

In order to overcome the current problem the government together with the ~~people~~ grassroot people have to come together and get each other as actively involved as possible. Mutual consultation is most necessary. The government being a responsible body has to take the initiative in this respect. First it has to make a good survey of all lands but this is difficult if it is undertaken at one go, it would be better if a portion is done at a time. A long term scheme is appropriate at this point. The worse off lands have to be allocated first and considered what can be done and improved on them, but a concentrated attention and work has to be geared on those places which are left ~~by~~ unplanted and uncared by their owners. At present the main emphasis is on coconut planting but it is also worthwhile to encourage other trees and crops planting so that the land can be used effectively, ^{with many varieties:} Old and nonfruiting trees are better cut down and new ones be planted in their places. However, this ~~is~~ can be a failure when the people are not involved and encouraged to participate in the scheme. So, as far as this type of land reform is concerned adult education of the importance and value of land is essential. This is very vital because Gilbertese today have to be given a fresh attitude and approach to land as they are tending to turn away from their land into office work or an industry work on Tarawa, Ocean island, Nauru, and the rest. I consider this point as important because one cannot successfully make ~~a~~ or carry out land reform of any type unless he reform first the people, the grassroot people.

There are various factors which one has to take seriously for consideration to bring about man-reform. Their attitude and concept of land have to be discouraged if it is moving away from the right attitude to land, and have to be encouraged and ~~be~~ improved if it is heading on to a right end. This paper is too short to go into all the details but I think that some ~~will~~ ^{will} examples will do the purpose like one, if a person or owner is lazy to work on his land he has to be warned and ^{at the same time be} encouraged to till the land and if he does not obey, that land must be taken by the government and used extensively for the country. Second is that schools have to be geared ~~to~~ and related to land, for it appears now that schools are alienating modern Gilbertese from their own life and from the love of their land. If the government is able to do this then we can expect something better ~~tomorrow~~ tomorrow from our poor land. The government have to avoid a common mistake that land reform is mainly an office work by the intellectuals unrelated to the real people who live with their soil because ^{it} will not bear any fruit ~~and~~ which is also time and energy and money wasting. Of course patient on the part of the government and these who are responsible for the carrying out of this task is supremely important because every thing needs time and patient. All these things are only few measures required to the success of land reform in order to improve the productivity of our land.

Oh

At present the population of Abemama comprises of two different groups which are the indigenous Abemamans and the new settlers which is a mixed lot for they come from various islands in the Gilberts mostly from the south and a few Tuvaluans. The new settlers prefer to identify themselves as one group different from the Abemamams. It is very essential for their survival to have some land rights on the island through which they can support themselves. But limited rights have many disadvantages to the new settlers and so what they want to get is the full or major rights in the lands they are given. What can follow then is the getting more and more landrights which ^{is} very essential for their security. But that is not easy and one ~~of~~ way of attaining the rights is purchasing a land plot from its owner, the king sells land. But that is not the end of the picture for again a settler has to gain as well the support and approval of the king, and so he has to render respects to the king and give him too his support always but mostly in time of crisis and emergency. A settler to a certain respect has to do or to obey the king, just to solidate his position in his society and on the island. Still a new settler finds himself controlled and insecure, so he has to do something else by which he can live on the island securely and peacefully. One important way is getting the protection of the government and its legal recognition of possessing major landrights on Abemama. This is vitally important because possibly other rights of different nature are so related and maybe based on landrights like rights to vote, to sit in the 'maneaba', and the rest.

Expectedly when a group or groups of people live side by side competition and conflicts are to be experienced. In the case of the new settlers and the Abemamans competition takes place at various levels starting from land cultivation and planting, competition in getting or producing the highest crop, this is also seen in schools on the island that children of Abemamans ~~and~~ struggle to beat children of new settlers. Competition always accompanied by conflicts over things which people are competing for. Conflict is easy to flare up ~~trouble~~ between two sides, other conflicts ~~accured~~ at other departments of life on Abemama ^{which} are actually related ~~to~~ land rights problems. In this particular case fear ^{some times dominates} ~~is often dominating~~ the relationship of the two different sides so that either ~~side~~ side has to keep watching all the time on the other's moves. The other side of this competition is ^a vigorous struggle especially on the part of the weaker side, the new settlers are regarded by the Abemaman ~~is~~ island standard weaker or lower. Naturally the new settlers who are on the insacure side struggle harder. The true Abemamans are more relaxed because they hold major rights of the island ~~xxxx~~ by virtue, also they have the land firm in their hands. Psychologically, this has a great effect on them which can be seen on the way they live and work.

Identity struggle is very natural when two or more different types of people live together. Each one does not want to lose its own special identity and so in order to maintain it it ought to strive hard always. History often witness that being scattered among foreign kind or kinds away from one's own race or group is death to that particular identity. The strong tendency is to stick together as tightly and as frequently as possible. Its effects on the social life of Abemama island is a reserved attitude. In order to keep one's own identity survive and strong, he has to live it daily in whatever he does. Those are then parts of identity struggle. The new settlers is mostly made up Gilbertese from the south who seem to exercise southern influence on those who group with them and against some of the life patterns of Abemamans. But this does not mean that there is no single adoption and absorption taken, for the other has to find some ways of agreement that can enable them to live side by side in a good relationship. One interesting illustration is the way the Abemamans and the new settlers collect coconuts: for the Abemamans, coconuts are collected freely disregarding boundaries, whereas the new settlers strictly collect their coconuts from their own plots of land as the custom in the south is. They have to come to a certain agreement. Most of the land on Abemama that are owned by new settlers are planted and well looked after and they are becoming more well off. One of the reasons why Abemama is a top producing island in the Gilberts is the hard working of these new settlers.

Due to the discomfort and fear of being underated, deprived, and being insecure for being not a true inhabitant of an island, new settlers work so hard to secure their own rights and lives in their own hands, and one effective way of instrumenting it is to get hold of key posts on the island. They are very good at attaining that, so that most key posts on the island like island councilors, managers, and storemen, and few others are manned by them. In fact power is to a certain extent is equally balanced. Amazingly, the new settlers are increasing in number, in their production, in social status, and a few others. They are largely involved in many important matters socially, economically, politically, and religiously. The king, Tem Bauro Tokataake got elected in the last general election because the new settlers voted for him and helped him in many ways. It appears then that in due course they will run and control the whole island.

The real Abemamans see the growth of new settlers as a great threat to them in many ways and have to do something before they are too late. Maybe they are putting strict limitation on the rights of the settlers, and try to kick them out too. Again this appears to be very impossible.

LAND RIGHTS. (2)

In the Gilberts Islands there are three types of rights to land, as I am certain of. One is from the north whereby the king owned the land and the people had to work the land and had to ~~be~~ given $\frac{1}{4}$ of everything produced from the land. This went on after the coming of the flag to the Gilberts. In the 1950's when the last king died the confusion came to many people in the north and so something had to be done to help the people to continue on with what would help them to survive.

Since the king had no children the royal relatives discussed among themselves and the decision came to select a woman to replace the dead king. Many people on the island were against the idea as women to the Gilbertese are not usually esteemed from the mere fact that they talked too much about things that are not important. If the lady should be queen then everything would run smoothly. At last they decided to have no queen. The land however were given to whoever looked after before the king died but $\frac{1}{4}$ of all of them should be retained for the use of the royal relatives. These relatives were given the best $\frac{1}{4}$ of everything.

On the extreme end of the Gilbert Islands there is a little island of Makin. This island is in the northern part where people own everything or in other words people don't have boundaries. Only babai (a plant like taro) pits are divided. These plants are only growing in water or where water is reached. They cannot grow in places where holes don't reach the water. Salty water is not good for this plant, so people dug babai pits in places where drinking water could be obtained. Anyway people of this place usually woke up or they are still doing it so they usually wake up as early as three or four o'clock in the morning and went to the bush to collect coconuts. They usually ~~don't~~ come home at six or only a little bit later. They too kept the rule of living $\frac{1}{4}$ of land for the king or for the one in his place. At the present to the royal family or families because they are more than one family. Even among these families the royal ones they still have competition among themselves as the land is not yet divided among themselves. There were announcement on Radio Tarawa for all the royal family to come together to fix things among themselves. I know that the method used in the north is not very productive as if individuals would have given land to develop by themselves, As a matter of fact people on this island are only getting things out of the land but they don't work the land and so the trees wouldn't continue to produce forever. People will work on the land as least as they think proper for getting more nuts in future but if they know they own a little bit they would try harder to work only that piece.

In the central Gilberts where a king is ruling much of the good land is owned by him and the royal family owned a lot of rich land too. Only the rank and file might own just a little piece or they work for the king and he gave them some money from their work. In other words they work hard and they receive very little. The king in the central Gilberts is there but his authority is very limited now. He might even be a king ⁱin name only. Most of the king's land have been sold by him but when his father came back from the Solomons last year he wanted to take ~~back~~ _k

II

all the land his son sold but I don't think he was successful in his effort to get the land back. He tried many ways but I don't think the Government would submit to his liking as he had gone away for so long and his son was and still is the heir to all his land so what his son did in his absence is valid and nothing could change it unless they are bribed by him ~~but~~ I hope even bribery won't work if our ministers are in the ~~disposition~~ right dispositions. Anyway nearly all the good land belongs to the king and I hope that the king realizes his mistake and don't sell his land any more or else he might end up in having no land at all. The king's close relatives have much land and they sold quite a lot of them as they don't really need them in the sense that they have too much while many of their own people have very little or nothing at all.

The rest of the islands have more or less the same method so by giving one example would be the same for the rest. All the other islands where there isn't any king the people of wealth own much of the land as in the same cases as I mentioned previously. The ones with very little still work their piece of land in such a way that they could still have enough for the whole family. The common practice is that all the family have the right to collect coconuts from the land but babai pits have to be divided because it can't produce babai without someone working on it. For this reason the parents have to cut it according to number of children in the family. Each has to cultivate his or her own according to one's own desire. They can extend their pit by digging and what they dig is usually their own and not their family.

Selling land at the moment is a very common thing in the Gilberts and so people now can sell their land for things like radios or anything else like that while in the past selling land was considered shameful for both parties. One who want to sell was counted as he lack something and one to buy it considered as he had not enough land, so selling land before is not a common practice.

To end up this I would like to see in the future that the Government should make rules concerning land as there are much land wasted or unused by their owners either because they had too much to be able to work it or else they left it in the care of relatives who aren't doing anything to it because they know that if they work on it then the owner ~~will benefit~~ would benefit from it and not them. For this reason much of the land here aren't productive as they would have been if a rule is laid down for the use of the land. Leasing it to someone is not likely to be effective in rural areas but it would in urban areas. If the Government buys all the unused land and sell them to those who are in need of them would be one solution of getting unused land used and to get more copra for the running of the country, as the country has only one source of income and that is copra.

Opurac

COMMUNAL LAND TENURE.

Tape No. 8

Most of the communal land tenure in the world are unsuccessful except very few, but none as yet been successful in the Pacific. However people had tried this method and found it sooner or later that the whole set up usually ended up in failure.

Often times the people would be enthusiastic about starting new projects but always declined to do so after usually three years, or in some cases less. Even continuing a successful enterprise by Pacific Islanders would seem successful in the beginning when they first took it over from some foreigners but as usually the case would decline in the period mentioned above. People from outside or foreigner who acquired land through purchase from their forefathers in a lot of case uncommendable to our present situation but was in fact proper to the time when that transaction was made.

Israel is the ~~only~~ country in the world that communal land tenure is successful. The reason for their success are numerous but only few are worth mentioning. One of ~~the~~ them is the external pressure from the surrounding Arab territories, which united the Jews in order to be able to resist any attack from the Arabs. Another reason is that they do things as part of their religion and not doing them would be counted by them ~~as~~ (the Jews) as rejecting what they esteem as the essence of their existence. These two reasons enable them to do their ~~best~~ utmost in everything they do.

In the Pacific Islands no ^{such} pressure existed nor any persistence in doing things that would be fruitful in the long term. The motto of nearly if not all the Pacific Islanders would go like this: "Take your^r time and do as little as possible and never do today what you can do tomorrow." For this reason or motto to be more exact we can take it for granted that ^tthe majority of Pacific Islanders do things the easy way and try to avoid the difficult things. Failure in communal as well as other tenures simply through lack of perseverance in the Pacific Islanders. They think of the present and nothing else not even of the future. Another saying could be appropriate to them as well: "Eat and make merry for tomorrow we must die."

If we take the ^scheme of work done here in the Gilberts the result had been the same with other places, in Papua and New Guinea or anywhere else around the Pacific. Nearly all the islands in Gilberts have started working on this project. It is the replanting of the coconut trees to try and compensate for the money lost when the phosphate on Ocean Island all dug out. When the Government realized that copra would suffice only if replanting was started so they tried a way of encouragement to the people by giving them money for the work they did on their own land. In the beginning the people were suspicious of the Government in doing so because they thought that the Government would take away their land from them and refused to do the work. After much persuasion from the agricultural

officers people were still ~~reluctant~~ reluctant to work until at last they gave in and started the project for a short term period.

After seeing it started by some ~~people~~ people others copied them and so the project started that way. The enthusiasm of the people at that was so great that clearing of the bush took only a few weeks at the most until everything was finished for the first stage. When the money came the people were still enthusiastic about starting the second stage and so after a few months the second project of the second stage started but when that was completed the money came and so their eagerness still at it top. Planting which was the last stage in so far as the hard work ~~went~~ went the rest of work was not as tough as the previous ones.

After a period of two years the people began to lose heart and what was still to be done was left to a stand still. The expert from the agricultural department came to encourage the people close their ears to anything said by people coming and so nothing was done after that. Some land owners whose land was left undone discussed among themselves and wanted to complete what was not completed by the others when they were in high spirit.

If I am not mistakeⁿ only 30% of the whole scheme was successful. The other 70% might be completed after a long time yet or maybe never. The whole scheme took about five years which is beyond the capability of the Pacific Islanders.

In conclusion communal land tenure shouldn't be adopted in the Pacific unless some of the Jews are invited in to show them how to go about it but even then I am still doubtful whether it would be successful as Pacific Islanders have maybe an inborn instinct of taking everything easy.

John Israel

TUVALU MIGRANT SETTLERS IN THE GILBERTS

CHAPTER I: INTRODUCTION

1.1 NATURE OF STUDY:

This paper attempts to study landrights held by Tuvaluans now living in the Gilberts, particularly Tarawa and Abomama. After the formal separation of Tuvalu (formerly Ellice Islands) from the Gilberts on the 1st January 1976 to form a separate territory.

As a study of 'landrights', the term 'rights' may at first glance, confuse the reader in so far as the nature of the study is concerned. The study, thus may be misconstrued as a legal exercise advocating the rights of the concerned immigrant group. This, however is not the case, as this study is rather a probe to identify the kinds of landrights they hold, their origins and how secure they are.

It must be noted that to a single plot of land, although one can claim ownership to it, there are other individuals who also can claim access to that plot of land. Apart from the 'owner' himself, others may have the right of cutting toddy on that piece of land, the right to keep livestock, collect nuts and so on. The origins of such rights vary considerably and it is the task of this study to identify such rights and discuss them fully.

Tarawa and Abomama have been selected as areas of fields study because of the fact they have on them substantial members of Tuvaluans. This, however, does not, in any way,

overrule the possibility of Tuvaluan - held lands in other islands of the Gilberts.

The paper is divided into five broad sub-topics which in themselves made up chapters of this paper. This chapter is an introduction in which the nature of the study and the methodology used are discussed. Chapter 1 also attempts to look at the Tuvaluans in the Gilberts in retrospect. This is essential to provide one's background before actually indulging in the analysis of their landrights in the Gilberts.

Chapter 2 attempts to reconstruct past Tuvaluan migrations and resettlements, both intended and actual, with the view to compare their nature to the Gilberts' case. This comparative approach may contribute alot to one's understanding of the phenomena, 'migration' and 'Resettlement' as they involve Tuvaluans. The approach helped alot in Broadening one's insights into land tenure in Tuvalu and related problems and also to subsequent intended and actual migrations and resettlements that arise directly and indirectly out of these.

In Chapters 3 and 4 Tarawa and Abemama will be discussed respectively. It is not possible to treat both islands in one chapter as they present different and contrasting situations as regards to immigrant settlers' land rights and use.

In the final chapter, a general overview of the Tuvaluans in the Gilberts will be discussed and attempt to draw parallels between the two case studies will be made.

1: BRIEF HISTORICAL BACKGROUND (1892 - 1976)

The Ellice islanders, unlike the Gilbertese, are Polynesians with much lighter complexion, a language akin to that of Samoa and Tonga and a stratified socio-political system where "each island has a tupu or a high chief and subsidiary of two or more chiefly families"¹ as opposed to a gerontocracy inherent in the maneaba system, which was common in most of the Gilberts.²

Contacts between the Gilbertese and Tuvaluans prior to the arrival of Europeans was indeed very limited. However, there were mentions of sagas of sea voyages between the two island groups taking place in the distant past recorded in oral and chants (katake)³. The most obvious and significant legacy of such contacts can be seen in Nui, an island in Central Tuvalu (formerly Ellice Islands) where, even to the present days a Gilbertese patois is still being spoken.

After the proclamation of British Protectorate over the islands in May 1892 in the Gilberts by Captain Davis of H.M.S. Royalist and September of the same year in the Ellices by Captain Gibson of H.M.S. Curacoa,⁴ both island groups were combined together in one administrative and political unit known as the Gilbert and Ellice Islands Protectorate, (later changed to the Gilbert and Ellice Islands Colony in 1916) administered by a Resident Commissioner, who was responsible for the two groups to the Western Pacific High

- NOTES: 1. Macdonald, B.K.
2. For a detailed study of the Maneaba System, see H.E. Maude () "Evolution of a Gilbertese Boti."
3. Macdonald B.K. op. cit p.
4. ibid

Commission stationed in Fiji.

The union could be said to be a nominal one as it "paid little heed to natural and cultural areas⁵" and the fundamental differences inherent within the two ethnic groups. Because of this, the Gilbertese and Ellice islanders albeit their combinations tended to remain aloof from one another as before and there was not much evidence to suggest established contacts or interaction between the two ethnic groups at this time.

In addition, the Native Administration provisions allowed for one island to be autonomous in running its own affairs, thus limit interaction not only between Gilbertese from different islands in the Gilberts group, but also between the Gilbertese and the Ellice Islanders.

The discovery of phosphate in Ocean Island in 1900 and the establishment of Administrative headquarter there in 1908⁶ gave way to mobility from the islands themselves to Ocean Island in subsequent years when labourers were recruited from both the Gilberts and Ellices to work in the phosphate industry. This mobility allowed for established contacts and interaction between the Gilbertese and Ellice islanders.

In 1916, when the islands became colony, contacts were still minimal due to poor inter-island communication and also because of the Colonial Administration itself at this time, which paid little attention to bringing the different islanders together and each group was developed separately

5. *ibid*

6. Macdonald, B.E. of cit.

from the other.

From the Annual Reports of the pre-war period, one could find a separate central hospital, colony goal for the Ellices in Funafuti and a Central Boarding School for the group on Vaitupu⁷. On the other hand, similar institutions to cater for the Gilberts were situated in Tarawa. This, in effect, allowed for minimal contacts and interaction between both peoples, apart from the very few who worked on Ocean Islands, on ships and dresses undergoing medical training in the Medical Training School in Tarawa.

In the 1931 Censure, only 122 Polynesians were enumerated in the Gilberts⁸. Out of which 65 were in Ocean Island, obviously working in the phosphate industry. The Categorisation "Polynesians" was too vague, and it could be deduced that along with Ellice Islanders, there were also few Samoans, all included under this umbrella-category. Even, if the "Polynesian" category as in the 1931 Census be taken solely to mean Ellice islanders then it could be said that there was a very small proportion of the Ellice islanders who had actually been to the Gilberts, thus contacts and interaction was still minimal after some 39 years of joint-administration. On the other hand, an insignificant number of Gilbertese had been to the Ellices⁹.

In the late 1930s, a number of Tuvaluans in the Gilberts, gradually increased, but it was not after the World War II and re-establishment of Colony headquarters in Tarawa in 1947 that an influx of Tuvaluans moving to the Gilberts became evident. This could be attributed to the centralisation

of government facilities in Tarawa, and the success of the educational system in the Tuvalu under the direct control and influence of D.G. Kennedy and also because of its unhindered continuity during the war when King George V School in the Gilberts was closed. The movement to Tarawa was mostly in search of paid employment in government.

In the 1968 Census of population, 1189 Tuvaluans were enumerated in the Gilberts, the main reason was being the centralisation of Government facilities in Tarawa where "1026 people, originating from the Tuvalu were enumerated".¹⁰ The same pattern was also seen in population census preceding 1968¹¹.

The early 1960s saw the test of the nominal union, when secessionist began to gather momentum. Initiated by prominent Gilbertese leaders, and was later taken up by Tuvalu leaders whose main platform was "in defence of their identity" and "fear" of domination" by the majority Gilbertese in later constitutional developments of the Colony.¹² The movement culminated in the referendum conducted in August-September 1974 in which 92% of the voters clearly spelt out the wishes of the Tuvaluans to separate and form a new territory of Tuvalu.

In 1975, Constitutional orders for the implementation of separation were introduced, but effective separation did not take place until January 1, 1976.¹³

- Notes: 7.
8.
9. GEIC Census Report 1931
10. GEIC Census Report 1968: 42
11. see Macdonald
12. See Madetnalda Discussion of Ellice Separation,

It was under this constitutional Order that Tuvaluans who had opted to remain in the Gilberts were no longer recognised as "Natives" as was the case prior to separation, but designated more or less as "Migrant settlers," who in wanting to enjoy the same rights as the real native Gilbertese, has to apply for "belonger-status" to the Personal Status Tribunal, established under Section 17 of the Gilbert Islands Order 1975, or for "Citizenship" under the new Constitution of the independent Gilbert Islands.¹⁵

MIGRATION AND SETTLEMENT

The terms, "Migration" and "Settlement" may refer to the movement of people from one place to another. However, one has to note that there are significant and fundamental mobility, while on the other hand, the latter refers to an organised movement of a group of families assisted, supported and in some cases financed by Government.

The phenomenon, as it existed in the Gilbert and Ellice Islands in the 1970s could be said to emanate from problems and issues related to land. These issues and problems vary considerably and range from acute shortage of land - "Land-hunger," to see the Colonial Administrator's term describing "the predicament of many families in the colony" to acquire land which had given rise to organised attempts by administrators to look for possible settlements in North Borneo, Fiji, Malacca, Western Samoa, Tonga, and Southern Line Islands.

II. RESETTLEMENT AND MIGRATIONS.

Before actually going into depth in the analysis of migrant Tuvaluans land rights in the Gilberts, it is most essential at the outset to be able to recognise the phenomena, 'Migration' and 'Resettlement' and the impetus behind them, in so far as they involve Tuvaluans. This will enable us to understand the term of reference of this study better when looking at it in comparison to other migration or resettlement schemes preceding.

MIGRATION AND RESETTLEMENT

The terms, 'Migration' and 'Resettlement' may prima facie mean the same thing which is the movement from the homeland to settle elsewhere. However, one has to note that there are significant and fundamental mobility, while on the other hand, the latter refers to an organised movement of a group of families assisted, supported and in some cases financed by Government.

The phenomena, as it existed in the Gilbert and Ellice Islands in the 1930s could be said to emanate from problems and issues related to land. These issues and problems vary considerably and ranged from acute shortage of land - "land-hunger," to use the Colonial Administrators' term describing "the predicament of many families in the colony" to acquire lands which had given rise to organised attempts by administrators to look for possible settlements in North Borneo, Fiji, Solomons, Western Samoa, Tonga, the Northern Line Islands

and Phoenix in late 1930s to the late 1940s, to issues related to land productivity, land tenure and a desire for an investment for future land problems.

IN SEARCH OF BETTER OPPORTUNITIES

In the Tuvalu per se, migration was not a recent happenings, and as early as the 1920s, the tendency to migrate existed. Arthur Grimble, in the GEIC Report for 1924-6 wrote:-

"A strong tendency to emigrate to Samoa continues to manifest itself among Ellice islanders [Tuvaluans]. The chief motive for such emigration is stated to be desire to obtain a better education at IMS schools in Samoa"

This indicated clearly that in Tuvalu at this particular period in time, migration was motivated by the lack of well-established educational facilities in Tuvalu, juxtaposed to the existence of good educational institutions owned by IMS, the mission to which almost 100% of the Tuvaluans professed to adhere to, in Samoa. Land was yet to come to the fore as the main impetus behind intended or actual migration and resettlement.

GOVERNMENT-SPONSORED SEARCH OF LANDS.

It was about two decades after Grimble made the above observation that shortage of lands evidently became a causal factor behind actual and intended migration and

resettlements.

In a survey conducted by A.G. Lake in 1948 investigating the number of individuals and families with insufficient landholdings, 15 people in Nanumanga and 40 in Niutao were found to have insufficient lands. It is in fact quite unusual for Tuvalu to have such a problem when one takes into consideration the fact that land tenure system in Tuvalu was such that land was held predominantly under the KAITASI (cit. Eat as one) tenure where there is no individual ownership, but rather land is held by a family group. The findings of A.G. Lake survey in Niutao and Nanumanga obviously indicated the rather unfortunate side of vaivai (individual ownership) tenure in Tuvalu which was increasingly adopted since the advent of European trade. Such tenure have contributed alot to the desire to migrate and settle elsewhere by escalating the problem of landholding in relation to population, that is to say that vaivai poses a problem when there is not enough lands to go around. It also creates a desire to migrate by instilling a feeling of isolation which can culminate in migration should the conditions and prospects of staying on the ancestral land are not particularly bright and promising.

Government was aware of such predicaments, not only as it involve Tuvaluans but also the Southern Gilbertese and even before it ordered a survey investigating the extent of 'land hunger,' government had already embarked on a

series of 'search-for-lands' undertakings both within the Colony and outside in neighbouring Pacific islands such as Fiji, Tonga, Samoa, and Solomons with the view of providing a solution to the 'land-hunger' problems.

To the above effect, within the colony Niulakita was bought by the Western Pacific High Commission from Burns Philips (S.S) Co. Ltd in 1944 with the intention of re-selling it to any interested Tuvalu island community which produced the strongest claim to the island in accordance with native customs. Niutao, although she did not produce the strongest claim, was eventually given the island. This, in effect, provided a partial solution, if not complete, to the land-hunger problems in Niutao.

Outside the colony, government attempts to resettle needy families in Tonga, Western Samoa, Solomons, Fiji and North Borneo were not very successful, thus leaving the individuals and families to have it a go themselves. Few succeeded to find new homes in Fiji and Solomons at their own effort with little or virtually no help from Government by way of finance for passage and so forth. The Tonga attempt failed completely due to the administrative delay in accepting the offer made by the Tongan government to take 100 families from the Colony. In the case of North Borneo, the attempt was also fail because of its heavy financial implications.

One other measure implemented by Government to solve 'land hunger' was the enactment of the Neglected Lands Ordinance of 1959 which in essence provides for the administration to acquire neglected lands resulting from
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absenteeism and otherwise, by compulsion for redistribution to the needy families from densely populated islands.

In its application to Tuvalu per se their legislation could be seen to refer to Nui where it was known to have of its lands in surplus and unutilised and therefore could accommodate migrants from the densely populated Northern Tuvalu islands of Nanumea, Nanumanga and Niutao. This, however failed due to unwillingness on the part of the Nui landowners to sell or lease their lands.

INVESTMENT FOR THE FUTURE

While the above quests for lands were motivated by 'land hunger,' another factor behind Tuvalu migration, quite distinct from either the 'search of better opportunities' as was the case in 1910s migrations to Samoa or the latter Government-sponsored searches for lands which had taken the administration to countries such as Fiji, Tonga, Solomons and North Borneo, was what has been identified as the need for 'investment for the future' which was exemplified by the recent migration of Vaitupu island to Kioa in Buca Bay, Fiji in

Such a decision by the Vaitupu islanders to acquire Kioa in 1946, apart from the prestigious side of the venture which could obviously placed Vaitupu above the other Tuvalu islands, 'was not motivated by pressure of population on land resources in Vaitupu' given the fact that in 1946 Vaitupu was one of the islands in Tuvalu with the lonest

population density in 1946, but a need for an investment which the Vaitupuans could resort to in the later years when land problems are evident.

THE GILBERTS' CASE

The case of Tuvaluans now living in the Gilberts when compared to that of those intending or actually settling in Fiji, Samoa, Tonga, Solomons or elsewhere is not identical, although there are obvious individual cases, as shall be seen later on in this paper, where parallels and similarities could be drawn.

The phenomena, 'Migration' and 'Resettlement' as they involved Tuvaluans in the Gilberts is purely an individual decision which vary considerably from one individual to the other. As such, it is not easy to classify the case as either "a search for better opportunities" or "an investment for the future", this as was the case in the earlier migrations. It is however, definite that the Gilberts' case is not a government-sponsored venture, but an individual one conceived from the migrant's long stay and association with the Gilberts and Gilbertese people. This is true in the case of those in Tarawa who in most cases have Gilbertese wives and a Gilbertese-speaking family, but rarely true when applied to the Abemama situation where husbands and wives are both Tuvaluans. Thus, it can be said that the Tuvaluans in Abemama were deliberate migrants, who actually went to the Gilberts with a clear intention of settling there. (This is to be discussed fully

under the separate section on Abemama in this paper). On the other hand, the Tuvaluans in Tarawa were more of 'accidental' migrants who initially arrived in Tarawa to take up jobs in the Colony headquarters but after years of stay in the Gilberts, they married Gilbertese women who played considerable part in shaping their decision to stay and make the Gilberts their home.

HOWARD VAN TREASE

LAND TENURE IN THE GILBERT ISLANDS

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Jeremy Fordham

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the university of the south pacific
internal memorandum

FROM: R.G. Crocombe TO: Howard Van Trease
REF: IPS/6/51 DATE: 28 November, 1977
SUBJECT: SE 123 LAND TENURE COURSE SISTER ALAIMA

After my letter of 21 November, I received more weekly assignments from Sister Alaima and also her long essay.

Her grade is 25 out of 30 for the course work and 26 out of 30 for the long essay, a total of 51 out of 60 so far. *Excellent.*

You mentioned that she had to get off on a course to Australia. I see no objection to her taking the exam whenever it is convenient for you to have it appropriately arranged to enable her to get away.

The very high quality of Sister Alaima's work suggests that she would be an ideal person to involve as an editor of the overall work on Gilbertese land tenure. When will she be back? We had been thinking of you and me as editors, but the three of us would be even better and the quality of her work does seem outstandingly good.

One final point I was going to raise with you and forgot when you were down here. A candidate in Western Samoa - the best candidate in fact (Sister Augustine) - wrote her research essay on the question of the land rights of women in Western Samoa. If you have women candidates taking the course next semester I would be grateful if you would suggest to them - even if there's more than one it wouldn't matter - if one or more of them would take the question for their long essay of the land rights of women in the Gilberts. I think they will do that in each place and build up a series on the land rights of women in the Pacific.

I'll look forward to hearing from you.

R.G. Crocombe

1977 exam is okay.
perhaps Umutobo?

LAND SALES AND LEASES

By Baie Teanako

The selling of land for cash is a very recent phenomenon in the Gilbert Islands. Before European contact it was shameful for any Gilbertese to give land as payment for something such as cash, which one could not have physical possession of. Recently, and because of social changes and the transition from subsistence to cash-economy, land sales have been practised.

Leasing, on the other hand, is not so new. Traditionally there is evidence of lands being given on a kind of 'lease-at-will' basis whereby two people agreed to 'lease' their lands in exchange. Often this was done for convenience; however this is different from the legally formalised leasing practised in the Gilberts these days.

Lessors: On South Tarawa, the lessor for most part is the Government, which has leased lands for public purposes. This is mainly because of the insufficiency of Crown land in the Gilberts at a time of rapid expansion of government services and facilities.

There are also individuals from islands other than Tarawa who are engaged in various kinds of commercial undertaking and who need land for their premises in any one of the three main urban centres in Tarawa. The required sites are either leased directly from the land owners, or subleased from Government which is the initial lessor from the land owners.

There are also individuals from outside Tarawa who live in Tarawa as civil servants or employees of commercial bodies like the Gilbert Islands Development Authority (GIDA) or the Cooperative Federation. These people tend to look for sites for their own homes to escape from Government houses on which rents must be paid, and which one has to leave at retirement.

The process of leasing

Before a lease is granted, there an agreement must be reached between the owner and the would-be lessor. This agreement must be confirmed through the Land

Courts.

A brief study of 60 people (20 from each of the three islands of Onotoa, Makin, and Maiana) shows that there were only 2 lessors from Onotoa and none from either of the other two islands. The two lessors from Onotoa leased the lands for house sites. The leases were made straight from the land owners through the Lands Court for any initial period of 21 years and at the rate of \$A20 per annum. These two leases were made through acquaintance with the land owners. There are also extra payments in the form of goods or food given to the land-owners by the lessors.

Renting from Government

Of the 60 people mentioned above there were 17 from Onotoa, 18 from Maiana and 20 from Makin who occupied Government quarters who paid rents ranging from \$3.00 to \$12.00 a month. Each house site includes rights to approximately a sixth of acre of land surrounding the house, which permits coconut trees for toddy-cutting, coconut fruit and space for gardening.

Land Sales

The centralisation of Government services on South Tarawa has led non-Tarawans to build permanent homes on lands they purchased from the South Tarawan land-owners. Of the 60 people from the three islands:

Onotoa	-	1	purchased	land	in	Tarawa
Maiana	-	2	"	"	"	"
Makin	-	nil				

The Onotoa case is a woman employed by government. It was a policy in earlier days that women were not entitled to government housing. For this reason she purchased a piece of land and paid a contractor to build a house on it for her.

The Maiana two are public servants who have worked for the government for almost twenty years. The reason they gave for purchasing land was that they had many children now attending school on Tarawa and they wanted to make permanent homes so that they could live away from government quarters, where they paid very

high rents and where there was inadequate room to plant food crops. Moreover one could not have access to trees or crops one planted after vacating the government quarters.

Prior to every sale, the parties involved knew each other personally. That is, there is no pure land market. Acquaintanceship, friendship or kinship is an important prerequisite to land sales and is a factor in both availability and price. In each case, the buyer approached the owner and stated clearly his wish to buy the land. The price the Onotoa woman gave for the land she acquired was \$200; one Maiana person paid an outboard engine which cost \$400 and the other paid a motorcycle worth \$475.

After receiving the payments, the landowner in each case approached the Registrar of the Lands Court for the registration of the transference of land. According to the legal procedures in the Lands Court the approval of the transfer is only given if the court is satisfied that the seller has adequate land holdings left, after the sale, to supply his and his family's needs. The three cases were approved by the court and these people have built permanent homes and enjoy the crops they have on the lands. These people regard themselves as fortunate because they have land rights in South Tarawa as well as on their own home islands.

THE LAND RIGHTS OF IMMIGRANTS TO SOUTH TARAWA

By Nantei Tenanai

A brief survey was carried out on South Tarawa in 1977 on the immigration of people from Makin, Maiana and Onotoa to South Tarawa. The aim is to find out who comes to South Tarawa, why they have come, what processes they have used to acquire land rights on South Tarawa, and what changes have resulted in the pattern of land holding on South Tarawa. The survey interviewed 72 people: 32 from Makin, 20 from Maiana and 20 from Onotoa. The survey aims to indicate not only the problems but some practical answers to them.

The rate of migration or urban drift from outer islands to South Tarawa has increased steadily, reflecting in a rapid increase in growth of population in both urban areas of South Tarawa - Betio islet and Urban Tarawa (Bairiki to Bouriki). In 1968 Census, Betio an islet of 2.8 sq. km ($1\frac{1}{8}$ sq. miles) had a population of 4,591 while urban Tarawa, a long strip of land separated from Betio islet by a two-mile reef passage, has an area of 24 sq. km (9 sq. miles) and a population of 6,025. Five years later in 1973 Census the population of Betio rose to 6,381 while urban Tarawa rose to 8,480: increases of 39% and 40%. The total population of South Tarawa thus was 14,861.

By comparison the population of rural islands as a group in the intercensal period remained stationary. Nearly all islands south of Tarawa experienced a decline in population, while those of north of Tarawa increased slightly. The whole of the net population increase in the country has been confined to the Betio and urban Tarawa. Prior to 1968 the rate of population growth on South Tarawa was relatively slow because of slow immigrating from outer islands. From 1968 until the present day the rate of population growth has been increasing more rapidly.

Our survey categorized people into age-groups and recorded the number of people who migrated to South Tarawa within particular periods. The figures illustrate what age group dominate the urban drift in any particular period, how many people of each age groups migrate and whether the flow is increasing.

or decreasing; and whether urban drift has shifted from one age group to another over time.

The age-group which dominated the drift to South Tarawa more than 20 years ago was the 41-50. More than 10 years ago the majority of the people left home islands were those in the 31-40 age-group. The 21-30 age group replaced the 31-40 age-group as the majority in migration 5 years ago; the main group moving to South Tarawa is the 21-30 age-group. The data showed that more than 10 or 20 years ago, people who migrated to South Tarawa were predominantly older people; young people however has recently superceded old people. The shift in migration from old to young people is caused and accelerated by factors discussed later in this chapter. One significant point noted from the survey and worthwhile bearing in mind is the continuous drift of people who are well over working age. You might expect that old people would not immigrate, but it is quite the opposite, old people still migrate to South Tarawa. The proportion of old people immigrating today is only marginally less than in ten years ago.

The survey had discovered several reasons for the immigration: employment, visiting relatives, imprisonment, accompanying relatives to Tarawa, education, to trace parents or grandparents inherited lands, to operate businesses, etc.

Employment (actual and seeking) is the major reason most people migrated to South Tarawa. Few of these immigrants were employed at the time they first arrived on South Tarawa, most of them migrate in the hope of finding employment. They live temporarily with relatives until they got jobs. Of the 72 people interviewed, 51 came for employment or seeking employment. Of this 51 people only one-quarter were actually employed from the time they first arrived, the rest were job-seekers awaiting vacancies or short-term or casual labour. Most of these employees and job-seekers had little formal education, some even had no primary education at all, but have skill in particular jobs. For example, people who had been working with the British Phosphate Commission (BPC) in Nauru or Ocean Island (Banaba) before may

have acquired some skills in driving, mechanics, carpentry etc., and they were encouraged to migrate to South Tarawa to get jobs there. Of the 52 Makin and Maiana people on South Tarawa in our survey, 10 people had been working with BPC either in Nauru or Ocean Island and had found jobs on South Tarawa, which matched their experience and skill they had gained there. The majority of those who are employed work in the public sector - i.e. for government departments or statutory bodies which account for $\frac{5}{6}$ of the Gilbert Islands workforce, only $\frac{1}{6}$ is employed by private businesses.

The level of education of employees is one indicator of the standard of employment performed. The data show that more than 10 years ago, unskilled workers greatly outnumbered skilled workers. Recently the number of skilled workers increased while unskilled workers decreased. Most young peoples in the workforce nowadays are skilled, and the unskilled category is now confined largely to older people. Some of the skilled workers who had been employed on South Tarawa in Government and statutory bodies found their opportunity through experience and long service and holding senior positions in either government or statutory bodies like the Gilbert Islands Development Authority. They are better off in money wealth and therefore those who have recently retired purchased or leased plots of land on South Tarawa and built permanent houses on them. Others who are still in the service are planning to do the same after their retirement. Two Onotoan long service people have built their houses on pieces of lands leased by them. Unskilled labourers if not occupying government housing, have to stay with relatives. Those employees, skilled or unskilled, who have been allocated government quarters have to pay a monthly rent of \$3.00 for an E Grade housing, which most workers are housed in. E grade housing rent rose from \$3.00 to \$9.00 per month on 1st July 1977.

Two-thirds of those who are employed occupy government housing. This is generally a system of sub-leasing from Tarawan landowners. Government leases land from Tarawa land-owners and the employee sub-leases from government. On the whole

Tarawan landowners are happy with the way their land is leased by government, however there is some dissatisfaction, in that many Tarawan people claim that they are one of the landholders of the leased land and therefore should receive a share in the rent. The government practice is that only those landholders who are registered in the Land Register get shares of the rent. In practise many landholders or claimants to be entitled to a share of the rent, have not yet registered.

The insufficiency of government housing, together with the increasing in number of employees and the increase in the rent, has made a number of employees want to acquire land on South Tarawa for themselves, mainly to build temporary houses of local materials on them. Some have acquired a piece of land through such customary processes as 'bubuti' (asking because of good or close relationship with a Tarawan) or through 'te boo' (reckonizing a friend as one of your relatives) etc. Few lands were acquired exclusively by legal means - i.e. through purchasing or leasing.

If one drives from Bairiki to Bonriki, it is noticeable that areas between villages which were full of undergrowth and young and crowded coconut trees ten or less years ago are now occupied with new houses, the occupants of most of which are non-Tarawans.

The other reason for immigration is visiting and staying with relatives on South Tarawa. A father might be invited to stay with a son who is employed; the mother of the wife might be invited to stay with the wife as a 'caretaker' in the house when the husband is away at work etc.; an old man or woman (normally parents) might be taken to stay with the son because there is no one left at home to look after the place. This visiting and staying is very frequent. If the visitor is between the ages of 18 and 50 he or she might be able or attracted to find a job on South Tarawa during his stay. In our survey of 72 people we found 10 such cases: 3 visited by relatives, 5 parents invited by sons who are employed, and 2 invited by husbands of their daughters to help and stay with them. One man working in Tarawa and married to a Tarawan girl, was living on her piece of land at Bonriki

Village. When his parents came from their home island to visit them they were offered a plot of the wife's land on which to build a house. The parents now live on that land. Two old people from Onotoa aged over 50 have recently arrived on Tarawa and were invited to stay with their working sons. This migration of aged people is still frequent, because it is a practise for Gilbertese working on South Taraw to take their parents, or other old relatives from home islands to live with them. A son is obliged to look after his aged parents. Most aged people who migrate to South Tarawa cannot acquire land rights for themselves. On the other hand, people who are invited between 18 and 50 years old can usually find jobs on South Tarawa, and may be later on acquire rights to land when stable in their jobs and having created friendships with a Tarawan.

Education is another key factor in acquiring land rights on South Tarawa. Education is a preliminary factor, because it is a factor in the involved in the immigration of nearly everybody who comes to find jobs. The level of education tends to be higher in Tarawa, so many young people are attracted to immigrate there to attend primary but especially secondary schools. Young people who have completed or nearly completed their primary education in their home islands travel to Tarawa in the hope of furthering their education. The survey recorded that there were 4 people from Maiana, 9 from Makin and 2 from Onotoa who were selected to attend secondary schools in South Tarawa. This is one reason why the recent urban drift is dominated by young people. Most of them subsequently find jobs.

Two persons in our survey had migrated to South Tarawa, with their families, for the purpose of tracing their grandfathers or fathers lands. In one case the father had been a Tarawa man married a woman from Makin, and they had been living on Makin. They recently decided to trace the father's pieces of land on South Tarawa with the motive that Tarawa is best for employment and therefore it was preferable to live there. The other has a Tarawan grandfather. The two people now live comfortably on their inherited lands.

About half of the 72 people interviewed got married while living on South

Tarawa. Of this half, 14 married Tarawa women, 3 from Onotoa, 6 from Makin and 5 from Maiana. The other half of those who migrate to South Tarawa were unmarried on arrival. The high rate of marriage to Tarawa women is closely acquiring land rights on South Tarawa. Non Tarawans foresee the necessity for land on South Tarawa and they think, rightly, that by marrying a Tarawan, they will acquire land. Most of those who have married Tarawa women have acquired right to land through marriage. and have built their houses, either permanent or temporary, on such land.

There is only one case of a man brought to Tarawa for imprisonment so we will not go into detail as it is not significant. The other case worth mentioning is that of running a business. In the survey only one man from Making leased a piece of land and built a retail store which he still operates. The operation of stores and other businesses will in future increase and many more people will acquire lands through leasing.

All 72 interviewed are absentee landowners from their home islands. Some of them have arranged with relatives to take care of their lands while away, some have entrusted sons, daughters, etc. to take care of their lands. Some left their home islands twenty years ago or more, others less than that.

It is interesting to know where is 'the real home' of the immigrants. From the survey we gathered that of the 20 Maiana peoples, 14 visited their home island every year, the others may do so every 2 or 3 years (Maiana is close to Tarawa). Of the 20 Onotoa people, 11 visited the home island on an average every 1 to 5 years, 3 after 5 to 10 years, only 1 never visited home after 10 years; but 5 commented that they are living permanently on South Tarawa. Of the 32 Makin people, 23 claim to have visited their home island every year, 6 every 5 to 10 years, and 3 after 10 to 20 years. The majority claims to regard their island of origin as their 'real' home and not Tarawa. Those Onotoa people who consider Tarawa as home, have bought or leased land on South Tarawa and built permanent houses there. They are the ones who have not visited home island for quite a long periods. We noticed that land rights at home are lessened relative to the length of absence. Those who

frequently visit the home island have strong concern about their lands back home, and hope that they will return home immediately after their work closed. Those who rarely visit the home island or never visited home island seem to regard Tarawa as home.