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LAND IN KWARA'AE

Dear Dale,

I read this as requested. It is potentially well worth publishing, but in my view it needs considerable work to get it there. That work is worth doing, if the author agrees. No doubt you will have other comments also to help him with revision.

First, there are too many straw men being set up to be knocked down. That is too easy, and just as easy to set the author up as a straw man and knock him down. I hope he could be persuaded to leave out all his personal evil spirits e.g. white people in general (anthropologists always like to play 'black' roles, and to feel that only they 'understand'); Solomon Islanders who live in town (which the author does at home, and I'd guess he has spent a lot less time in rural Solomons than they have); people who have a different view from his about what constitute good policies can be denigrated as being 'heavily westernised' (though I guess not nearly as 'Westernised' as the author). And so on.

But much my biggest concern is that having read 24 pages about how everyone else misunderstands and he is the one with the answers, one is all geared up in hope to have the true answer revealed (or at least some positive, specific, workable suggestions), and then all we are told is:

"Kwara'ae might do better to seek a kind of development more appropriate to their land tenure system and the traditional economic values they want to uphold. The choices they make now will have important consequences....."

Vacuous generalised platitudes like that are two a penny, and everyone indulges in them when they have no real answers to real questions. It was like the Wizard of Oz, the innocents ultimately get to the castle whence all the power and wisdom emanates, humbly seeking truth and salvation, and find that behind the curtain is just a timid little wizard playing with smoke signals.

Having blamed everyone else, I think he is obliged to state his case. I don't know anyone who thinks they have the full answers, and I'd be amazed if the Kwara'ae people are not as uncertain and divided as others about precisely what is the best next step. Otherwise it is just another of the endless stream of pot-shots fired at the Pacific in general by people on high salaries in prestigious jobs who pontificate in loose terms (page 1 is full of them). If he could cut the rhetoric and clarify his mind as to precisely what he wants to say, and what he thinks should be done about it, he could develop an important paper.

I don't have the time to go through it in detail. It starts with the simplistic assumption that there are 2 kinds of economic

values, the one called 'tribal' and the other called 'capitalist'. Perhaps if he could spell out clearly what each of those words means in that context, it would help his thinking and that of his readers.

There is a thing he calls "traditional" tenure, culture etc. It seems to flow on from 30 generations ago. I do not have the population dynamics of the area, but for most of the Solomons there are now 5 times more people than 100 years ago, and on present projections there will be 10 times as many within 20 more years. Probably 20 times the number by the time today's little children reach old age. Any tenure system changes with that. Nowhere does the author come to grips with this.

Then there is Christianity. Is that 'tribal' or 'capitalist' as those seem to be the only boxes we are given to put things in?

Then there is centralised government. It doesn't matter whether it is capitalist, communist, feudal, monastic, or any other kind, once a government is centralised there will be inevitable changes. Some will vary with the kind of government, but central government is about centralising power.

Then we get onto a description of land tenure and social organisation in Kwara'ae - fine. The system he describes would apply also in large part to many other systems in the Pacific, but it is well worth having a good description of the particular Kwara'ae system recorded.

Kwara'ae readers are told on pages 6 and 12 that he is not claiming that his example is historically correct. The feeling I have is that he is saying this because he knows that there will be many different Kwara'ae versions dependent on what the claimant is likely to benefit from them.

Incidentally, female spouses are 'girls' whereas male ones are 'men'. I'd suggest he change that.

He says (e.g. p.17) that a lot of the allocation is pragmatic, allocating in part according to need and it depends on people living together in 'peace and cooperation'. Of course. That is hard enough at any time, as his story shows, but when you multiply the numbers by 10 or 20, it is likely to cause constant agony.

We are also in a situation of high mobility - again this results basically from technological change, not from capitalism, communism or any other ism. And since he comes from the other side of the world, I assume he would allow the Solomon Islanders to have a little movement too. Most humans seem to like it. But a mobile population requires adaptation of land tenure.

There are implications here and there of a former harmonious 'way', despite many examples to show it was not. Thus on p.19 we hear of threat of 'new disputes, court cases and even violence'. I suppose



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Dr. Ron Crocombe
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Honolulu, HI 96848

Dear Ron:

We have received the enclosed article for possible publication in Pacific Studies. We would be grateful if you would evaluate it as to its appropriateness for a scholarly, interdisciplinary journal. Because of the time factor, I have taken the liberty of enclosing a copy of the paper. If you are not able at this time to provide an assessment, perhaps you could suggest other scholars as qualified as yourself.

If you are able to provide this service, please keep the following in mind:

I will need your review within six weeks. I'm sure you know how frustrating it is to wait for a decision from a journal.

Your comments will be sent anonymously to the author. You may identify yourself if you wish. Comments that you do not want to go to the author should be sent to me in a cover letter.

If possible, type your comments.

You may use the enclosed form or you may organize your evaluation in any way you regard appropriate.

You need not return the manuscript unless you make comments directly on it and then you need send only those pages marked.

Since we have a competent copyeditor, you need not correct the grammar.

Thank you for your help in our publication efforts.

Sincerely,

Dale B. Robertson, Ph.D.
Editor of Publications
The Institute for Polynesian Studies

DBR:ill
Encl.

Too many straw men

LAND IN KWARA'AE AND DEVELOPMENT IN SOLOMON ISLANDS

Land rights are a pressing concern for the peoples and governments of Melanesia, where the contradictions between tribal and capitalist economic values are being acted out on the ground in disputes between local people over what should become of their land. This concern is shared by the Kwara'ae people of Malaita Island, the largest of more than 80 local ethnic groups in Solomon Islands. Kwara'ae community leaders or 'chiefs' have long been engaged in a lively debate with government authorities over land law, which has not been helped by the difficulties which each side seems to have in understanding the other's culture and values, the one heavily Westernised and the other based on local tradition. The problem is by no means confined to Malaita, and this paper documents Kwara'ae land tenure in the hope of contributing to a better understanding of the relationship between people, land and capitalist models of economic development elsewhere in Solomon Islands and Melanesia.

Living in a so-called 'underdeveloped' country, Solomon Islanders and their government have a driving concern for 'development' after the manner of the overdeveloped economies of the Western world. They have made some progress in this direction during more than a century of growing involvement in the world capitalist economy. But the economic benefits they now enjoy are bought at a price, social and cultural, economic and environmental; and Solomon Islanders are increasingly concerned about how this price is to be paid. While the professional elite and their Western advisors worry about the fragile state of the national economy and damage to the environment, the rural people who make up the vast majority of the population count the cost in their relationship to the land. For Solomon Islanders, land is more than their means to the prosperity promised by 'development', or even the basis of the subsistence economy which actually supports them (and the national economy too); it is the very foundation of their material and cultural existence.

More than 90% of Solomon Islands is 'customary land', inherited communally from ancestors who claimed it tens, hundreds or maybe thousands of years ago. There is an inevitable contradiction between this traditional land tenure system, created under a tribal economy and society, and the Western programme of development entailed in the nation state set up by the British colonisers of Solomon Islands. This is recognised, for instance, by the Malaita Provincial

What if they don't, with 5 times more population now.

do they?

~~Communist~~

Planning Office, which echoes an opinion going back to the earliest days of colonial government in the 1890s when it states that "Land tenure is the main constraint against development in the Province" (1988:19). Government responses to this problem have usually been to try to reconcile 'customary' land tenure with Western forms of 'ownership', so that it can be dealt with by a Western-style legal system and adapted to capitalist rural development policies. In particular, the desire to promote more exclusive patterns of land tenure has encouraged government advisors to see traditional relationships to land in terms of inheritance through a single line of descent ('unilineal', including 'matrilineal' or 'patrilineal'). Historically this view derives from anthropological models which were first researched in Africa and adopted by the British colonial service (see Tiffany 1983), but it also owes a lot to Western notions of property. The misunderstanding has been pointed out before (see eg. Scheffler 1971), but it continues to influence the Western educated Solomon Islands elite, and has even entered the generally excellent secondary school curriculum (*Our Families* Ch.3).

The present study of Kwara'ae agrees with research into other Solomon Islands descent systems that although people may place a higher value on inheritance through a particular line, they actually depend upon the possibility of 'cognatic' (or 'ambilineal') descent through both male and female ancestors. After looking at the basic principles on which Kwara'ae claims to their land are based, some historical examples will help to demonstrate the essential flexibility of the system and the effects of a century of colonial change.

LAND AND PEOPLE IN KWARA'AE

The conventions underlying access to land in Kwara'ae are governed by a few simple principles which are basic to Kwara'ae social relationships. First of all they depend upon a respect for precedent, in that practices and relationships established in earlier generations legitimate those of the present. As far as property is concerned, the precedent is created when a person first discovers or establishes something new, which gives him the right to decide what others may do with it. But as a member of a family-based community his obligations to others mean that he must share it with them, and his claim to the thing becomes that of the senior member of a group of people who share an interest in it as part of their relationship with him. Furthermore, as members of the group everyone is replacable and eventually their roles and relationships are taken on by their children and inherited by future

which
of the
heavy?

generations. These principles of precedent, collectivity and inheritance, the values of a tribal mode of social and economic organisation, are themes running through the history of the Kwara'ae relationship to their land.

Most Kwara'ae trace their origins, the foundation of their culture and way of life, to a common ancestor who arrived from overseas and settled on Malaita maybe thirty generations ago. According to a well-known story, this man arrived with his family on the west coast when the island was still uninhabited. They made their way up into the bush, directed by his magical staff to settle at one place after another, and eventually arrived in the centre of Kwara'ae at a place remote and safe from enemies. There they established a village at 'Ainitolo and built a great shrine nearby at Siale, which was later destroyed by a gale. For this or other reasons the sons and grandsons of the first ancestor began to disperse to new lands near and far in Kwara'ae and, some say, throughout the whole of Malaita. The claim of these ancient ancestors to their lands was that they 'discovered' (eta daoto'ona or 'first arrived in') areas of 'wilderness' (dukwas) which they settled by clearing land for their villages and gardens using stone adzes (as distinct from the steel axes which have made this task so much easier since colonial times). As the first generations of settlers spread out from Siale, so their descendants in turn dispersed from their new settlements and claimed further areas, until the whole of Kwara'ae was occupied and portioned up.

These people produced food for themselves and their pigs from gardens of root crops in temporary clearings in the forest, and from planted nut and fruit trees. From the forest itself they gathered wild vegetable and animal foods, herbal medicines and most of the raw materials they needed for buildings and making their tools and utensils. As a people of the 'bush' (tolo) they obtained from the sea little more than occasional supplies of fish and shell for raw materials. Their livelihood depended upon detailed knowledge and careful management of forest resources, which are what Kwara'ae mean when they speak of 'land' (ano). The first settlers established the right not only to do things in the land but also to decide what others could do there. These rights covered anything naturally occurring in the land, including the ground and streams, trees, plants and living creatures; in brief, all useful natural resources within the area they claimed.

In English, Solomon Islanders usually call those who hold such rights the

'owners' of the land, but this is misleading since the role is quite different to European ideas of ownership. 'Owning' land in Kwara'ae actually means being a decision-maker in charge of land as 'senior' (fa'i na'ona'o) or 'leader' (ngwae etaeta) among a group of people who share the right to make use of it. When Kwara'ae speak in English of 'using' land, what they usually mean is 'establishing something' (fulirū'a) in it, in particular making gardens, building settlements and planting trees. Just as natural resources belong to the first person to discover them, so such things belong to the person who establishes them, but they should only be established with the approval of the leader for the land itself.

Leadership for land and the right to establish things in it were inherited from generation to generation, as the living took the places of their dead ancestors.

Inheritance governs access to land, and Kwara'ae land tenure is best understood as they themselves describe it, through the histories of their ancestors preserved in genealogies and in the landscape of the places they belonged to.

The settlement and burial sites of the early settlers were dedicated to them as 'tabu places' (kula ābu) by their descendants, and the names of these places were also those of the surrounding areas and the communities that lived there. In settling the land these ancestors established the identity of their descendants, who claim these lands today as clans (fū'ingwae) which are named after these places. Clan identity was maintained over generations as living men, led by priests, shared sacrificial meals of pigs and other food with the ghosts of their dead ancestors at tabu places which they used as shrines (feraābu). By treating ghosts as tabu and praying and sacrificing to them, the living confirmed the spiritual power of the dead both for them and over them, becoming dependent upon their support and protection and accepting their authority. These spritirual relationships also sustained those between their descendants, even when they were dispersed far and wide, through a sacrificial system which joined them as ritual congregations sharing an interest in the ghosts and the land of their common ancestors.

To understand the relationship of clans to their land it is important to remember that Kwara'ae usually live in extended families based on groups of fathers, brothers and sons who take wives from other family groups to live and raise children with them, while they give their sisters and daughters in marriage to other groups elsewhere. In the process each generation of children identify themselves first and foremost with their 'fathers' and 'brothers'

Like white
Australians, they start
with a doctrine
of terra nullius!

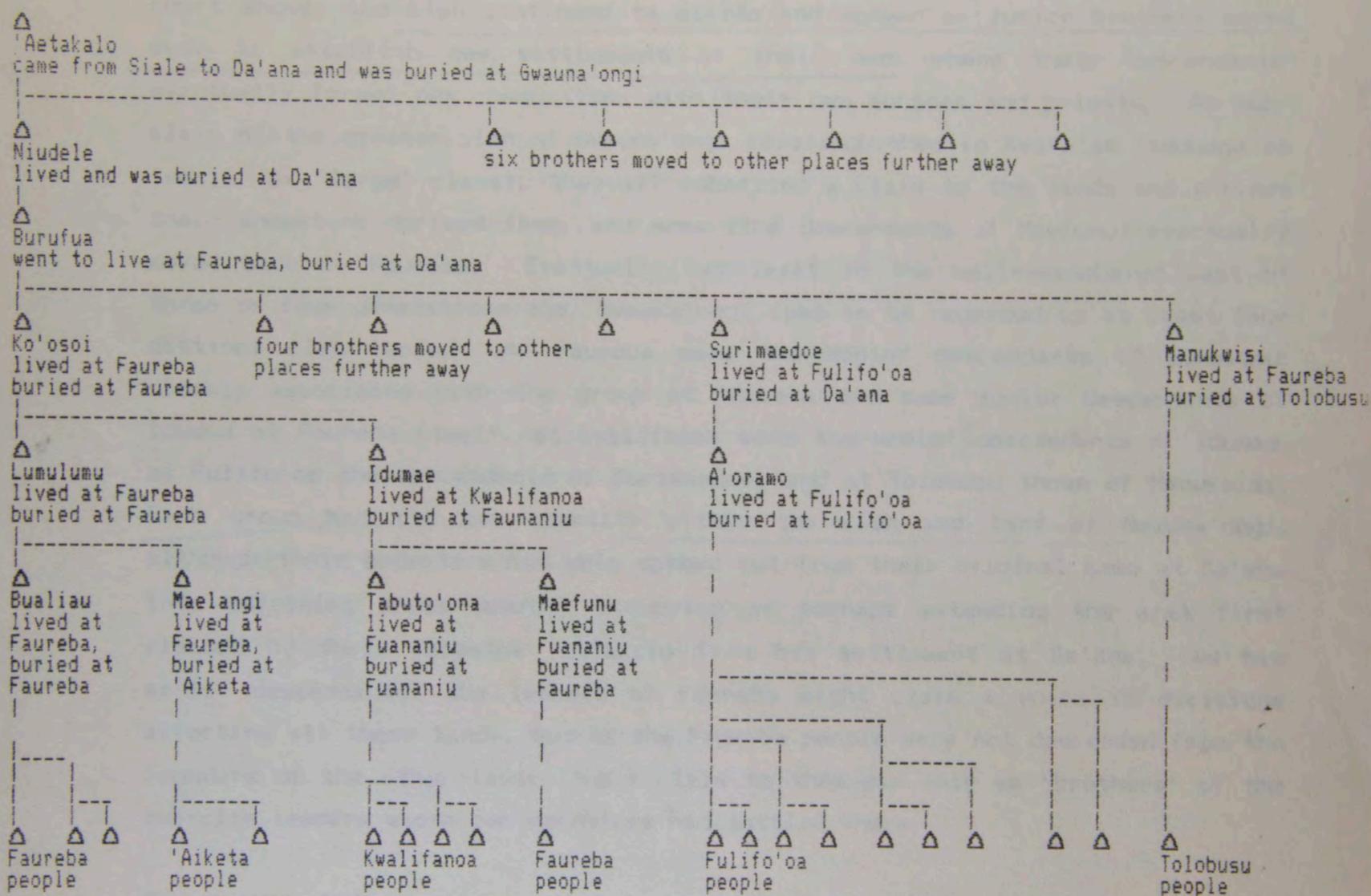
(including their real fathers' brothers and their sons) as part of a clan descended from the same ancestors in the male line. Although members of a clan may trace their common ancestry to someone who lived ten or twenty generations before, those actually living together in the same neighbourhood may well be just an extended family descended from the same grandfather or great-grandfather. As a group of 'brothers', 'fathers' and 'sons', men of a clan may all speak and make decisions about the land they share, under the leadership of the firstborn son of the line of firstborn sons. This man was usually, but not always, the one chosen by an ancestral ghost to act as their priest and sacrifice for them, especially to their common ancestors in the male line.

Men are very much the leaders of Kwara'ae society. Women do not become leaders for their land unless there are no male members of the clan and while married they usually do not even live with their own clan. But even so, they have a claim to their clan's land, and so do their children. Kwara'ae emphasise that people belong to the families and clans not only of their fathers but also of their mothers and earlier female ancestors, and they would also sacrifice to the ancestral ghosts of these clans. Anyone descended from the clan may live, garden and plant trees on their land, since they are of 'one blood' (*ta'i gwa'i 'abu*) whether they are related through men or women. The important distinction is that within the clan men are senior to women and the descendants of men are senior to those 'born of women' (*futa ana kini*) of the clan. Those descended from the founding ancestor of a clan in the male line inherit from him the right to speak and make decisions about the land he acquired, but they are only the senior members or leaders among a much wider group who may share the land. This group theoretically includes everyone descended from the leaders for the land in previous generations, through both men and women. When people have a particular interest in a certain land they are much more likely to remember the distant female ancestors who link them to the clan as junior or secondary members, but otherwise they usually identify with their male clan ancestors and recite or write genealogies mainly as lists of one man begetting another, generation after generation. Knowledge of clan histories and associated places, genealogies and ritual procedures forms the essential evidence legitimating claims to the land.

GWUANA'ONGI: A CLAN-LAND CASE STUDY

Bearing these generalisations in mind, we can go on to consider how Kwara'ae understand the historical processes which underlie their claims to the land today. The ideal pattern of land settlement and clan organisation is

illustrated from the researches of Adriel Rofate'e into the history of his own clan of Gwauna'ongi. This is summarised in the chart below, which traces the ancestry of men of the clan who were living on their land in the 1920s. (Brothers are shown in order of seniority from left to right, and ancestors between about 4 and 12 generations ago are not shown. Kwara'ae readers should note that I am not confirming whether or not this example is historically correct).



This land was first settled about seventeen generations ago, when a grandson of the first ancestor of Kwara'ae called 'Aitakalo left their home at Siale and went to settle a place called Da'ana, in the hills above the headwaters of the Fiu river which flows down to the west coast of Malaita. When he died his sons buried him nearby at Gwauna'ongi, which is the name given to the area of land around and to his descendants who lived there. 'Aitakalo's first son Niudele lived at Da'ana and was buried there, but six younger sons went away to live in different districts and their descendants are dispersed far and wide in Kwara'ae and beyond. Niudele's first son Burufua went to live not far from Da'ana at

Faureba and when he died his body was taken back to be buried at Da'ana. Burufua had seven sons and the firstborn lived, died and was buried at Faureba, and so was the firstborn son of each generation from then on.

The Faureba people were thus senior among the Gwauna'ongi clan, and it was their priest who dealt with the ghosts of 'Aitakalo and his senior descendants at the shrines where they were buried at Gwauna'ongi, Da'ana and Faureba. But as the chart shows, the clan continued to divide and spread as junior brothers moved away to establish new settlements of their own, where their descendants' eventually formed new communities with their own shrines and priests. As sub-clans of the greater clan of Gwauna'ongi (distinguished in Kwara'ae language as 'small' or 'large' clans), they all inherited a claim to the lands and shrines their ancestors derived from, and some (the descendants of Maefunu) eventually moved back to Faureba. Eventually, at least in the well-remembered past of three or four generations ago, Gwauna'ongi came to be regarded as at least four distinct clan lands. At Faureba were the senior descendants of Lumulumu, closely associated with the group at 'Aiketa and some junior descendants of Idumae at Faureba itself, at Kwalifanoa were the senior descendants of Idumae, at Fulifo'oa the descendants of Surimaedoe, and at Tolobusu those of Manukwisi. Each group had its own identity within the clan and land of Gwauna'ongi, although their ancestors had only spread out from their original home at Da'ana into adjoining areas nearby, occupying or perhaps extending the area first claimed by their ancestor 'Aitakalo from his settlement at Da'ana. As his senior descendants, the leaders of Faureba might claim a voice in decisions affecting all these lands, but as the Faureba people were not descended from the founders of the other lands, their claim to them was only as 'brothers' of the sub-clan leaders whose own ancestors had settled there.

The men who left their ancestral homes would take with them relics of ancestral ghosts for support and protection. Although they themselves might be buried and sacrificed to back at the places they had come from, their descendants would offer sacrifices at their own local shrine, where most of them would be buried and sacrificed to in their turn. The most important sacrifices of all were the periodic festivals (*maoma*) in which a clan united to draw upon the power of all their dead ancestors and invited relatives and neighbours of other clans to share the feasting and entertainment. Faureba, as the shrine of the senior branch of Gwauna'ongi, was regarded as the headquarters for Gwauna'ongi as a whole and the junior branches of the clan would contribute some pigs to

festivals there, joining their 'brothers' in celebrations of clan unity and strength. But they would also hold their own festivals for their own ancestors at their own shrines, as distinct local clans in their own right.

By the time the Gwauna'ongi people left their land in the 1920s to join Christian communities elsewhere, they may have included about 20 families, but there were also about ten clans descended from men who had 'emerged' or 'come out' from (saka ana) Gwauna'ongi long ago, who would regard it as their 'land of origin' (ano ani fuli) without recognising Gwauna'ongi leadership in matters affecting their own lands. But even those living far away still depended upon the ancient ancestors shared by Gwauna'ongi as a whole and they had to offer sacrifices to these powerful 'big ghosts' with the help of the Faureba priest. To include all their more ancient and important ancestors in their festivals, it was essential for each sub-clan to begin by offering separate and particularly tabu 'restricted' sacrifices ('ete'a) to 'Aitakalo at Gwaua'ongi, to Niudele and Burufua at Da'ana and, for the Fuananiu people, probably also to Ko'osoi at Faureba. In the same way, the clans in other parts of Kwara'ae who had 'come out' from Gwauna'ongi would also begin their festivals by taking pigs 'up' for sacrifice at these ancient shrines.

OTHER WAYS OF CLAIMING LAND

Gwauna'ongi is only one of several large and ancient clans originating in the central Kwara'ae bush. As Kwara'ae understand it, while the descendants of 'Aitakalo were spreading out to occupy the land of Gwaua'ongi and other places far away, so other clans were coming out from the original settlement at Siale and from other centres such as 'Ailako and Mānadari, said to be equally ancient and important shrines. Genealogies give the impression that all the major areas of Kwara'ae were occupied within about 4 or 5 generations, but they also make it clear that migration has continued ever since and that the areas originally claimed by the first settlers were not occupied only by clans descended from them in the male line. Single men or families would move to live in land already claimed by other clans, where their descendants remained to form new local clans, sometimes as leaders for the new areas of land there and sometimes not. According to Rofate'e, there is a series of lands adjoining Gwauna'ongi which were given by his ancestors to be inherited by members of other clans. The histories of how such later migrants came to be accepted in their new homes by the clans already there is just as important as the stories of first settlement, for they and their descendants may be more dependant on this land

than on their true 'land of origin' which they left many generations ago.

It is the movement of the men which is significant here, since although women usually left home to marry, they did not found new clans as a result. No doubt there were many reasons why men left their homes, but the causes most often remembered seem to be quarrels with other members of the family or flight from trouble and possible death from retribution or feuding. Dangerous as it was for a man to lose the protection of his own family and clan, many stories tell of fugitives being welcomed to settle with other clans. In precolonial times, when the area of land a family could use was limited by the amount of work they could do and the amount of food they could eat, feed to their pigs or give away, there was more to be gained by welcoming newcomers to share surplus land than by keeping them out. Newcomers added to the political influence and military strength of a local community under the leadership of those who let them share the land. But although the leaders for the land might be willing to let someone live and garden there as a guest, the newcomer would be more secure if he had a claim on them and their land by being related to them, rather than staying 'without reason' ('o'o). Migrants were most likely to go to places where they were clan 'brothers', or 'born of women', or in-laws of the people already there. Although there are stories of complete strangers (that is non-relatives) being welcomed in, they or their sons would marry into the host clan, so giving themselves and their descendants the security of being in-laws or junior relatives of the leaders for the land.

Although clans may live for generations on land where they are 'born of woman', it was also common for land to be 'given to' (*kwatea fuana*) people for reasons which are now regarded as legitimate ways of transferring leadership of land from one clan to another. According to the old stories, this could happen when ancient ancestors were directed to empty areas of land by those already living nearby, which they could then claim by being the first to clear and settle it. In recent times it has been more usual for the leaders for the land to set aside a 'piece of land' (*afu ano*) for the newcomer within the area they occupied themselves. Sometimes this was done to encourage a man such as a stranger fleeing from trouble to settle with them, but the land might also be given to return some kind of debt or obligation.

Most commonly a piece of land was given to a woman of the clan to be used by her and her husband and inherited by their children. This meant that in future

generations a clan descended from her husband would gain leadership for part of a clan land which they could otherwise claim only as secondary members born of woman of the clan; a way of changing the normal pattern of marriage residence to increase the strength of the woman's clan. Many other cases are remembered when pieces of land were given instead of the large quantities of shell money, pigs and food usually presented to fulfill certain important obligations, including compensation for death or injury (*to'ato'a*) and reward for killing an enemy (*fo'oa*) or for providing defence from enemies (*tarasina*). Although Kwara'ae say that land could be given only for certain reasons, the examples they recall include a variety of circumstances. There is a story that an old man once asked a young boy to scratch his back so that he could give him a piece of land in return, implying that people would find reasons for giving land as they chose.

It is also possible to obtain land by 'buying it' (*folia*) in exchange for a quantity of shell money. Like 'buying a woman' (*folia kini*) for bridewealth, this is not actually a commercial transaction, but many regard it as a new development influenced by the cash economy. Others point to ancient cases, but there is no doubt that this way of acquiring land has become more common as a way of dealing with the increasing local migration of the colonial period. In recent times people have accepted cash for land instead of shell money, and there may now be a tendency to treat land as a commodity to be bought rather than as a means of creating relationships. But in the past the givers of the land would always retain an interest in it. Although the new leaders for the land might give it to someone else again, they would inform those who gave it to them, and if they were to leave the land or die out the givers might take charge of it once more. On this basis the leaders of major clans such as Gwauna'ongi may claim seniority over the leaders and residents of wide areas of land given to others by their ancestors or settled with their approval, although the influence this gives them is very much a matter of local politics.

So although Rofate'e's account of the settlement and ritual organisation of Gwauna'ongi is a good illustration of the principles of clan-land organisation, it does not convey the real complexity of most Kwara'ae communities. Kwara'ae oral history implies that as the major clans branched and spread from their lands of origin they became thoroughly intermarried and intermixed as both relatives and neighbours, giving and receiving pieces of land to create a very complex pattern of leadership claims over innumerable small local areas. Rofate'e, as a local historian, often documents this in diagrams of clan-place

names joined by lines showing how some clans 'came out' from others; at once maps and genealogies, which illustrate the identification of people with their land. Looked at in this way, ancient shrines like Gwauna'ongi form the focus of great networks of scattered local clans whose common ancestry gives them all a claim to their common 'land of origin' and to one another's lands as 'brothers' who will help one another in need. These ancestral links were reasserted whenever sacrifices were offered to their ancient common ancestors and they were traced through genealogies which had to be recited during the sacrifices. But these great clan networks did not form single communities like the subclans living around Gwauna'ongi itself. Rather, they linked together members of many different communities, each of which might include members of several different clans related to one another not by descent in the male line but through intermarriage and descent through women.

This can be illustrated by another local history which reveals the complexity of relationships between the Kwara'ae people and their land and shows how the ideal of land being inherited through the male line fails to explain how most people actually claim and occupy their land. This is confirmed by other anthropological studies, for instance by Scheffler (1963) for Choiseul Island and Keesing (1970) for Kwaio, neighbours of Kwara'ae to the south. These authors show how people inherit claims to land from both male and female ancestors under a cognatic system of descent which, like Kwara'ae, might be mistaken as 'patrilineal' because of the strong value placed on descent in the male line. Taking this local history up to the present will also illustrate the colonial developments which make an understanding of traditional land rights such an important issue in Kwara'ae today. (See Burt in press for a more general study of Kwara'ae colonial history).

LATEA: A CASE STUDY OF LAND CLAIMS

There is an area of land on the east coast of Kwara'ae known as Latea, which is occupied by people of several clans with quite distinct origins. These people have become closely linked to one another through many generations of intermarriage, forming a community of relatives with many different kinds of claims to the land. For the purposes of this case study we are dealing mainly with a group of about 230 people living in about 9 villages, as well as some of their neighbours in the wider community around. However, there are many people living short or long term in Honiara and Western Solomons who could also choose to live in Latea if they were to return home.

The coastal districts of Kwara'ae have a rather different history to bush areas such as Gwauna'ongi, being so much more accessible to the outside world, and traditional relationships between people and land have been more distorted by colonialism and capitalist economic development. Latea provides a good illustration of historical processes common throughout Malaita which have resulted in chronic and divisive disputes over claims to the land. (Again, local people should remember that this case study is given as an example, without judging whether or not it is historically correct).

The coastal districts of Kwara'ae are in close contact with the 'saltwater' people who depend on fishing and trade and live mainly on offshore islands, coming to the mainland to exchange their fish for garden produce at regular markets on the beach. One of the principle market sites was and still is at Faumamanu, on the border of Latea and the adjoining land of Fairū, and people from the central bush passed through Latea on their way to market. Despite their interdependence and even common ancestry, there were long-standing enmities between saltwater and bush people. Until feuding was suppressed by the British colonial government, coastal areas of Kwara'ae were vulnerable to attack from the sea and the Latea people lived well inland, behind a barrier of mangrove swamp.

Like other Kwara'ae, the clans of Latea trace separate origins to places in the central bush, for which they are still named. About 14 or 15 generations ago a man from Faureba in Gwauna'ongi (a grandson of Burufua, see above) came to settle at Marade in the inland southern part of Latea. His descendants, (the Faureba-Latea clan) lived for many generations around an area usually named for their shrines at Marade and Darioga, but retained their link with Faureba by sending pigs up to be sacrificed there. Then about 10 generations ago a man from Bilubilu in the central bush (a clan also originating from Gwauna'ongi) married a Faureba-Latea woman and moved to Fulibae not far to the north of Marade, where their descendants (the Bilubilu-Latea clan) remained, with their own shrines at Fulibae and other places. There are disagreements over which of these clans is senior and their claims to Latea are complicated by the fact that both were born of women of a clan of earlier settlers from Dalobala in the central bush, whose last heirs in the male line died out long ago. But the Faureba-Latea and Bilubilu-Latea clans were close relatives and neighbours; both sacrificed to some of their own ancestors at shrines in the same places and both seem to have acted as leaders for the whole or part of Latea land.

All the people who came to Latea afterwards were born of women of these two leading clans. About 9 generations ago a man fled from trouble at Gwaunaasi in Kwaio (the language group to the south of Kwara'ae), to his mother's people at Fairū on the south side of Latea. There he married a girl of one of the Latea clans, whose family gave her a piece of land at Kwaru on the border with Fairū. Their son married a Fairū girl, so their descendants (the Gwaunaasi-Kwaru clan) inherited leadership of Kwaru as well as a claim through women to both Fairū and Latea lands.

The next arrivals originated from Tolinga. As part of the great Siale clan, closely associated with the shrine founded by the first Kwara'ae ancestors in the central bush, the Tolinga people continued to sacrifice and take part in the great festivals at Siale after they settled in Latea. About 6 generations ago a Tolinga man moved down to Fairū and married a woman of the Bilubilu-Latea clan. In the following generations several of his descendants married women from Fairū, Kwaru, Bilubilu-Latea and Faureba-Latea clans, giving their present-day descendants claims through women to all these lands. About 4 generations ago (perhaps about 1850) five Tolinga brothers, this man's grandsons, moved together into Latea, first to the Fulibae area and then down to 'Adakoa on the coast. The land they settled was unoccupied, but they gained approval from a Bilubilu-Latea 'brother' (son of their mother's sister). At this time their claim to Latea was that their father's mother was from Marade and they sacrificed there to her Dalobala-Latea ancestors.

Many of the descendants of these five brothers have remained in Latea ever since, and successive marriages with women from the Latea, Fairū and Kwaru clans, some of whom were given pieces of land, have made their claims to land very complex indeed. The history of the Tolinga clan also shows how being born of woman may enable people not only to live and garden on the land, but also to claim leadership of it. The son of one of the five brothers married his close cousin (his mother's brother's daughter), a Fairū girl; their son married a girl who was the only remaining member of the original Fairū clan and a son of this marriage was Samuel Alasa'a, born in the 1880s. In the absence of any men of the Fairū clan, the priesthood for their ancestors passed to the last male descendant of the Gwaunaasi-Kwaru clan, but in the 1930s Alasa'a succeeded him. Alasa'a claimed leadership of his mother's land on the basis of descent from Fairū women over several generations, although for much of his long life he lived in Latea or with his wife's family in 'Ere'ere on the other side of Fairū.

Some time after the Tolinga people arrived in Latea, Kwara'ae had their first encounters with Europeans, when ships began making regular visits to Malaita from 1870 onwards to recruit labourers for the plantations of Fiji and Queensland. During this period the Faureba-Latea people suffered some serious attacks from saltwater people. Four generations ago (perhaps about 1870) men from 'Atori attacked a Faureba-Latea village and killed four people to avenge the suspicious death of a saltwater man following a quarrel at the market. Some grandchildren who escaped were adopted by the senior man of the Bilubilu-Latea clan, including a girl who later married a Tolinga-Fairū man (father's brother's grandson of the five Tolinga brothers) who moved to live in Latea with his clan 'brothers'. From this time the Tolinga-Latea people were related to both the Bilubilu-Latea and the Faureba-Latea groups. Another survivor of the attack, this girl's brother Filiga, lived with them until his wife was killed by the 'Atori people in a feud which scattered the Tolinga-Latea people. Filiga and his children fled to live with saltwater people on the offshore island of Kwai. At about this time, probably in the 1890s, the Faureba-Latea priest (descended from an elder brother of Filiga's ancestor three or four generations before), died, and his brother afterwards killed his widow because of rumours of an illicit relationship between them. He then fled to Faureba in Gwauna'ongi, his land of origin many generations back, where he stayed and married a Faureba woman. For a while in the 1890s and 1900s, there were no men of the Faureba-Latea clan living in Latea.

During the 1900s the British colonial government gradually gained control of the coasts of Malaita, as the navy took action to stop the saltwater people from attacking other local people, as well as Europeans. Those who benefitted included a number of labourers returning from Fiji and Queensland who were trying to live as Christians on the offshore islands of the saltwater people, protected from anti-Christian forces in the bush. They gained additional support when a station was established by the Queensland-based South Sea Evangelical Mission (SSEM) on Ngongosila island in 1906. Among the Queensland Christians were two Tolinga-Latea brothers (sons of one of the five Tolinga brothers), who left Ngongosila in 1906 to live at the coastal market-place of Faumamanu, with the approval of their Latea and Fairū relatives. Other Queensland returns and new converts came to live there with them, beginning a movement of people into coastal Christian villages which eventually changed the pattern of settlement throughout Kwara'ae and Malaita as a whole.

Although the increasing influence of the British navy now gave Christians protection against attack by the saltwater people, they still had little defence from anti-Christian opponents in the bush and had to abandon the village at Faumamanu in 1911 after a campaign of harassment and killing. But in 1912 they founded a more secure and successful Christian settlement on the coast of Latea on an island at Gwaubusu, with the converted former warrior leader of 'Aita'e, the land immediately to the north of Latea. Other Tolinga-Latea people later also joined the church there.

Around this time another group began to move into Latea from Ato'obi, another of the Siale clans from the central bush, tracing common descent with the Tolinga people from about 16 to 20 generations ago. The Ato'obi people had long used a place in Latea to stay when visiting the coast for market, and one of their ancestors about nine generations ago was a Latea woman from Marade. About 4 or 5 generations ago a man of the Bilubilu-Latea clan living at Fulibae married an Ato'obi woman, whose brother later married his sister, and in the next generation, in the 1910s, the Bilubilu-Latea man's son (the same man who had earlier adopted the Faureba-Latea orphans) invited the Ato'obi man's son to live with him. At the same time one of his Ato'obi clan 'brothers' moved to the Christian village at Gwaubusu, and another came to live with his clan 'brothers' and married a Tolinga-Latea woman. About the same time the Faureba-Latea people re-established themselves in Latea by moving back from Kwai island to live with their Tolinga-Latea in-laws. Filiga took up the priesthood for the Faureba-Latea ghosts in the absence of his senior clan 'brother'. In about 1920 Filiga's son Ramo'itolo married a Tolinga-Latea girl and then took over as priest and leader for Faureba-Latea when his father died.

By now the British were managing to establish political control over the inland bush areas of Kwara'ae by subduing warriors and suppressing feuding. One crucial incident occurred in 1919 when colonial police led by District Officer Bell killed four people in a village at Na'oasi in 'Aita'e just to the north of Latea, in an attempt to arrest a man for a killing. The defeat of the warriors opened the way for colonial administration and taxation, and the administration of East Kwara'ae (Kwai District) was carried out from a government building at Faumamanu, established with the agreement of the leaders of Fairū land. The abolition of feuding and local political autonomy, combined with some serious epidemics of new diseases, contributed to a widespread crisis of confidence in the ancestral ghosts in the early 1920s which led some people to take up new

religious cults and many more to convert to Christianity. More people began to move to the Christian villages near the coast, including the people of Faureba and the son of the Faureba-Latea man who had fled to live with them. The Faureba Christians eventually bought a piece of land on the northern border of Latea and their leader married a daughter of the Faureba-Latea fugitive, giving his descendants a claim to Latea land which they have used ever since while living on their own land nearby. The ritual organisation of the Latea clans was disintegrating too. In the early 1930s a Tolinga-Latea family joined the church after their ghosts let two sons die, and Samuel Alasa'a acted as priest for his mother's Fairū ancestors only until a ghost killed his mother and child in the early 1940s and he too joined the church in Latea.

By this time Malaitans were experiencing the Second World War, as the Japanese and Americans fought for control of the neighbouring island of Guadalcanal. After the War Malaitan visions of a new relationship with the colonial powers led to the anti-colonial movement known locally as Māsing Rul (elsewhere as Māsina Rul). The entire population of Malaita moved down to the coasts and built large 'town' settlements as they tried to develop their own alternative to the colonial government. In East Kwara'ae there were 'towns' at 'Adakoa and Faumamanu in Latea and Fairū, where clans from Siale and other bush district joined local people. By the early 1950s, as the colonial government regained control, people had moved back to the bush and Latea became a local community again with its own local concerns. New links continued to be formed between the Latea clans, with marriages between Ato'obi-Latea men and Faureba-Latea and Tolinga-Latea girls, and a Faureba-Latea man and a Tolinga-Fairū girl. At the same time the traditional ritual system continued to disintegrate. During the 1950s and '60s, following the death of the Bilubilu-Latea priest and members of the remaining Faureba-Latea and Ato'obi-Latea congregations, several families from these clans joined the Jehovah's Witness church, introduced during the late 1950s by a senior Tolinga-Latea man. When the Faureba-Latea priest Ramo'itolo died in 1969 the traditional religion was at last abandoned in Latea.

The history of Latea demonstrates the essential flexibility of the traditional land-rights system, which has allowed the people of Kwara'ae to deal with changing social and demographic circumstances during the colonial period. Generation after generation, the men living in the land and claiming to be in charge of it welcomed their relatives and in-laws to live there and encouraged their children to marry one another and create new closer relationships between

their clans, maintaining a large family community which shared the land. Within this continually changing group of related clans, some inherited leadership for parts of the land first settled by their own clan ancestors or given to women ancestors from the clans of the first settlers, and some were leaders only for land elsewhere which they had left. But most of them would at one time or another have made use of land where they were related to its leaders but not descended from them from in the male line. The underlying consideration was to allow everyone access to resources according to their needs, providing they acknowledged the leaders by obtaining their approval. Leadership of land might change as land was given to others, or the leaders died out and the descendants of women took over, and it may not always have been clear which clan should be the leaders for an area of land or where its boundaries were. But as long as relatives and neighbours were living together in peace and co-operation these questions could be compromised or left unresolved, since the main purpose of controlling resources was to build up good relationships between people.

This ancient system for managing land and natural resources served the Kwara'ae people well throughout almost a century of growing colonial interference and domination and radical economic and social change. First plantation labour overseas brought steel tools and new crops such as sweet potatoes, increasing agricultural and manufacturing productivity. Eventual submission to a new political order imposed by the colonial government was accompanied by conversion to Christianity and the rejection of the ghosts of the ancestors who first claimed the land and founded the traditional way of life. But people continued to inherit their land from these ancestors, and even the general movement of Christian population towards the coast was dealt with by invoking these ancestral claims to the land. Their relationship with the land continued to be based on the sharing of subsistence resources among communities of relatives, and it is only in the last twenty-five years that this situation has really begun to change.

DEVELOPING AND DISPUTING LAND

Latea again provides a good illustration. The change has not been in the basis of people's claims to the land, which continue to develop as in the past. Recent arrivals include two Sakwalo brothers moving to live with their mother's Ato'obi-Latea clan, and as local clans continue to intermarry the latest generation now includes two families of Ato'obi-Latea children who have Tolinga-Latea and Faureba-Latea mothers and grandmothers. What has changed is the

expectations which people now have of their traditional claims to the land. The main signs of this, and the ones which particularly concern local people, are the disputes which now divide closely related clans who have lived together in Latea for generations past.

*Population density
West end more not disputes before?*

Following the Second World War, as the world economy expanded, the British began to develop the capitalist sector of the Solomon Islands economy. In the 1950s and 60s many Kwara'ae moved to Guadalcanal to work building the new colonial capital at Honiara, learning new skills and sending home higher wages than were available from plantation work before the War. At home on Malaita there was government investment through subsidies for local cash earning projects, producing first cocoa, then coconuts and cattle. For the first time Kwara'ae could make capital investments in their land, and they also began to compete for control of it. Government had been dealing with occasional land disputes on Malaita since administrative control was first established, but this only began to be a serious problem in Kwara'ae during the 1960s, as people began to see land as a means to financial gain and to question who should get the benefit. In doing so they made full use of the new Local Court system introduced in the 1950s, where disputes were now dealt with by senior local men as Justices attempting the difficult task of enforcing traditional values with the authority of colonial law. As Tiffany has shown (1983), this court system, based as it is on Western legal principles, encourages clear-cut, win-or-lose judgements which may be quite inadequate to resolve the conflicts involved in Solomon Islands land disputes. Even so, disputes in Latea show how Justices with good local knowledge may use the court's authority to attempt solutions based on traditional values of compromise and consensus.

+
Doubt
Population

Litigation began in 1960, when Ramo'itolo of Faureba-Latea was challenged over the boundary between Latea and Fairū by a man born of woman of Fairū. Ramo'itolo's leadership was upheld with the support of the Ato'obi-Latea, Bilubilu-Latea and neighbouring Faureba clans, but in 1965 the dispute was revived by his own brother-in-law, Samuel Alasa'a of Tolinga-Fairū. The dispute focussed on an area on the coast, where local government buildings had been situated since the 1920s, and where proposals to build an airstrip now promised a source of cash (which has never yet materialised). The court judiciously decided that the boundary should run through this potentially valuable site. In the late 1960s cattle farming began in Latea began with a government programme to provide cattle and subsidise clearing and fencing fields. In 1968, when a

Tolinga-Latea man bought land for one such project from Ramo'itolo, the leader of Bilubilu-Latea clan challenged Ramo'itolo's right to sell in court, claiming that he himself should be leader for Latea. He was supported by Tolinga-Latea and Ato'obi-Latea men, who said that Bilubilu-Latea ancestors had demonstrated leadership by permitting their own ancestors to settle in Latea. The court, again in a spirit of compromise and reconciliation, decided that Latea should be treated as two lands, the Marade side belonging to Ramo'itolo and the Fulibae side to the Bilubilu-Latea leader, Nongwae. After Ramo'tolo died his eldest son sold more pieces of land to men from outside Latea during the 1970s, and because he did not consult either Nongwae or his 'brother' of the other branch of Faureba-Latea, a court of local community leaders or 'chiefs' decided that the three men should deal with future land sales together. Despite these court decisions the debate continues over who should be leader for Latea land, whether Latea should be one land or two, where the dividing boundary should be, and even whether other areas formerly assumed to be outside Latea should also be included in these claims. Although there are cattle farms and coconut plantations in Latea which have not yet led to land disputes, the leadership debate is fuelled by plans for new development projects and by envy of neighbours who manage to make money from the land. The local community is continually disturbed by the threat of new disputes, further court cases, and even violence.

*Possibly always has
been according to his evidence
eg. p. 9*

But the underlying problem, in Latea as elsewhere, is that money is being earned in ways which effectively prevent some of those with a claim to the land from gaining access to large areas for long periods, even after the project is abandoned if, for instance, the land is deforested or choked with coconut roots. Following the traditional precedent that people are leaders for the things they establish on the land, they can claim sole benefit from their cash crops or livestock. Many large development projects in Kwara'ae, including coconut and cattle projects in Latea, are communal efforts or co-operatives, but even if the owners all belong to the 'leading' clan, which may well not be the case, the land is in effect exclusively controlled by whoever has developed it. In a detailed study of cash cropping in North Malaita, where such problems are severe enough to cause a shortage of garden land in some coastal areas, Frazer notes that land disputes are motivated by attempts to gain more exclusive control of the land (1987:25), and this is also the tendency in Kwara'ae. Disagreements over the leadership, which did not prevent clans in districts like Latea from sharing land and supporting one another for generation after generation, may now threaten people's prospects not only of acquiring Western commodities and

*As charged by his
evidence*

participating in the capitalist system, but even of being able to garden. Court judgements have not been able to prevent a great deal of bitterness and conflict between clans who have been close relatives and neighbours for generations past but now accuse one another of lying and inventing genealogical and historical evidence. Perhaps some of these accusations are true, but it seems just as likely that Kwara'ae are confusing deceit with uncertainties and ambiguities in traditional land claims, for they are testing these claims in situations they were never designed for.

One Kwara'ae reaction has been a movement, beginning in the 1960s and still continuing, to document genealogies and land claims and organise dispute settlement by local community leaders as 'chiefs', on the assumption that much of the problem derives from confusion over people's true inheritance rights. The documentation is a massive task and in the absence of public funding it has so far been attempted only in a rather informal and piecemeal way. Although 'chiefs' throughout Solomon Islands gained government authority to deal with land disputes in 1986, this is still subject to the higher authority of the courts. The Kwara'ae chiefs have made rather less progress in dealing with the underlying contradictions between the values of the traditional land system and the type of economic developments which have led to so many of the disputes. At the same time, government has dealt with this contradiction through development and land policies which have influenced the way many Solomon Islanders themselves now perceive the problem and its possible solutions.

Government in Solomon Islands has always tended to regard traditional land tenure as an obstacle to the desired objective of capitalist economic development. The British Protectorate, established in 1893, first tried to promote development by authorising expatriates to take certain areas of suitable land out of local control, conferring Western legal rights in it as 'alienated land', usually through purchase from local people unless the land seemed to be unoccupied. As long as land remained under traditional control as 'customary land', like the vast majority of Kwara'ae and Malaita, it was not directly affected by these laws. Only when disputes over such land were judged, by colonial officers and, more recently, by government courts, has the authority of government law been given to land rights established in terms of 'customary law'. But such judgements have been influenced by longstanding colonial misinterpretations of traditional land rights, which in turn have inevitably influenced the rights people attempt to claim.

One result is that what Kwara'ae describe as 'leadership' or 'seniority' for land has been treated as 'primary rights', which tend to be identified with Western rights to 'own' the land and are referred to in these terms by Solomon Islanders themselves (as pijin *onarem*). Other rights to 'do things' in the land, or to 'use it' (pijin *iusim*, now common in Kwara'ae speech) are thus treated as 'secondary', with the implication that they are less important to the land rights system. This interpretation derives from an oversimplified and mistaken view of Solomon Islands descent and inheritance systems which received official support when Colin Allan produced a major Special Lands Commission report in 1957. While recognising the distinction between the "line" group of "primary interest holders" (Kwara'ae 'leaders') and the "land group" which includes also "secondary interest holders" (all those of 'one blood'), Allan's report emphasises the predominance in Solomon Islands of "unilateral" (meaning unilineal) descent (1957 Ch.6, 308-311). The underlying reason for this view was revealed by Allan himself when he described an acknowledged example of "bilateral descent" (in New Georgia) as a problem because "Disputes will become prevalent, and the multiplication of interests will, in time, be restrictive to economic development or a modern land tenure system" (Allan 1957:90).

However, it is probably more accurate to regard most Solomon Islands descent systems, like the Kwara'ae example given here, as 'bilateral'. If we can free ourselves from the essentialist anthropological concept of 'descent' as a relationship in itself and consider instead what relationships actually 'descend', we will probably find that claims to land in most Solomon Islands societies are inherited cognatically, in both male and female lines; 'bilaterally', or 'ambilineally' as Scheffler describes it in his survey of Solomon Islands land systems (1971:277). When the seniority which Kwara'ae and others give to the male line is misinterpreted as 'unilineal descent', this oversimplifies the pattern of land rights and relationships in a way which makes it easier to convert land 'leadership' or 'primary rights' into Western-style 'ownership' by suppressing 'secondary' claims.

This has been the intention of subsequent land legislation (see Scheffler 1971:281-289, Ruthven 1979). During the 1960s, with the expansion of government rural development programmes, reforms to colonial land law resulted in the 'Land and Titles Ordinance' implemented in 1963. Although still mainly concerned with the reform and official registration of Western legal rights in land which had passed out of local control, it also provided a way for local people to gain

such rights in the 'customary land' they already controlled by registering the land through 'Land Settlement' as 'perpetual estates' held by individuals or groups under government law. These reforms, intended to give the security of tenure necessary for capital investment in the land, applied to large areas of land suitable for cash development, which would be surveyed and leadership rights agreed and recorded by government officials, at the request of the local people (Totoria 1979a). The effects of this process were assessed for a Land Settlement programme on about 485 hectares in West Kwara'ae, completed in 1972 (Totoria 1979b, Maenu'u 1979). Local people hoped to establish their 'leadership' claims to the land, some of which was occupied by others, so that they could develop it without fear of further disputes and perhaps use it as security for capital loans. But the registration of many small individual or family pieces of land actually obstructed cash development by fragmenting land holdings, and many people continued to use and inherit the land according to traditional practices. This led the Kwara'ae author Leonard Maenu'u, who worked on this West Kwara'ae scheme, to propose "Registration of Customary Land" in the name of clan groups instead of individuals, to "ensure that customary practices relating to land and other aspects of our societies will continue." This, Maenu'u predicts, would be far simpler and cheaper and give the same security of tenure required for investment in economic development, since, as he considers, "The main problem in land today is really one of identifying *which* people have the right to deal in *what* land" (Maenu'u 1981:34).

There is no doubt that Maenu'u's opinions, based on his professional experience of government land policy as well as on knowledge of his own culture and community, are widely shared among Kwara'ae leaders involved in local land matters. But a broader view suggests that this is only part of the problem. In their concern to record and safeguard everyone's 'true' inheritance based on the precedents established by their ancestors' claims to their land, Kwara'ae concentrate their attention on 'leadership' at the expense of other claims, as government has done in its concern to promote capitalist development. But registration of land in the names of its 'leaders' still leaves unresolved the fundamental question of what happens to all those who depend on other claims to the land. In some cases when leadership of land has been given government authority through court settlement of disputes, Kwara'ae land leaders have tried to claim exclusive rights to use the land, to the extent of threatening to evict long established villages. There are even some in Solomon Islands who recommend that land tenure throughout the country be reformed in this way. A Western

Solomons contributor to the *Solomon Star* (7 April 1989) advocates "registration of customary land" by "holders of primary interests" so that residents with "secondary interests" would be obliged to pay rent or resettle on their own 'primary interest' land. In Kwara'ae the immediate results of this kind of registration would be serious imbalances between the size of clans and the amount of land they could register as 'leaders'. Besides, since land claims were originally defined under the traditional subsistence economy while the present economic value of land is affected by factors such as closeness to coasts or roads, this would result in a very inequitable distribution of economic opportunity. If registration allowed 'owners' to claim exclusive economic benefits from their land, the chaos this would cause in an area like Latea can only be imagined. In the long term the result would be that a system which has always been flexible enough to respond to changing economic and demographic circumstances would be frozen into a pattern dictated by Western notions of property and capitalist development.

The reform of traditional land tenure is a problem as old as colonialism in the Pacific, and various solutions have been proposed or attempted. ^{Changed circumstances} Twenty years ago Crocombe concluded from a series of Pacific studies that "more provision is needed for legal and administrative recognition of appropriate group rights to accommodate the realities of existing patterns, which, although changing, will continue for many years" (1971:383). This need is as great as ever for Kwara'ae and other peoples of Solomon Islands, and the inevitable questions it raises seem no nearer solution, but at least Solomon Islands still has the opportunity to learn from earlier reforms. In Fiji, for instance, land registration began as long ago as the 1880s and, as Nayacakalou describes (1971), the colonial government there also oversimplified the land tenure system as 'unilineal' so that land was registered by patrilineal clans. This meant that people related in other ways to the clan whose land they depended on had no legal rights in that land, and that although local clans have continued to grow or decline and people move according to economic and demographic pressures, rights in land as recognised by the the law remain frozen as at the time of registration. While this may help resolve boundary disputes, legal authority to control the land can become either inequitable and divisive or, if people ignore it and continue their traditional practices, largely irrelevant.

The importance of retaining communal control of land and of registering, or at least "identifying *which* people have the right to deal in *what* land" (Maenu'u

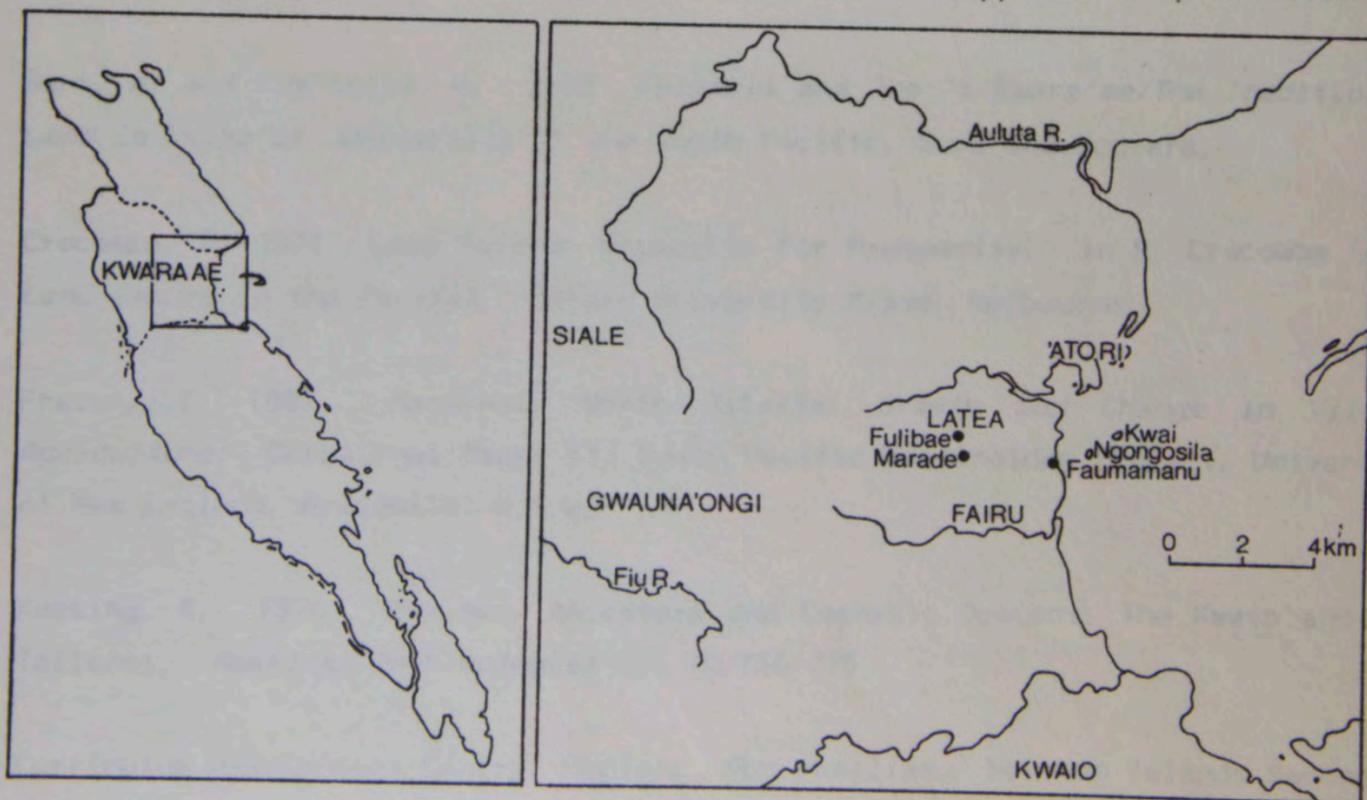
1981:34) seems generally accepted in Solomon Islands and elsewhere in Melanesia, but questions remain as to how the land-holding groups should be constituted and organised. Defending "the communal nature of society", Power (1986) maintains that "a proper understanding and acceptance of the Melanesian nature of society in Papua New Guinea can provide the basis for successful economic development that will support and strengthen Melanesian society during the process of transformation." He proposes that land holding clans be incorporated as companies to develop their common resources and invest in clan owned businesses, with provisions for "clan associates" who depend on the land without being full members of the clan. Whether or not this is a way forward in Melanesia, such initiatives still beg several questions, including how the 'success' of economic development is to be assessed, and, first of all, what is 'a proper understanding' of Melanesian society.

One problem with many published 'understandings' of land tenure in Solomon Islands may be that they divide those with claims to the land into separate categories with distinct and definite 'rights', in a way which traditional systems never did. Kwara'ae tradition does not seem to define land claims in terms of 'owners' and 'users' or 'primary' and 'secondary' 'rights', but rather as a hierarchy of seniority within the broad group of all those who have a claim on the land, each person's claim being assessed in terms of the closeness of their relationship to the leading claimants of the land. Closeness depends not simply on genealogical seniority and rules of inheritance but also on the obligations which people recognise to one another in living out the fundamental values of their society. When this is taken into account it becomes very difficult to describe people's claims to land in terms of the kind of rules which government can make laws about. This is a problem tackled by a recent booklet written in response to the Kwara'ae chiefs' desire to have their traditional land tenure system written down as 'law' (Burt and Kwa'ioloa 1992). Kwara'ae land tenure can indeed be described in terms of a few underlying principles such as precedent, collectivity and inheritance, and these can be defined as 'rules' (Kwara'ae *taki*). But the rules were governed by other values, particularly the mutual help and generosity which Kwara'ae speak of in English as 'love' for relatives and neighbours. Insofar as Kwara'ae still wish to uphold such traditional values, as their Christianity encourages them to do, then the problem can be seen not simply as one of land tenure, but also of development policy. Kwara'ae are facing the 'development dilemma' which Baines describes for Melanesia in general as "the hope of building on tradition while

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at the same time subscribing to forms of development which in so many ways appear opposed to that tradition and are, in fact, contributing to its demise." (1989:278) It seems reasonable to suggest that, instead of trying to adapt their traditional land tenure to promote Western models of capitalist economic development, Kwara'ae might do better to seek a kind of development more appropriate to their land tenure system and the traditional economic values they want to uphold. The choices they make now will have important consequences for the future of their land and natural resources, and the way of life of their descendants.

MAP: MALAITA AND KWARA'AE [original artwork will be supplied for publication]



Malaita, showing the area covered by the map of East Kwara'ae.

East Kwara'ae, showing some of the places mentioned in the text. (Land boundaries may be contentious so are not shown).

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