

Issues of Stability in the Southern Highlands Province

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... there is no such thing as the 'balance of nature' ... It is a myth; an offshoot of the desire for stability — of an attempt to reduce the world to a tidy static, and therefore comprehensible and predictable place ... The search for stability is the most constant — and the most fruitless, quest of all (Wyndham 1980:63-64).

There was a time of order in the Southern Highlands

The author was assistant district commissioner in charge of the Koroba District from 1974 to 1976, a period spanning self-government in Papua New Guinea under the Australian administration (the era of the *kiap* or patrol officer) and independence under a Papua New Guinea government. At that time my family and I could safely travel anywhere in the Huli and Duna tribal areas without protection and be welcomed by the people.

Rural Papua New Guinea often harks back to the peace, stability and service delivery of the *kiap* era and calls for a return to it. But as this paper will show, the *kiap* system did not survive the changing post-independence social environment, and there can be no wholesale return to it. There are, however, guiding principles of the system that could be successfully applied in the Southern Highlands today.

Guiding principles and procedures under the *kiap* system

- *Authority and responsibility rested with kiaps to maintain the peace, order and good governance of a district or province.* In the 1970s the typical *kiap* in charge of a district such as Koroba concurrently held a number powers: he was a commissioned officer of police, district court magistrate, local court magistrate, coroner, gaoler, manager of the Commonwealth Bank agency, postmaster, meteorologist and acting departmental head of every government department not represented in the district — typically including Works, Transport and Finance. In short, to the local people the *kiap* personified *gavman* (the government).
- *Kiaps generally achieved their objectives through cultural empathy, cooperation and understanding, rather than the use of authority and force.* The key to successful administration was a 'hearts and minds' approach.
- *The rule of law — consistency and certainty.* The rule of law was fundamental to everything the *kiap* did. The establishment and maintenance of peace and

order were fundamental tasks that took priority ahead of everything else. Fundamental to this, the *kiap* system was loosely based on a military system. The approach to conflict situations was first of all to achieve the objective and, secondly, to do it as safely as possible.

- The inherent potential for accusations of conflict of interest in the *kiaps'* overlapping authorities made consistency in decision making a fundamental virtue. For the rural people, this provided certainty and left little doubt about perceptions of right and wrong. Very often, the first contact rural people had with the *gavman* was when the *kiap* and his police turned up to arrest them for wilful murder of a person or people already under government influence. This provided an ongoing dilemma: these new people did not know the new rules — they had always killed their enemies, why punish them? The answer was 'consistency'. In such cases the *kiap* would give the evidence necessary to get the conviction in the Supreme Court and then provide antecedent reports to ensure the judge was fully informed of the circumstances of these particular people and was thus in a position to provide an appropriate sentence. Generally the *kiap* wanted those convicted to be in gaol just long enough to see the 'outside world' and learn Tok Pisin, and then return to their area to be his ambassadors. Most Telefomin interpreters in the 1960s, for example, were convicted killers.
- *The concept of 'custom' as common law.* Under the provisions of the *Native Custom Recognition Act*, the customary law of every culture in Papua New Guinea was recognised more or less as the common law of the region, except where a custom was repugnant to statute law — headhunting, for example, contravened section 301 of the *Criminal Code* (wilful murder).
- A very important aspect of the *kiap* system was that it recognised, reinforced and relied upon the traditional leadership system. In matters of cultural complexity, such as land disputes among the Huli at Koroba, the *kiap* typically identified a cultural expert arbitrator (or arbitrators) acceptable to both sides and sent him to hear the matter on the *kiap's* behalf. After the matter was decided, the decision, and any associated compensation, would be recorded in the land dispute register and signed off by both parties.
- 'Cultural' common law often saw *kiaps* at odds with missionaries. In Ambunti in 1971-72, for example, the Seventh Day Adventist (SDA) Church insisted on ringing its bell during a three-week period of silence required for a yam fertility ceremony among the Kwoma people. A riot between the SDA and traditionalists saw the SDA missionary offered the alternative of stopping the bell ringing voluntarily or in response to a district court order. He did so voluntarily, noting, 'It is the Christian lot to be persecuted'.
- *The law as an agent of social change.* The *Native Administration Regulations* in New Guinea and the *Native Regulation Ordinance* in Papua made adultery

a criminal offence (the imposition of a six-month gaol term offered a face-saving mechanism that often prevented the killing of the offender).

- The rule of law was well accepted and widely understood. Attempts were even made through spells to influence court decisions: an anthropologist at Yenchan (Middle Sepik) indicated the drums at the enemy village of Parembei had been beating for many days since a riot between the two villages; a spell was invoked on the *kiap* pending his visit to the village to resolve the issue — ‘Three months is OK, six months is too much’. The *kiap* sentenced the rioters to three months, to the satisfaction of all parties.
- *Constant contact and communication.* *Kiaps* were noted for going on patrol. Every village in Papua New Guinea was to be visited at least once per year for annual census. So it was that the *kiaps* and medical staff saw more or less every person in Papua New Guinea at least once per year. The census was rural Papua New Guinea’s registry of births marriages and deaths. Time and again the *kiaps* were made aware of how much the people appreciated the annual census revision.
- Typically, following the census the *kiap* would arbitrate a spectrum of disputes, ranging from compensation for pigs damaging gardens to lovers’ quarrels. Perhaps 5 per cent of these would become local or district court cases. The *kiap* typically remained in the village until all the issues had been discussed and ‘resolved’. While not every decision gave the people what they wanted, at least they received a decision.
- *Information management.* Ideally *kiaps* sought to know the district rural community well enough to identify specific triggers and be able to defuse potential problems before they became major issues.
- For example, until 1970 *kiaps* in the Western Highlands monitored traffic in and out of the Jimi Valley, the best source of black palm for the Minj/Hagen area. Black palm is used to make bows and arrow heads and its collection indicates a probable preparation for war. As soon as black palm was observed being trucked, the destination was noted and *kiaps* visited the villages involved. They then sought to defuse any issue likely to cause trouble.
- The tribal warfare that occurred in the Western Highlands between 1970-74 serves as an example of what happened when *kiap* intelligence and preventive measurers were withdrawn. In 1970 the Western Highlands was declared a police zone and was taken away from the field constabulary and placed under control of the regular constabulary, who only investigated matters after the event. In the absence of the *kiap*’s intelligence gathering and ‘preventive justice’, warfare in the Western Highlands was seriously out of control by 1974. In December 1974 the *kiap* system was reintroduced, experimentally, and the author was seconded from Koroba for a month. The key concern was that intelligence had been received that firearms were about to be used

in Papua New Guinea tribal warfare for the first time. The outcomes of this exercise were that tribal warfare in the Western Highlands Province abated for some time and the introduction of firearms was delayed (Andrew Strathern pers. comm., Basel 1984). Groups who had been involved in the fighting welcomed the return to normalcy, in as much that they now had identified limits beyond which they could not push without consequence. They particularly welcomed the reintroduction of the *kiap* census and of medical service delivery, tools used during the *kiap* law and order patrols of December 1974.

- *Service delivery.* Apart from the medical, census and arbitration services delivered on patrol, free health and education services were highly valued by the people. Facilities were provided both at government stations and at strategic locations throughout the community. These services were sustainable because the *kiap's* cash office ensured that the public servants manning them were paid on time and that necessary supplies were delivered.
- *There was always something happening that involved the local populace.* Rural populations were always involved, directly or indirectly, with their *kiaps* in a range of activities that kept them occupied, and diverted them from such activities as warfare. Such activities typically included road building, cash cropping, and infrastructure construction such as village schools and aid posts.
- The highlands highway and feeder roads were originally constructed and maintained by manual labour under *kiap* direction. Apart from the need for roads, this sustained activity and perceived progress was keenly supported by the local people, who usually worked without payment but got to keep the shovels for use in their gardens. It was a viable alternative to warfare.

Signs of the decline of the *kiap* system.

- *Direct administration gave way to indirect administration.* The *kiap* system worked most efficiently during the period of direct administration, that is prior to the introduction of the local government system and political education campaigns associated with national elections, self-government and independence. These awareness campaigns contributed to the inevitable downfall of the *kiap* system, which was criticised as an autocratic institution rife with conflict of interest — an easy target for aspiring politicians and political science students.
- At the same time, Deputy Administrator Gunther and others set about dismantling the authority structure behind the *kiap* system. Magisterial, police and corrective institutions powers were taken away and eventually assistant district commissioners became known as district managers or district coordinators.

- The fact was that the social environment had changed since the heyday of the *kiap*, so the institution itself was adjusted to match the needs of the times. Not all national policies were well suited to the changes.
- After the initial introduction of local-level government in the 1950s, there was a drive in the 1960s and 1970s to establish local government councils throughout Papua New Guinea. Senior local government council officers throughout the country had maps on their walls that they were desperately trying to have shaded in red to indicate the presence of local government councils. There were two problems with this for the ultimate efficiency of the institution of local government. First, the success of local government varied. The New Guinea Islands region, for example, adapted to local government better than elsewhere, perhaps because it was a better fit for the traditional leadership systems of the cultures involved. Local government was not as successful in the highlands, perhaps because it was an ill fit for the clan-based big-man culture. Secondly, a council *kiap* could very often appear to have an extremely effective local government council by doing all the work himself in his role as adviser, rather than allowing the democratic processes to take root in the often infertile ground of the elected representatives.
- *The localisation process.* The author has always supported fast-tracking of citizen staff (both *kiap* and petroleum industry staff) to higher positions, but also believes that there were three areas in which the localisation of *kiap* positions from Australian to citizen officers contributed to the decline of the *kiap* system.
- First, while some extremely capable citizen staff replaced senior expatriate officers, as former district commissioner Ted Hicks pointed out, on average it took an expatriate *kiap* thirty-two years of field experience and the maturity of middle age to gain appointment as district commissioner; at independence district commissioners were being replaced by much younger citizens usually with around five years experience. There is no substitute for experience. Secondly, citizen staff all over the country are regarded as being subject to sorcery, whereas expatriates are not. Citizen *kiaps* were naturally reluctant to take a firm stand in an arbitration or court case where the loser might get even through sorcery. Thirdly, until the average expatriate *kiap* proved himself to be in some way inept, he was generally credited, on the basis of his nationality, with being a fully capable *kiap*. This did not apply to citizen staff, who were typically told, 'we do not take orders from our own kind'. Fate and bad management in 1973 saw a *kiap* of Sepik Plains origin placed in charge of the Iatmul population of the Middle Sepik. Gewertz (1983) explains that the Iatmul have maintained a state of hegemony over the Sepik Plains people from headhunting days down to the present. After a riot, Middle Sepik men resisted arrest, leaving the *kiap* no safe option

but to walk away. The expatriate assistant district commissioner then went to the village with one policeman, and arrested two dozen rioters, and brought them back for trial without incident.

***Kiaps* in resource industry community affairs organisations — some elements of adaptation**

Given that resource project managers who understand the issues realise that the greatest threat they face comes from the land-owning community, most drew upon the ranks of the former *kiaps* for management of community affairs (CA). Ex-*kiaps* combined a number of essential skills: field experience; the ability to speak Tok Pisin or Hiri Motu or both; an inherent respect from the rural population; a willingness to work in Papua New Guinea; and a referral system that identified available personnel with the experience and these capabilities.

Most such CA managers recognised that they had to adapt to the new role in a number of areas, as discussed below.

- *A chain of command headed by a non-CA expert.* Most former-*kiap* CA managers have difficulties answering to a manager who does not intuitively understand the problems being faced. Cultural awareness work is multiplied as the CA manager not only has to interpret multinational corporate culture to Papua New Guinean rural populations, but has also to interpret Papua New Guinea culture to the project management. The latter is especially difficult because the project manager has the authority to approve or not approve CA solutions proposed to address identified problems. Closely related to this is the fact that the ex-*kiap* CA manager is a generalist manager who is used to thinking laterally and taking responsibility for the outcomes of his plans. In the resource industry he tends to find his duty statement somewhat narrower than he would be prefer.
- For example, one resource project in Papua New Guinea decided to divide CA functions into 'core' and 'non-core' according to whether or not the functions were central to drilling requirements. The non-core functions — community health, education support, women's affairs, and agriculture support — were discarded. For the landowners, however, the so-called non-core functions were core. CA staff consequently saw their relationship with their community slipping away on two counts: they were not meeting the community needs, and since they were not required to spend time in the field, they were less able to gather and assess information that allowed management of project risks.
- *The separation of security from CA functions.* As officer in charge of a district or province, the *kiap* was responsible for managing the community through appeal to hearts and minds and, on the rare occasion, through the use of force. It was a fine balancing act for the *kiap* in charge.

- Resource developments typically separate security and CA into departments. It takes coordination, therefore, to ensure that CA and security initiatives are properly aligned, even though both security and CA are dealing with the same project area community.
- *The role of health and safety.* International resource companies hold health, safety, environment and security (HSES) to be of the absolute top priority in their operations. If a task is not safe, it is not to be done until it can be made safe. This perceived reluctance or hesitancy to act is seen by landowners as a sign of weakness. Landowners tend to step into the void and empower themselves by making threats or actually breaking the law. The ex-kiap CA manager's military-style background, 'gut feelings' and lateral thinking make him immediately aware of what he can achieve and how it might be done. Unfortunately, any strategy he is likely to develop will get in the way of either HSES policy or the project manager's view that he needs to be a good neighbour to the community and as such is prepared to overlook minor breaches of the law.
- *The issue of becoming the de facto government of the area.* Given the lack of service delivery from the three levels of government in Papua New Guinea, resource developers find themselves relied upon to provide medical and health services, and to build and maintain infrastructure, particularly roads. Management typically takes the position that the project must not become the *de facto* government of the project area, whereas CA managers tend to take the view that, like it or not, they *are* the *de facto* government. There are benefits in recognising this as an opportunity rather than as a problem. Governments sometimes in fact encourage the concept of *de facto* government. In the late 1990s, for example, the Southern Highlands provincial government declined to provide medical supplies to the Kutubu area, telling the people that they should rely on the developer to supply them and that the provincial government would spend its limited resources in other parts of the province.

What are the key problems now facing resource developers in SHP?

- *Lack of governance 1 — service delivery.* The state has insufficient money for the provision of services, especially if large amounts of resources are being diverted to fictitious names on the pay role. Even those who remain at their posts have no supplies with which to do their job. A frequent occurrence is that a teacher or health official leaves his or her post to take a cheque to the bank to be cashed and does not return, there being no point in being at the post without the supplies with which to function — unless the developer provides them.
- *Lack of governance 2 — law and order and the whole judicial system.* There is an almost complete breakdown in the SHP judicial system (including police

and the magisterial system and corrective institution system). This makes enforcing the rule of law very difficult indeed.

- For example, people arrested at Kutubu on serious charges have been sent to Mendi by helicopter at great expense, only to be released on bail of K1 each. The developer is therefore not only subject to the expensive indignity of flying them back to the site, but also to enduring increased unlawful acts by offenders in the knowledge that the state will not punish them.
- The police no longer believe they have responsibility for tribal warfare. It is regarded as a 'traditional' activity rather than a crime, even when someone is killed or when a related payback takes place. Taking this a step further, when a company man is killed in a 'traditional' conflict and the company insists upon police intervention, the company and the police are accused of taking sides — the implication being that the police should not involve themselves. (Compare this with the concept of the rule of law under the *kiap* system, discussed above.)
- *Lack of governance 3 — regulatory functionality and unkept state promises.* A serious destabilising factor among the project area communities is the failure of the regulatory department to adequately do its job. Two related examples illustrate this.
- Substantially following Australian legislation, the petroleum resource is seen legally as the property of the state. Naturally, the landowners will never accept that anything that comes from their land can belong to anyone but them. The legislation thus provides for negotiation with landowners for access to extract petroleum resources from their land. The level of benefits to landowners is capped at 20 per cent of the state's take from the petroleum extracted from the resource area (*Oil and Gas Act, Section 174*). Unfortunately no realistic attempt is made to enforce the 20 per cent cap.
- As a result, promises running into hundreds of millions of kina have been made by the state to the project area landowners for infrastructure development in exchange for access to their land and the right to extract petroleum from it. Although these promises are signed off by the minister and /or the secretary of the Department of Petroleum and Energy, they are not referred to the Department of Finance or the attorney general, and as such have no legal standing and cannot be kept. The outcome is that landowners, while apologising to the developer, claim that to get the state's attention they must to shut the project down. This has happened on several occasions.
- *Corruption* is endemic in Papua New Guinea and particularly in relation to the distribution of landowner benefits. It is understandable that when genuine landowners are deprived of their project benefits by individuals who steal their money, they will respond by destabilising the industry and the peace of the SHP by threatening to shut down the project. There have

been a dozen such threats since 1999 and two actual shut-downs of a pipeline valve station. Despite this, the benefits in question continue to be stolen from the landowners with the authentic claim.

- *Hela 'nationalism'*. Since before independence there have been calls for Hela unity and a separate Hela province. The Hela movement is discussed elsewhere in this volume. Evidence indicates that serious preparations are under way to create a Hela Province by 2007. The potential for destabilisation of the SHP by removing most if not all the resource projects into a new Hela Province is serious, particularly with a 'non-Hela' governor.
- *The rapidly changing social environment and gun culture*. The capacity of CA staff to foresee outcomes and defuse potentially volatile situations has been severely diminished by the rapidly changing social environment. For example, guns are now killing more people than were killed with arrows in the days of tribal warfare. Fighting in Mendi from 1999-2002 saw over 100 people killed. The traditional mechanism of paying compensation in pigs must fail; there are simply not enough pigs. Tribal warfare traditionally had clear rules about who was a valid payback. Now, given that there is sometimes a huge disparity in the numbers of dead between the antagonists, the rules have been altered in parts of the SHP, and geographic features such as rivers have become the determining factor in which side an individual is on and his/her status in a payback killing.

There are several 'givens' in the SHP situation. First, guns are there to stay. Indeed a 'Cold War' logic has developed: 'The enemy has automatic weapons, so we must have automatic weapons — as long as they know we have them they will not attack'. Secondly, issues of governance will not be quickly addressed, due to Papua New Guinea's economic crisis. Thirdly, if resource developers wish to see change in the social environment in which they operate, it will be primarily up to them to make the change happen. Fourthly, if the rule of law is again to become a guiding principle there will need to be significant developer input into infrastructure and relationships.

The vast majority of Southern Highlanders want a return to 'normalcy'. The common people are prepared to protect and support what they see as beneficial to them. For example, during the Nipa blockade of 1999/2000, the Hides people established roadblocks and turned armed thugs away from Hides, stating 'this is our garden'.

How can the '*kiap* system' address these problems?

The answer comes in two parts: how it might be done — that is, the performance dimensions — and what needs to be done — that is, the key responsibilities.

How it might be done

The *kiap* approach would involve spending time in the field, exercising cultural sensitivity and empathy in communications with the community to identify the key elements of their desire for a return to normalcy. The contact with the community needs to be ongoing to allow monitoring and adjustment. Key elements include:

- an end to corruption in the distribution of landowner benefits;
- involvement in money-making ventures;
- involvement and recognition in the petroleum industry;
- maintenance of a 'hearts and minds' empathy between CA and the community;
- service delivery, particularly delivery of medical services;
- sound leadership to achieve all these elements.

What needs to be done

To achieve the program outlined below, several preliminary tasks need to be undertaken:

- identification of programs in which the people could participate (see below);
- liaison between senior developer management and state representatives;
- planning of a capacity-building exercise for district administration staff and local-level government to promote proper coordination.

A possible development program to meet the six key elements

The developer should take over the management of benefits distribution. As is already done in the mining industry, the developer could do all the preparatory work to enable the regulatory department to make payments directly to the appropriate landowners on site. This could be done publicly and in cash if there were no local banking facilities. Such benefits distribution would satisfy the first key element and would be a hugely popular public relations exercise. The CA department, in conjunction with the district administrator, could also conduct annual patrols to conduct a *kiap*-style census, as was done in Kutubu in 1994. This would create the capacity to monitor the demographic and general statistical basis for all community socio-economic programs, and the benefits distribution program. It would also facilitate communication with the community and allow a monitoring of hearts and minds (the fourth key element). In conjunction with the provincial government, medical services could be provided during census patrols (the fifth element).

In the *kiap* tradition of involving the people in developments such as road construction and maintenance, CA could promote money-making ventures that could be undertaken at least in part by large teams of casual labour, rather than

machines (satisfying the second key element). This would also provide an active sense of industry involvement (the third key element). Another possible area for community involvement is cash cropping. Despite the fact that SHP is less environmentally favoured for coffee growing than Western and Eastern Highlands, coffee does grow there. It is claimed in Chimbu and Eastern Highlands that the time and effort people spend on coffee, and the cash it earns them, are key factors in the relative peace and social stability of those provinces. As is already happening at Hides, there could be a serious drive by CA to re-establish the SHP coffee industry.

The leadership provided by the *kiaps* of the colonial and post-colonial era could be re-activated through liaison between the CA manager and the local district coordinator. As already stated, the developer does not want to become the *de facto* government of the area, so the leadership issue needs careful management. But someone needs to take the lead — the best ideas in the world are useless unless someone is passionately promoting them.

The people of the Southern Highlands in their current quest for a return to normalcy will respond with great enthusiasm to good leadership of well planned programs that meet their needs.

References

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ENDNOTES

¹ This paper is written from the personal perspective of an employee of a petroleum company, conducting business in an often unstable and sometimes unsafe working environment in the Southern Highlands. The views expressed do not necessarily reflect the views of my employer.