

'Hoo-Ha in Huli': Considerations on commotion and community in the Southern Highlands

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Conflict — What problem? Whose problem?

Even for the most sensitive of post-colonial consciences, a 'community without conflict' is neither a destination objective, nor a socially imaginable outcome, desired by any stakeholder constituency (indigene, government or developer) in Papua New Guinea. Anthropologists, in particular, have long argued that disputes per se are not symptomatic of anomie. Social equilibriums are thus not perturbed by, but rather predicated on, cyclic patterns of grievance management. Notwithstanding its historical roots in comparative jurisprudence, the legacy of anthropological research then is that all cultures possess, or become endowed with, a spectrum of social control mechanisms for processing and settling their disputes.¹ Conflict and conflict resolution characterise all social organisations irrespective of their locale or level of development.²

These are salutary lessons for observers of dissension, where attitudes towards emotionally and physically scarred landscapes might otherwise compel us to read 'friction' as 'failure' — a lack of, or willingness to abide by, rules sanctioned by judicial institutions. Without engaging complex issues of 'false consciousness' and the local rhetoric about declining law and order (see Gordon and Meggitt 1985:3), we should remain mindful that in the traditional stateless and acephalous societies of Papua New Guinea, injunctions were rarely encoded in a formal *corpus juris*. Behavioural precepts were part of an undifferentiated class of 'correct ways of interacting' that were not further dissected into discrete categories of legal, social, religious or moral maxims. More often than not, norms were informally expressed through figurative genres of proverb or adage, frequently implicit in consensually arrived at resolutions, and rarely objects of explicit litigation. This does not thereby allow us to infer that rules were 'weakly' held, applied or understood. There are, then, no a-regulatory cultures,³ just as there are no cultures that do not rely on 'talk' to express disagreement. The paradox of these universal truths is that while all languages have extensive vocabularies for wrangling, they reference such ubiquitous activity in 'negative' terms. Conflict is normal, but, equally, undesirable. Highlanders are agents of order but also disorder ('Everyone fights but no one wants to' (Gordon and Meggitt 1985:13)).

More disturbing perhaps (in the context of this volume) is the bystander apathy observers experience when confronted with the cultural truism that for many Papua New Guinea societies fighting is both a recurrent and legitimate means of prosecuting claims or seeking restitution.⁴ That is, in what is loosely referred to as the 'cultural logics' (Strathern 1993:244) of indigenous conflict systems, fighting forms part of a sequenced set of behavioural responses that may itself constitute a coda, or precipitate closure. Attempting to gloss such commotion as realising an opposition between 'war' versus 'law' has long ago been rejected as ethnocentric and over-simplistic. More usefully, we need to focus on understanding the differential resort to various recourse options, and the prevalent sequential relationships between physical and verbal conflict (Roberts 1979). We might thus pose two immediate questions: first, what are the politico-economic and risk management strategies for *talking* and *fighting*? Secondly, what is the relative efficacy, cost and desirability of recourse to state judicial processes as opposed to, or in tandem with, exercises of power governed by 'custom'? In formulating these questions we seek to clarify the range of ground conditions and drivers that underpin perceptions of compliance or non-compliance behaviour when individuals operate within the pluralistic normative regimes of court and custom. Most often, such co-existent constraint systems are juxtaposed as an adjudicatory and hierarchical appellate system versus egalitarian self-help regulation.

We know that both the rule of law and custom continue to write the interactional scripts of disputants in the Southern Highlands Province (SHP). What we know less clearly is precisely why their underpinning cultural rationales continue to be in, and produce, conflict; that is, why cannot such formal and informal resolution regimes be mutually reinforcing agencies for stability in the Papua New Guinea highlands context? After more than three decades of concerted think-tank activity, problems of 'law and order' in Papua New Guinea continue to present as intractable.

Importantly, our understanding of commotion in SHP communities seems not to be anchored to, or informed by, reliable statistical data for the urban or rural environments.⁵ Longitudinal research on conflict occurrence rates and the scale or nature of conflict across the SHP is scarce. The resurgence of tribal fighting is taken as an index of such conditions, but it remains unclear just how far down increased violence percolates through the layers of the social structure. Rather, what passes as 'conventional wisdom' is a *gestalt*, the triangulation of findings, drawn from the related experiences of visitors and workers, from feedback of local inhabitants,⁶ from the discourse of Papua New Guinea 'law and order' analysts,⁷ and from impressions given by national and international media broadcasts of world-wide trends and concerns in the Third World. These voices invariably foreground the plight of Papua New Guinea in terms of the

prevalence of violence ‘out of control’. From one vantage point, there may be nothing specious about advocating a position that says, ‘What’s *your* problem? Conflict is custom’.

Such a position appears untenable for two reasons. First, the nature, place and impact of conflict within the rapidly changing social environment of SHP differs from those circumstances which obtained in the pre-colonial era. Secondly, the now proclaimed and desired goals of development and sustainability appear to all stakeholders as unachievable without changes in the current regimes of conflict management and resolution.

The case, then, for ‘intervention and prevention’ is not easily rebutted by modernist academic arguments concerning the hegemony of Western knowledge, the cultural relativity of ‘conflict paradigms’, or the constrictive problem-solution prisms of applied science. In the SHP context, *intervention therapy* is very much a collaboratively constructed dialogue between indigenes and concerned outsiders to mitigate adverse risks posed by changing scenarios in dispute practices. Perception is ‘reality’, and interventionism constitutes a key policy objective in contemporary indigenous knowledge frameworks.⁸

This paper explores these contours of social change with respect to the Huli people of the Southern Highlands Province. In the following sections I address some of the key catalysts for ‘violence’ in the context both of the history of transformation in the region, and the options for settlement-directed activity discussed for other provinces, such as Enga. Few analysts who have observed conflict in the highlands over the last three decades would claim that finding magic-bullet solutions is easy. Not only might it be the case that a one-model-fits-all answer will likely drown in the sea of culture-specific conditions, but also the implementation and subsequent monitoring of solutions would likely tax the resources of responsible stakeholders. Progress will thus be pedestrian, but it will also be critically dependent, as we argue below, on achieving real change in the culture of mistrust, antipathy and opposition to government agencies, authority and legitimacy. Unlock the mysteries of fostering ‘community’ social responsibility and participation — i.e. establishing community agency — and you begin to scaffold an effective interventionist system for conflict management.

Customary dispute mechanisms in Huli

The Huli represent one of the major ethnic groups within the SHP, and indeed a microcosm of the endemic factionalism⁹ that characterises both the region and the nation-state of Papua New Guinea. The Huli population of approximately 100,000 speakers is socially divided into some 300–400 named patrilineal clan units, each of which is segmented into lower-order descent units of sub-clans and lineages. Satellite descent units of any clan may be dispersed across Huli

territory, though most usually each clan has a traditionally recognised locus of ritual and resource interests.

The Huli population now, as in the past, was formed by successive waves of in- and out-migration. Social mapping findings and genealogical data (see Goldman works 1997-2002 cited in the references) have consistently shown that the margins of this population are inhabited by 'naturalised' Huli clans whose origins can be clearly traced to neighbouring cultures such as the Duna, Etolo, Kaluli, and Onabasulu from the Papuan Plateau (collectively referenced as Dugube by Huli), the lowland lake peoples such as the Foe and Fasu, and highland groups such as the Ipili and Wola. Importantly, even in the pre-colonial era Huli retained a heightened self-consciousness about their own tribal identity, and divisions along 'ethnic origins' bases (even for naturalised clans of several generations standing) were and remain well entrenched.¹⁰

As elsewhere in the highlands, there was no pre-colonial overarching system of governance. Each clan and clan section had a 'headman' who was a repository of clan history and who led groups in feuding, ritual and warfare. They 'held the talk' and intervened in disputes only as one voice amongst many. Descent unit names were used to frame a dispute as between clan/sub-clan x and y, though rarely did such units act in concert. Fight parties were usually an *ad hoc* conglomerate of allies drawn through personal networks of a principal fight 'owner'. Apart from the resort to physical violence, disputes were also prosecuted in public moots — informal gatherings of people to 'share the talk' on some issue. Agreements could be reached by consensus and through mediation. Lacking institutionalised authorities with vetted power to impose judgements, it was not uncommon for claims to be aired in moots over a period of several months or even years.

To those unversed in the Huli cultural logic of revenge and redress (Glasse 1959) — the 'pay-back' system — the cycle of killing and counter-killing that can ramify from any breach of rights may appear indiscriminate. But this would be to ignore the calculus of segmentary descent principles whereby named clan sections that 'owned' a fight were held corporately responsible for the actions of any of its members. Any descent unit member, kin or affine became legitimate targets for retributive homicides. Such actions were underwritten by certain mores: beliefs that the spirit of a slain person would visit sickness on relatives who did not avenge a death;¹¹ anger of relatives against a fight 'owner' who did not both avenge and compensate the death of an ally; and descent unit pride at war prowess and the need to avoid public opprobrium and shame. The selection of particular individuals as pay-back targets might be fortuitous — they came, they saw, they killed — or combine a number of rationales based on the previous litigious history between perpetrator and victim or victim's group. Such opaque motivations allowed for multiple 'readings' of deaths depending

on the social circumstances of the reader. Warfare always involved temporary cessation of movements between people over territory, and often if large-scale in nature there would be migration of women and children to other parishes.

Where disputes developed into cyclic patterns of violence, this was followed by a prolonged period of inactivity during which third-party intervention might occur to broker a settlement between the units. If the scale of the conflict was small, *wergild* might be offered by one group to another. Equally, the conflicting groups might nominate a day to settle scores, after which no claims for compensation would be pursued against the opposing fight owners. Most compensation payments were made to factions considered as allies. Internal dissension within a fight unit often followed as claims for injury and death compensation were laid at the fight owner's door. These structural strains might then result in new and more ramified patterns of pay-back in the area.

The local understanding of conflict and conflict settlement is one expressed in the language of 'sickness' and 'healing': disputes are like medical pathologies to which one applies compensation¹² as a form of folk medicine. *'Talk Never Dies'* (Goldman 1983) precisely because between potential litigants there was always a number of issues that simply remained unprosecuted, or unresolved after talking or fighting. That is, many claims would lie dormant until a strategically significant later occasion of dispute in which claimants could and would 'activate' these past unresolved disputes in a sequenced set of claims. Disputes were thus always 'multiple-claim' affairs. It was never the case that a 'conflictless' set of conditions prevailed within any Huli community.

There are two important corollaries arising out of the above discussion. First, conflict generation was more than simply an immediate reaction to some perpetrated breach of a person's rights or person. Litigants whose wealth stocks were substantially depleted by some compensation exchange might trigger any of a host of unresolved claims with other litigants to redress their depleted finances. Disputes then were a structurally inherent and consequential by-product of a system of 'talk-directed settlement' unconstrained by the dictates of time. Secondly, the onus for action and reaction was not delegated to or usurped by nominated agencies charged with monitoring adherence to rules, which might then intervene to restore 'order'. This critical lack of centralisation meant resolution by consensus and mediation occurred through individual discretion, and self-regulatory mechanisms. Dialogue not closure (Henton 2000:586) was the essence of the process of this system.

Huli fought about 'land, women and pigs'.¹³ They fought with bows and arrows, and with their beliefs in the efficacy of toxic substances and sorcery. Importantly, the conflict system presented as uniform across the region in the precise sense that irrespective of locale, the types of disputes and the modes of management and resolution appeared equally represented from Margarima to

Mogra-Fugua. As is indicated below, resource development projects in the region became catalysts for non-uniform locale-specific disputes and claims on exogenous benefit streams.

The drivers behind traditional dispute resolution in part resided in the tacitly understood political and social-economic benefits of peaceful coexistence with resident others. Wars were most often fought with close neighbours between whom intermarriage rates were high. Because one fought against those with whom one exchanged, third-party intervention through cross-cutting loyalties occurred. Moreover, personal reputations could be made and enhanced within these conflict cauldrons by speakers employing rhetorical skills as 'middle-men' to achieve consensus on dispute outcomes.

Equally, however, there were drivers more specifically associated with 'compensation' still neglected in what passes for commonsense knowledge about Huli dispute processes.

Notwithstanding impressions of lawlessness in Huli over the last decade, there is no persuasive evidence that cultural mores regarding compensation are simply being ignored or rejected. The continuing incidence and importance of compensatory exchange behaviour indicates the resilient vitality of 'custom' governing inter-personal and inter-group relationships.¹⁴

Succinctly stated, paying compensation remains *the* conventionally-oriented coda to conflict; it symbolises more than merely a rationale for pig husbandry or accumulation of wealth. Paying compensation:

- demonstrates both individual and corporate pride, as well as power, to acquit corporate social responsibility in a public forum;
- addresses the risk of 'shame' (Epstein 1984) which might otherwise ensue, and which remains a forceful sanction in Melanesian culture;
- allows for other complex economic relationships of credit and debt — e.g. bridewealth, loans, land payments etc. — to be segued into and acquitted by these dispute resolution channels;
- provides closure on specific sets of issues that were the basis for compensatory calculation;
- symbolically invokes and reaffirms both the continuing memberships of people to personal networks and social group statuses through exchange and consumption, and the acceptance of norms of interaction that constitute the 'cultural identity and ethnicity' of the litigants;
- realises obligations and responsibilities of people towards the 'health' — both physical and psychological — of others 'injured' by their behaviour.

Western enculturation often compels us to oppose *talking* and *fighting* — we express this in phrases such as 'the time for talking is over', 'action not words', or 'walk the talk'. In Huli *bi* (talk) and *ba* (fight) are not similarly opposed in

this way, but rather form analogous and continuous modes of dispute interaction; equally, they do not therefore attract opposed moral valences (Goldman 1983; Brison 1989). The pursuance of claims through fighting rests on comparable drivers of group reputation, group machismo, and religious ideology as wars conducted throughout Western history. Arrows and argy-bargy are but prosecution modalities in a continuum of options for dispute prosecution. Fighting and compensation are here ceremonial events in which consciousness of the 'system' rules is heightened and reaffirmed by participants. These are the cultural scripts about how and why people exist as they do. Such public attestation of power and status — what they get out of fighting and compensating in the manner they do — has yet to be radically transformed by any social change movement. Huli fight and compensate as a ritual of deference to collective norms and societal values. Opting out is not an option unless one's name and membership status is of no value. Power may flow from the barrel of a gun, but peace is financed from the banter of the garrulous.

There is nothing gratuitous about providing the above overview of customary Huli conflict. Historically informed and succinct understandings of these local systems of dispute are needed precisely because at this juncture in time they remain vital and operational. Notwithstanding the changes to governance structures chronicled below, the transformations wrought on dispute settlement were not so much *ideological* in nature — fundamental transformations in beliefs and rationales, as *idiomatic* — doing the same things for the same reasons but through different channels, auspices or practices. In the move towards modernity, Huli communities became subject to the implementation of new organisational and representational structures related to land, resources and judiciary. Change meant an exponential growth in the overlapping organisational entities to which an individual belonged, but traditional patterns of cultural identity based on kinship and descent were not thereby expunged. This made for an uneasy coexistence of *custom* and *court*, at the very juncture in history when central government began, in the eyes of landowners, to lose its core authority and legitimacy.

Changing social conditions

1940s-1980s

Following first contact in the 1930s, the traditional system of conflict management was impacted by all the administrative trappings conventionally associated with colonial mechanistic bureaucracies. These included the establishment of district and regional governance, and local government councils (LGCs); and imposition of a multi-tiered system of state-constituted courts following the 1962 Derham Report — land mediators, land courts, local and district, national and supreme courts (see Figure 6.1); the introduction of village courts, following the *Village*

Courts Act, 1973, and other administrative agencies such as the village councillor system. In addition to this forensic edifice, disputes were also taken to, settled by, or sought to involve, mission workers, administrative agents such as *kiaps*, or police contingents in Koroba, Tari or Komo.

The fundamental impact of this period was the erosion of the localised insularity of a people who had for millennia relied on indigenous, grassroots-generated, institutions of grievance management. This trajectory of increasing exposure to outside agencies, imported technologies, political representation structures, and non-traditional lifestyles was buttressed by an increase in tourism-related activities in the SHP; provincial management of district policy and public works programs in health, education and communications; assimilation and accommodation of knowledge of, and use and reliance upon, cash and cash economy goods; and the incremental impacts of a newly-educated youth dissatisfied with a subsistence-agriculture-based lifestyle, and which sought employment opportunities in Mount Hagen, Lae, Port Moresby and elsewhere.

There is good evidence to suggest that in this first-wave period of consolidated colonial presence, the various 'court' systems imposed a quantum of fines and penalties quite at odds with traditional custom. The cumulative impact in the short term was thus to actually increase the general level of litigation as disputants relied on the activation of pending claims latent in the customary conflict system to redress wealth imbalances. Elsewhere, non-customary impositions of homicidal compensation as 'penalties' merely exacerbated levels of inter-group conflict.

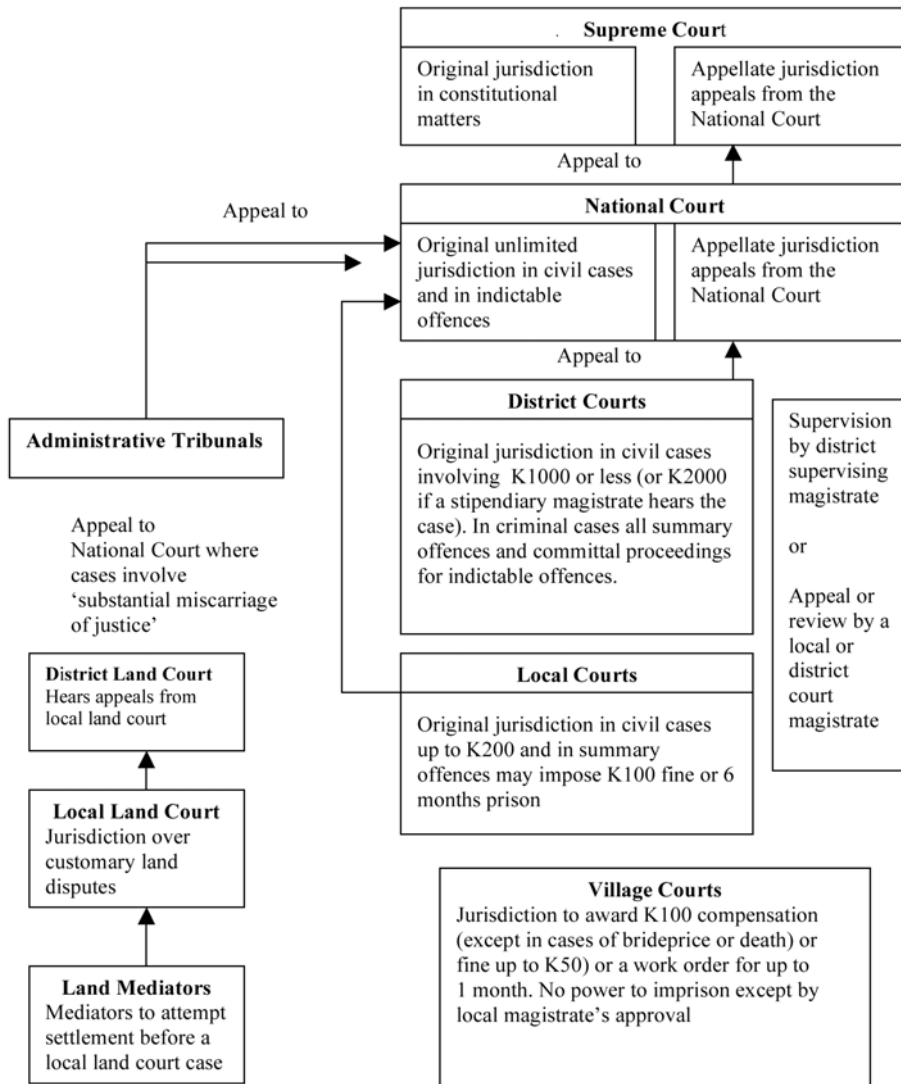
The cautionary warning one takes from this period of response to 'law and order' is that interventionist activities can often themselves be a catalyst for increased levels of the very activity they attempt to address. Importantly, the whole *kot* system became a larger referral network for dispute processing as an alternative avenue of recourse when customary *talking* failed to produce a desired outcome. Risk management strategies weighed up distance, time, cost, and effort considerations. Equally, levels of frustration were building with 'courts' because of two quite alien administrative conventions: first, the distinction courts maintained between civil and criminal cases often confused litigants, and secondly, interrogative procedures were aimed at disentangling claim issues to produce a single definition of a wrong/breach against which to apply a reparation calculus or penalty. This was quite foreign to 'custom' in which litigants sought to 'entangle' issues in sequential chains of causation to reveal the 'source/base/bone/root' event, and where compensation might subsume multiple issues between the litigants. For Huli, case prosecution became an alienating experience, often resulting in frustration that parts of the multiple-claim web not dealt with in the courts would then have to be pursued as separate, rather

than aggregated, issues. Under these conditions state 'law' began to lose social acceptance.

In these decades of assimilation, accommodation and adaptation to change, inter-group behaviour was impacted upon by profoundly politicised agendas associated with national governance. Politics was viewed as a new theatre of competition for acquiring benefit streams. This was politics as patronage. This world-view was not impregnated with any embedded concept of 'the community good'. Rather, politics was subjected to localised maximising strategies: to secure a position (for oneself or related other) as a member; to ensure one had a '*wantok*' as an elected representative; and to invoke and rework regional myths of origins to create new provinces as smaller self-interested distributional pies. Fuelled by the belief — underscored by continual revelations and rumours — that national government was corrupt and inefficient, governance became burdened with a credibility gap problem for grass-roots populaces in the highlands. Equally, it has to be acknowledged that there were no predisposing cultural conditions for landowners to become 'team players' in nation building. Simply expressed, there was no community agency for social advancement. Succinctly expressed, politico-legal infrastructures and agencies were never welcomed as integral parts of people's lives; engendered without collaborative debate, imposed without full awareness and education campaigns, they induced apathy and antipathy. These were conveniences of and for an alienated cabal of decision-makers.

What precipitated a downward spiral in social order, after some initial development successes in the 1960s-1970s, was a conjunction of factors that laid the ground conditions for inequality, frustration, and pedestrian progress. On the one hand, there were unfilled, but equally exaggerated, expectations by landowners; on the other hand, they could rightly point to their disappointments with unsustainable agricultural and small business (e.g. trade store) projects. We witnessed the 'declining effectiveness of courts, the police, and other law-enforcement agencies of the central government; a useful point of departure is to regard them as otiose, if not obsolete' (Gordon and Meggitt 1985:247). What emerged was a newfound fervour for reparation streams through new claim types — road, vehicle and work related injuries — and even larger war compensation demands resulting from increased inter-ethnic communication and contact. Government infrastructure like schools, aid-posts, hospitals, and district offices became legitimate targets of vandalism in conflict or politically-related disenchantment. Penalties of imprisonment failed to stem the tide of disorder largely because incarceration lacks the stigmatic deterrent value found in Western cultures.

Figure 6.1. National judicial system (Chalmers and Paliwala 1977:94)



There were, and remain, some systemic environmental (both social and physical) conditions that constrain development progress in Huli, which might be identified as follows.

- The residential settlement pattern of the Huli is one of scattered households, not nucleated village settlements. For a population of 100,000 people distributed over often inhospitable territory, the reticulation of water, electricity and sanitation is no more feasible than it is for, say, outlying 1 hectare properties in Brisbane. With wholesale settlement change unlikely

in the short term, development confronts the twin tyrannies of distance and distribution.

- With the exception of those roads close to resource developments, only the main trunk highways have sealed surfaces and remain accessible and useable most of the time. In times of conflict, these arterial links may be closed by warring factions, or used by local landowners in roadblocks to extort money.
- Business ventures — cattle, coffee, cash crops, silkworms, etc. — have proved unsustainable over the decade due to many factors, including transport and communication problems alluded to above; lack of understanding about investment and replenishment strategies; competition by start-up trade stores which attract customers on a 'same descent unit' basis; and profit erosion through funnelling into customary exchange activities or debit-credit relationships.
- Virtually no local business employment other than small trade activities in Tari, Koroba and Komo. This remains particularly marked in non-project areas. Project benefits attained by the new 'Huli haves' rankled with the relatively disadvantaged 'have-nots'.
- Patterns of expenditure reveal an inexorable and inexhaustible consumerism. Disposable incomes are dissipated on consumables that lack any supporting repair and maintenance infrastructure. Goods bought quickly become unserviceable and deteriorate, driving the need for replacement expenditure.
- For that small percentage of Huli who bucked these trends, their options were very limited. Accumulation of wealth for its own sake could not yet be valued over traditional patterns and expectations of distribution forcing many skilled migrants to remain 'outsiders' for extended periods.

In effect the vast majority of the rural population saw themselves as impaled on the horns of a dilemma: trapped between their inability to extricate themselves from dependence on subsistence horticulture to simply survive, and the drive to acquire money to purchase cash economy goods and satisfy other needs. Income windfalls were transient in effect, making little substantial or sustainable difference to their lives. In the context of an increasingly alienated political and governance machinery, the rule of 'conflict custom' remained the viable anchor for redress of grievances.

1980s-2000

Until the late 1980s the geometry of social group formation and custom, the infrastructure of ties between descent groups and land, remained largely intact and to a degree impervious to these sweeping transformations. But this was now a system whose ethical underpinnings and familial control mechanisms had long dissipated. Elsewhere, the waning men's longhouse tradition and increased rates of male-female coresidence were having similar impacts.

The contexts (e.g. magic, ritual, warfare) in which traditional leaders operated no longer obtained, or had been dramatically altered. Many of the older incumbents of 'headman' status lacked education in or knowledge of Tok Pisin/English. Where their representative functions were needed, most especially in resource development areas, they were usurped by, or powers were devolved to, younger literate males. With large contingents of Huli now semi-permanently resident in Port Moresby, discontinuities in the voices of representation began to emerge between grassroots and migrant community members.

Cessation of most religious fertility cults, and indeed the bachelor cult, during the 1960s meant that the institutionalised inculcation of conventional Huli mores was now left solely to religious, school or family agencies. But these belief systems were long challenged by imported ideologies, producing a society with coexistent but plural moral codes. This non-uniformity and breakdown in low-level family control produced fertile ground conditions for a more nucleated outlook on strategies to maximise income streams. These became sedimented well before the onset of resource development. Importantly, policing order became impossible outside the restricted zones of influence adjacent to the small contingent forces in Tari, Koroba and Komo. Resources were simply inadequate for both the size of population and its dispersed settlement. In this respect, consider the comparative police: populace ratios of Australia, 1: 439; New Zealand 1: 692; and Papua New Guinea 1: 1,000. For Huli, it is likely that the ratio exceeded 1: 1000. Irrespective of these resource statistics, this was a rapidly transformed theatre of conflict:

- there was widespread importation of firearms and firearm technology that meant the sanction of force was not easily applied in this stone-to-steel landscape where most adult males over 18 boasted their own shotgun;
- new forms of injury were being perpetrated that included maiming and rape, as well as adopted practices such as kidnapping for ransom (as in the Koroba-Kopiago election of 2002);¹⁵
- inter-tribal conflicts escalated in number, frequency, and death counts, rendering police impotent much of the time;
- the phenomenon of '*raskol* gangs' that were mobile, armed, and transient in formation, posed insurmountable problems for policing in the area.

By the 1990s the true ineffectiveness of the court system had become apparent. There were staggering rates of acquittal, dismissed cases, adjournments, and not-guilty verdicts. The appeals system within the context of an under-resourced judiciary only strengthened public opinion that litigation was a form of gamesmanship, another arena for 'talking' that bred contempt. Huli became adept at marshalling their own 'evidence' including government reports that fell off the back of proverbial PMVs, using Huli lawyers and legal students, and even attempting to co-opt anthropologists.

The resource development cauldron

The developments of Kare, Porgera, Hides, Kutubu, Mananda and Moran established SHP as a resource-rich province. For many Huli, this fulfilled traditional cargo-cult prophecies and their understandings of sacred landscapes. But the accelerated pace of transformation with respect to infrastructure development, business training and development, roads, and general wealth creation were seen as unevenly spread.

Localised distribution of resource benefit streams was a source of frustration and division at both intra- and inter-ethnic levels. Outsiders saw themselves as rural spokes to advantaged hubs of 'elite' village bases that garnered newfound reputations as enduring symbols of inequity. In-migration to these mini-centres of wealth occurred with consequential increased levels of crime. Local governments were viewed as lining their own pockets by negotiating favourable landowner deals.

To accommodate modernity, project impact communities have been subject to the implementation of a raft of new organisational and representational structures. These include membership to agencies, incorporated land groups (ILGs), landowner companies (LANCOs), landowners' associations, petroleum prospecting licence (PPL) and petroleum development licence (PDL) status, village development committees, and local-level government wards following the 1995 Organic Law on Provincial Governments and Local-Level Governments (OLPGLLG). Precisely because many of these schemes have localised implementation only (i.e. often facilitated by developers in specific project areas) non-participant communities feel disadvantaged. Equally, the newly established entities are bedevilled by the same problems that afflict all governance institutions: inadequate resources, insufficiently trained personnel, and a constituency of 'members' lacking acceptance or appreciation of the concept of 'for the good of the community'. It is not simply that such entities become unsustainable, or unworkable under their guiding mandates, but that their constituencies treat them as new fora for pursuing politico-economic strategies. They become colonised by Huli custom.

Within the project areas, decision-making was often concentrated in the hands of a few individuals or organisations that were frequently less than transparent in their communications with grassroots members. This allowed certain individuals to amass and manipulate large amounts of wealth and political control, inducing divisiveness within communities.

Landowners continued to regard themselves as competitors with government for benefit streams through control of and access to their sub-surface resources. Equity, royalties, roads and infrastructure became the new battlegrounds. In this enterprise, politics was the means whereby they could influence outcomes by ensuring 'one of us' was in the Mendi lodge.

The argument put forward here is that there was a conjuncture of predisposing social and economic conditions which contributed to the deterioration in 'law and order' across the SHP. Whilst custom and court continue to operate in a coterminous fashion across the region, the efflorescence and vitality of custom is in direct proportion to the waning efficacy of state judicature. This finding addresses in some part our initial question about the relative recourse to state as opposed to locally engendered dispute resolution mechanisms. The efficiency with which Huli continue to colonise assimilated institutional arrangements renders them little more than theatres for political strategists. In the context of those environmental conditions described above, it was little surprise that the village court system also fell prey to suspicions of corruption, manipulation, and failure of magistrates to adequately supervise their administration.

From whence will solutions emerge?

It is pertinent to remind ourselves that despite numerous commissions of enquiry since the early 1970s, the introduction of village courts, states of emergency, and various development-oriented governance initiatives and reforms, few inroads have been made into the continuing deterioration in law and order conditions. Even the most cursory of reviews of the burgeoning literature on highlands 'law and order' problems can yield an intimidating set of 'I know why and we ought to' recommendations. Causal analyses have proposed the resurgence of violence as linked to the concomitants of globalisation, ethnicity and identity movements, dependency and inequality, and social frustration. Anthropologists have contributed their musings about conflict in acephalous cultures with floating hierarchies of prestige.¹⁶ Proposed solutions have variously included some of the following: the removal of state law, with sole reliance on custom; a 'glass windows' approach with unprecedented levels of support for court institutions and imposition of group fines (see the 'Paney report', Papua New Guinea 1973); and reintroduction of the *kiap* system.¹⁷

The top-down options

National

Few would disagree that the Papua New Guinea nation-state presents as unstable, with impoverished infrastructure and lacking capacity to adequately service its constituencies. This fuels widespread perceptions of inefficiency and corruption. At the very least, there has been unmitigated erosion of partnership ideals, and little appreciation that the state is a 'nurturing' organisation. Such inculcation and embedding of a 'theory of social formation and responsibilities' can only realistically evolve over the long term, given present circumstances.

Provincial

Devolution of control and decision making to provinces, and more recently to local-level governments, was an attempt to address the tyrannies of distance and distribution alluded to previously. The scheme suffers from the hangover of general administrative decline:

- successive incumbent administrations find the infrastructure left by previous incumbents continually weakened by theft or destruction of computers, vehicles, and office equipment;
- suspicion and accusations of large-scale misappropriation of funds, and irregularities in contract regulation and tendering processes are rife;
- provincial planners do not get support through lack of a research culture whereby 'needs'-based project inputs are part of decision-making processes;
- infrastructure development since the 1990s reveals high levels of provincial resource project dependency through tax credit schemes, etc. For 1993-2000, Chevron NiuGuini Limited (CNGI), as operators for the joint venture partners, expended \$US20 million in the SHP alone. Oil revenue for SHP in 1997 contributed 41 per cent of the total provincial budget. Both SHP and Gulf Province are dependent on national government grants and oil revenues to cover recurrent and development expenditures.
- Official statistics indicate that in the very years SHP income was at its highest level, the provision of health and education services actually declined. National health statistics for Nipa-Kutubu District indicate that by comparison with other provinces, or indeed Papua New Guinea median rates, Kutubians have low numbers of health extension officers (HEOs), and poor communications and family planning. Immunisation levels dropped significantly in the period 1995-1998, to less than 30 per cent of the levels reported in 1995.

The 2002 Social and Economic Impact Statement for Kutubu-Gobe (Goldman, Kameata and Brooksbank 2002), identifies six health service indicators: clinical visits (25 in 1995 and none in 1998), community health workers (CHWs) and aid post orderlies (APOs) (53 in 1995 and 37 in 1998), communications (25 in 1995 and 11 in 1998), number of refrigerators (86 in 1995 and 78 in 1998), triple antigen cover rates (100 in 1995 and 35 in 1998), and monthly reporting rates (46 in 1995 and 73 in 1998), over a three-year period. The same scenarios are applicable across the region. Clearly, the problems of governance and administration of social services are not necessarily related to the presence or absence of resource development in and of itself.

Barriers and bridges

Given that in this paper we can provide no more than an opening onto the kinds of 'interventionist therapies' required to address problems outlined above, we offer the following set of recommendations:

- micro-management at new community levels to foster community agency and self-management in the process of development;
- institutional strengthening of the present 'court' system by wider distribution of judicial functions to provide greater accessibility, presence, and effective intervention;
- increased police presence with specific interventionist agendas at the outbreak of violence, and more effective policing of gun use and possession through implementation of group fines;
- increased business training in non-project areas focused on the development of small-scale business initiatives in maintenance and repair work.

It is our contention that, for all the reasons given above, custom will offer attractive avenues for conflict management while state legal institutions and administration continue to be weakened and undermined by 'image' issues. In the short-to-medium term what is needed is an accommodation and balance between court and custom by establishing firewalls to uncontrolled fighting. Triadic conflict settlement based on tradition is effective, is indulged in by the populace, and is continuous with established mores of social behaviour. Wholesale reinvention of indigenous grievance management processes for Huli is rather akin to showing Greg Norman how to hold a golf club. What is required is control at the margins of the system.

The reliance on custom is in part attributable to the success of Huli in their indigenisation of state legal control (cf. Weisbrot *et al* 1982). Village courts and other institutions manifest this upward colonisation, even though, paradoxically, in the initial periods the courts aped the style and penalties of district and local court magistrates. There would need to be a uniform, widespread and simultaneous change in the clan descent system, use of wealth patterns, and economic subsistence bases, to make any change in the recourse strategies of litigants. Transformation will most likely and most successfully evolve in the absence of any forceful imposition of conflict resolution regimes. Without unilateral disarmament, any increased use of legitimate violence by the state will meet forceful rebuff and antipathy by the populace.

Institutional strengthening of the court system is required but in a guise much changed from what has previously obtained. It may be that the new local-level government wards can service the needs for development of 'community agencies'. But whatever demarcation of social units is deemed appropriate, there needs to be deployment of supporting legal and executive

functions: more courts and more police. As we have noted previously, changes to the residential settlement pattern will not occur in the short-to-medium term precisely because the land tenure system will not itself undergo dramatic transformation. For Huli, then, one has to select an appropriate level of administrative zone to develop corporate approaches to community wellbeing.

Micro-management in community development will most successfully occur in the short term within the resource project areas. In effect, these will provide the kinds of modelling and scaffolding precedents that can be adopted by the rest of the region if only because resources are available for such initiatives. The significance of establishing 'model' communities as incentives to others for change cannot be underestimated. At the same time, the success of engendering community agency will depend on how far one is able to educate landowners on the responsibilities of self-empowerment and control. Drawing again from the recent Kutubu Social and Economic Impact Statement (SEIS), when asked about the provision of better services in the area, 74 per cent of respondents indicated that they felt this was the duty of the developer, with only 26 per cent identifying their community as having any responsibility for development priorities.

While there are no magic bullets for sustainable development, most especially where the infrastructure to support a market economy is still underdeveloped, more can be done to encourage minor training and business ventures in non-project areas, such as repair and maintenance. Extension of training opportunities to non-project areas will go some way towards alleviating impressions of relative deprivation.

Perhaps hardest of all will be the challenge to unravel the skein of distrust and disrespect for all forms of state governance perceived as a cannibal of landowner protein. The baggage of the *wantok* system and endemic factionalism cannot be overridden by minor successes on the front of social progress. This is why any faith placed in the judiciary as the font for all control is misplaced and ill conceived. Furthermore, no amount of good intentioned psychotherapy via the medium of managed development will in and of itself halt the upward colonising tendencies of Huli. Whilst politics is perceived as a patronage rather than a participatory endeavour, the court system will continue to be subverted. Top-down role models may be one answer to these 'image' problems.

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ENDNOTES

¹ Most typically in Papua New Guinea, these span the gamut of (a) informal moots to court-like institutions; (b) the competitive channeling of opposition through forms of exchange; (c) retributive practices including physical violence, witchcraft and sorcery; (d) the diffuse sanctions of shame, and public opprobrium through harangue or public/private announcement protocols; (e) withdrawal and avoidance; (f) compensation.

² These understandings are implicit in much of the literature on 'law and order' in Papua New Guinea (cf. Fitzpatrick 1980, 1982; Paliwala 1982; Strathern 1993).

³ That is, there are no cultures bereft of conventionally understood, attested and expressed behavioural mores governing interaction.

⁴ See MacIndoe (1981) for similar sentiments about Simbu.

⁵ Gordon and Meggitt (1985:19-24) alluded to similar problems in Enga in their sub-section title 'The problem in and of statistics'. See also findings of the *Report of the Committee to Investigate Tribal Fighting in the Highlands* [Paney Report] (1973).

⁶ The Social and Economic Impact Statement (SEIS) for Kutubu-Gobe (Goldman, Kameata and Brooksbank 2002) noted that 79.5 per cent of respondents felt that 'law and order' problems had increased in the project-impacted areas. 44 per cent of interviewed subjects stated they thought it was resource-project-related, but 56 per cent felt that it was only partially or not at all related to the inception of the resource project — that in effect other drivers and social conditions were responsible for deterioration in 'law and order'.

⁷ The phrase is understood to refer to levels of conformity to criminal law prescriptions about violence, theft, disturbance of peace, and the firm administration of penalties for breach.

⁸ While this may not be reflected in any developed critical indigenous scholarship, it does subsist at the level of commonly agreed world-views.

⁹ This phrase glosses the conditions of widespread and embedded fears, mistrust and security concerns within and between groups.

¹⁰ In the Hides area, this manifested itself during the 1990s in a major land dispute between Huli and Dugube, even though, paradoxically, the Dugube in question were all long-term naturalised and resident Huli. Similar 'ethno-theories of ethnicity' are reflected in the mythical and ideological foundations of the Hela political movement which seeks to create a new province from 'common origin' landowners (see Haley, this volume).

¹¹ Similar findings have been made by Sillitoe (1981) for the Wola of the SHP.

¹² I have argued elsewhere (Goldman 1983) that the Huli nomenclature for compensation pigs encodes a folk medicine, just as the term 'compensation' in Huli is etymologically derived from the term 'to make/get well'.

¹³ Claims most typically included pig damage, illicit sex, homicide, debts, theft, compensation, land, insult, poisoning, trespass, bridewealth, custody, and sorcery.

¹⁴ There appear major differences here between Huli, and Melpa or Engan practices as described by Feil (1979) and Gordon and Meggitt (1985). Engans manipulated stereotyped ideas of compensation to exploit *baim bodi* homicide compensations. In Huli, to the contrary, there is no evidence of traditional payment categories having been subverted by new exigencies in the social environment.

¹⁵ However, the rules of fighting and engagement appear, as in Enga (see Gordon and Meggitt 1985:154), to have remained much the same.

¹⁶ Strathern (1977) identifies as structural conditions for warfare in the region the combination of (a) high population density; (b) large political units; (c) avid response to economic development; and (d) aspects to group dynamics.

¹⁷ See Gordon and Meggitt (1985) for an overview of these suggestions.