coming of Age in Samoa* is still quite a foundational text for the women’s liberation movement and the sexual politics of the American Cold War years.

Conclusion

At the Pacific History Association Conference, which took place in Wellington, New Zealand in December 2012, a Samoan women’s collective, organized as a *Talanoa*, or Pacific reading and talking circle, presented their dialogues on Margaret Mead’s *Coming of Age*. These Samoan women, predominantly older, were scholars, nurses, caregivers, housewives, and *faletua*, wives of *matai*. In reading

³⁴⁵ Record Group 284. Annual Report of the Secretary of Native Affairs. A.M. Noble. June 30th, 1921. Governor Reports. 1922, 1923, 1924, 1925.

some of the passages of Mead's text the women discussed certain phenomena and practices described in around practices of sexual violence and exclusion, such as sleep crawlers (*moetolo*), rape (*toso teine*), and the position of barren women (*pā./tiale*). The women broke down the meanings of certain phrases and words in Samoan and deconstructed their implications. *Pese o le moetolo*, songs about sleep crawlers, were not just about sex, but also male bravado like a dare. In the villages, the young men and women would collectively sleep in different areas. Sometimes the young men on a dare would sneak into the women's area, crawl over to the house of slumbering women, to seduce a young woman. It is unclear in these songs and recollections, if all of the *moetolo* were always welcome by women, in some instances it was about male bravado in other instances it was scary and intimidating. Historically, the *moetolo*, if from another village could be a declaration of war and method to shame the enemy, especially if the young woman was the village *taupou*. If the young man, the sleep crawler, was caught they could be fined and heavily punished by the village, especially if it involved coercion.

The *talanoa* continued to gather and shared stories that had been passed on to them as well as other remembered *pese* or folk songs. Songs about *toso teine* were warnings about girls, who are not necessarily promiscuous, but had been forced into sexual acts. One of the songs, *pese o le toso teine*, was a true story of a woman's rape and a warning to young women not to wander around unchaperoned. During a presentation of the *talanoa* at the University of Hawai'i, their collective was asked by a high ranking *faletua* in the audience to refrain from using the term *toso teine* in reference to rape because it was embarrassing, and also *toso* could be interpreted as

harmless foreplay or rough flirting. The women then presented recent research data on reported sexual violence across the western Samoan islands, which indicated that *toso teine* and confusion about sexual consent was a far more pervasive problem these days than practices of *moetolo*. This is a reason women needed to have more not less dialogues about sexual violence and reproduction, and because it not only involves Samoan women, but a range of partners, hence why these dialogues need to be aired publicly. *Pā* or *tiale* did not just refer to the inability of certain women to bear children, but the context in which these terms are used suggests it must be the effect of the woman's promiscuity. *Pā* is the end of a genealogical line because of barrenness. *Tiale* is the inability of a woman to have children because age or weight. Additionally, the Samoan pre-Christian practice of eloping was discussed as a recovery of a range of marital practices. The naval archives also suggest that in pre-colonial Samoa, newly wed couples had a trial period of a couple of months to decide whether their new arrangement would work or whether the one of the partners was going to have to find a new place to sleep. The marriage reform laws worked to curtail this practice and any promiscuous cohabitation or sexual liaisons, especially between Samoan women and foreign men that were a dalliance or an impermanent arrangement.

The *talanoa* recorded a lot of these sessions and found a lot of generative discussion about how essentially gendered and sexualized these violences were. This was to be clear, not a redemption or correction of Margaret Mead, nor really a reaction to her work, but the *talanoa* wanted to understand the resonance of her scholarship and in so doing found an opening for their own discussions, ideas, remembering the past based upon Samoan oral traditions. The *talanoa* panelists

discussed their work and remained firm and outspoken on these issues prepared for retaliation from the audience. Once again issues about *who* gets to speak about Samoans emerges. Samoan women are shamed again for speaking out not just about war, but also about their bodies, sexual violence, and national belonging. The engagement with the Samoan past through a recollection of *pese*, folk songs, is an important recovery of Samoan knowledge, dialogue, and storytelling. Many of the historically ‘, missing,’ turn to creative public dialogues and conversations to make critiques on colonial and customary practices, and to map powerful, necessary, and new ways of being.

Chapter Five

Conclusion

In this short closing, I want to tell the story of the first Samoan political representative sent as an emissary to Washington, D.C. In November 1887, Samoan High Chief, Le Mamea traveled to Washington in order to negotiate a Treaty of Friendship with the President of the United States. The *Taimua* and *Faipule* sponsored Le Mamea's travel offering ten thousand dollars to ensure, the ambassador would return with a secure agreement of U.S. protectorateship, which would put an end to the German and British interference in the islands. Many colonial histories of Samoa gloss Le Mamea's journey, because the agreement that he brought back was an ambivalent commitment at best by the U.S. and, also, his reporting of the journey to the residents of Apia ended in an international public relations disaster.

The first sign of trouble emerged before leaving the shores of Samoa, when a naval officer refused to ferry Le Mamea to the United States claiming the ship was full and the company charter prevented him from taking on natives as passengers. The captain was then arrested for contempt by the Apia government and told that he would no longer be cleared for business unless he ferried Le Mamea, which he eventually agreed to. Le Mamea's journey was popularly reported in the American

news as the arrival of a 'Samoan prince,' and in other reports as 'the Tattooed Prince.'

They described Le Mamea as:

a magnificence specimen of physical manhood, straight, as an arrow, and about six feet six inches in height. A massive head, surrounded by a shock of wooly hair, sits gracefully upon a pair of broad shoulders. He has a pleasant and smiling face, beaming with intelligence and adored with a small coarse mustache of the darkest hue. He converses fluently in English in soft dulcet tones and ha a thorough knowledge of the events of the day...his body from the waist to the knees is a gem of the Tatoeing Art. It is completely covered with the distinctive signs and figures common to the chiefs and members of the royal family...³⁴⁶

When Le Mamea first arrived stateside, the accounts sensationalized his physicality, but also the importance of the American treaty in order to counteract the German commerce and the British missionaries in the islands. However, when he returned, to report his journey in a public speech at Mulinu'u, public opinion quickly turned.

Gathered at the event were important figures and political representatives.

Mamea spoke in a metaphoric language peculiar to Polynesian orators and somewhat resembling the concise and fiery style of noted American Indian warriors. It was full of warmth, poetry, and piety, with a decoction of virulent personal about that have done honor the more rabid stump speech ever delivered during a fierce...contest in the United States.³⁴⁷

The tale of Le Mamea's journey opens with an attack on the lying white men who tried to keep him from traveling to Washington, DC. "But he got away on the wings of the wind (a sailing vessel), " and Le Mamea arrived in Washington, DC to negotiate the treaty. First, he met with Secretary Evarts, the first representative of the

³⁴⁶ "An Island Prince: M. Mamea, the Samoan Secretary of State. The Elaborately-Tattooed Body and Scanty Clothing of a Splendid Specimen of a South Sea Islander," *San Francisco Chronicle* November 10, 1877.

³⁴⁷ "The Samoan Troubles: Threats to Tar, Feather, and Lynch Premier Mamea. He Attacks Foreign Residents and Calls Them Names---the American Flag Creates a ____.", *San Francisco Chronicle* July 31, 1878.

U.S. government. Le Mamea described Evarts as a branch, but that he still was standing under the tree (U.S. government) that covered the American continent. The meeting with Evarts he went on further was like meeting:

...a great star which shone everywhere and a little star that only shed its light over Samoa. But the light in both came now from the same ore, and they were one in putting out the darkness that covered Samoa like a great cloud.

[Evarts] told him to call again at the end of the week when he...would move away the darkness as the sun moves away the night.³⁴⁸

Le Mamea then goes on to describe the horrible conditions he faced in the meanwhile. He said that he kept “, calling and calling until his heart...into his body, as a heavy stone falls into the sea.” There were many barriers preventing Le Mamea from returning home early, and he suffered from hunger and the usual pastimes he was accustomed to at home, such as an afternoon tea and smoke. He wore the same clothes for a week at a time, because Colmesnil, who chaperoned Le Mamea from Samoa to Washington, DC refused to allocate funds to him and kept the money for himself. Le Mamea says he

...suffered in his body like a tree that is smitten with the ore made in heaven (lightening), but his heart would rise in times, and this kept him from sinking. Finally, after the storms which threatened to make him look old...had passed away, he enjoyed a calm. And there was the treaty.³⁴⁹

³⁴⁸ Ibid.

³⁴⁹ Ibid.

During his time in the nation's capital, Le Mamea was spiritually conflicted, and after the internal battle, he came away victorious holding "life and fruit (hope)," in his hand.

Le Mamea reported that Americans looked down upon the resident foreign population in Samoa 'as outcasts.' The resident men were considered castaways, who were trying to take advantage of the Samoan people without working themselves. He went on to say that:

other foreigners had come between the planks of vessels (stowed themselves away) and landed in Samoa as birds that were wounded (fugitives from justice). He found out that the foreigners on the beach of Apia told lies and deceived the natives. The foreigners in Samoa were as dirt swept from an outhouse, and in their own countries they would be arrested and put in prison. They are dirt. If they insult you, you must insult them; if they show off and swell out (put on airs) before you, Samoans must do the same things. Do not be afraid of them; they are nothing but liars. They come to take your lands and do evils things with the women. Many of the natives were now in disgrace because they took the advice of bad foreigners. The only white men that they could respect were the foreign Consuls, because they were speaking shadows (representatives) of great and powerful Governments. As to the parties lately arrived they come to deceive and to get all the money they can, and then fall into the sea (go away). The heart of Samoa is heavy with sorrow; the bad foreigners are breaking it into pieces like the waves that eat at the root of a tree until it falls down and dies.³⁵⁰

After delivering this stirring speech, a large political storm followed. Foreigners began defending the reasons for the relocation from their home countries, and asserting

³⁵⁰ "An Island Prince: M. Mamea, the Samoan Secretary of State. The Elaborately-Tattooed Body and Scanty Clothing of a Splendid Specimen of a South Sea Islander."; "Mamea's Wail. Further Particulars of the Samoan Troubles," *San Francisco Chronicle* November 15, 1877 ; "Samoa. A Talk with Mr. Secretary-of-State Mamea--He Is on His Way to Washington to Get a Protectorate for His Country," *Chicago Daily Tribune* November 22, 1877; "The Samoan Troubles: Threats to Tar, Feather, and Lynch Premier Mamea. He Attacks Foreign Residents and Calls Them Names---the American Flag Creates a ____."

themselves as upstanding citizens while living in Apia. Others denied having any such history, which was just ‘, too much for the average Christian in the South Seas to bear.’ The local newspaper reported that even white men have been tarred and feathered for laying less harmful allegations that Le Mamea had during his speech.

The leading foreign residents are a unit in the belief that the irate diplomat richly deserves vengeance of Judge Lynch, and hint that if Mamea “come down town” he will...no difficulty in procuring enough of rope to hang himself.³⁵¹

After the speech, a patriotic American hauled down the flag, which had been hoisted with the Samoan flag upon Le Mamea’s return.

Like the hero who set the ancient dome on fire, his name is unknown to public fame. But hints are thrown out that it will be discovered in time. While the starry banner was flying at the place indicated the German and English residents smiled a tropical smile as they passed and reposed it.³⁵²

Le Mamea retired from the political scene after his short stint as the first Samoan emissary to Washington, D.C. And more generally he is remembered in the history texts as a diplomatic failure. However, this story and the recovery of this speech is an important critique of foreign relations in Samoa, as well as a Samoan perspective on the American project of commerce and friendship. Stories of Samoan dissent or critique of American colonial projects have been largely buried and omitted from larger histories. It is not the lack of a diverse range of opinion nor a collective passivity to U.S. rule, but in the case of American Samoa the glossing of major events and political figures as failures.

³⁵¹ "The Samoan Troubles: Threats to Tar, Feather, and Lynch Premier Mamea. He Attacks Foreign Residents and Calls Them Names---the American Flag Creates a ____."

³⁵² Ibid.

This dissertation has re-examined these failures and attempts at redress through the framework of Samoan causes. Examining the intersections of Samoan indigenous politics with American settler and military colonial practices, has contributed to theories of intimacy, raciality, and colonial legality. The main argument of this dissertation contends that American colonialism in Samoa created a unique and fraught legal reality emphasizing the preservation, not the dismantlement, of indigenous cultural and land rights

In 1900, the Samoan territory of the United States emerged as both a discursive and physical event. However, by examining overlooked legal tensions, I build on scholarship that places formal relations between Samoa and the United States beginning in the mid-nineteenth century.³⁵³³⁵⁴ Furthermore, in studying legal

³⁵³ The historical scholarship on American colonialism in Samoa pre-partition is focused primarily on the overlapping imperial competition between British, German, New Zealand, and American powers. Kennedy, *The Samoan Tangle: A Study of Anglo-German-American Relations 1878-1900*. Best, *The United States in the Pacific: Private Interests and Public Policies, 1784-1899*; Masterman, *The Origins of International Rivalry in Samoa 1845-1884*. The exceptions include Damon Salesa's scholarship, which offers significant insights into American imperialism, but is centered on Samoan history. Also, Saleimoa Vaai's study of conflicts between Samoan customs and western law importantly centers Samoan history, while comparing the diverse agreements made with these various imperial powers. Richard Gilson's book is a meticulous study of Samoan nineteenth century history attentive to the diverse communities flowing into the islands and the transformative effects of these interactions. Gilson, *Samoa 1830 to 1900; the Politics of a Multi-Cultural Community*; Salesa, *Samoa's Half-Castes and Some Frontiers of Comparison* Vaai, *Samoa Faamatai and the Rule of Law*.

³⁵⁴ The historical scholarship on American colonialism in Samoa begins after partition and consists of general texts authored by naval officers or for secondary education: Gray, *Amerika Samoa: A History of American Samoa and Its United States Naval Administration by Captain J.A.C. Gray*. Calhoun et al., *Lessons of Empire*. Shaffer, *American Samoa: 100 Years under the United States Flag*. There exists scholarship written during the naval occupation of Samoa between 1900-1951, which was produced by political scientists and anthropologists who were also underwriting American imperial interventions. The exception to the general scholarship on American Samoa is Joseph Kennedy's study, which dates American governance to the

conflict I write against the dominant historiography, which has portrayed these relations as passive and benevolent. Second, complementing, but also departing from scholarship of American empire, I have shown that native policies of cultural preservation in Samoa operated as both a mechanism of defense against settler colonialism and of indigenous arrest. For example, American Samoa was managed by martial rule for over half a century. These highly unusual circumstances of military occupation were justified as a means to ensure the survival of Samoan people and culture, which was under perceived threat from the fatal impact of settler colonialism. Anxieties around population management were not just an effect of primitivist discourse, but also in reaction to the 1918 pandemic that laid to rest nearly a quarter of the Samoan people residing in the western islands. I use the term “Polynesian Primitivism” to explain the ways a hegemonic project of knowledge, science, and culture was and continues to be mapped upon bodies and islands in Oceania. Within this research study, I connected American policies of preservation, salvage colonialism, as part of the larger project of Polynesian Primitivism.

Finally, *The Samoan Cause* examines colonial encounters tending closely to feminist analysis and indigenous experiences to critique U.S. imperial practice and thought. I have shown that Samoan unions and most especially, Samoan women were the focal point of imperial fantasy and colonial regulation. The major legal conflicts centered on Samoan governance were also concerned with intimacy. I analyze these colonial policies on health and marriage within a larger context of American cultural

mid-nineteenth century, but mistakenly ends his study of American colonialism with the decommissioning of the naval base in 1951. Kennedy, *The Tropical Frontier*.

fantasies and canonical texts on Samoa.

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