

**“TWENTY TOEA HAS NO POWER NOW”: PROPERTY,  
CUSTOMARY TENURE, AND PRESSURE ON LAND  
NEAR THE RAMU NICKEL PROJECT AREA, MADANG,  
PAPUA NEW GUINEA**

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Granting customary land tenure to Papua New Guinean citizens was a major step in the unique development of the Nation. Those who promoted it as a policy surely meant to encourage more than a narrow right to alienate, or otherwise dispose of land for minimal economic gain. Yet under pressure from large scale extractive industry, this seems the best that can be hoped for. “Twenty toea has no power now” examines this contemporary reality, one facing customary land owners in the vicinity of the Ramu Nickel development on the Rai Coast. Through attention to current concerns, and the question of whether “land” should be reducible to a simple “economic” asset to be realized through marketing produce or cash cropping, I argue for a deeper investigation of, and commitment to, the principles that make customary tenure viable as a foundation for a vital social form. I suggest that governance regimes that assume property as the natural basis for human sociality do not do enough to recognize or support diverse life-ways.

**Introduction**

SITTING BY A SACRED POOL on the Kwang River (Figs. 1 and 2) in the lands of Sarangama and Kumundung people,<sup>1</sup> Palota Konga took advantage of the peace and solitude in the narrow gorge to ask me about something that was weighing on his mind. Palota was concerned with rumors, rife along the Rai Coast at that time,<sup>2</sup> that their ancestral land was no longer theirs, that he was in imminent danger of being alienated from his home

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**FIGURE 1. Sacred pool on the Kwang River, Sarangama (all images: James Leach).**

and would no longer be able to make taro gardens, hunt for wild game, or gather housing materials from the forest. This anxiety was generated by the development of a mine along the coast, associated stories of people being told they could no longer make gardens in the vicinity, and was heightened by news of changes to the law that allowed (demanded?)<sup>3</sup> the registration of customary land. Palota feared that his relationship to the lands he was named from and where he had lived during his fifty years had already changed without his knowledge.<sup>4</sup>

The lands in question, those on which the hamlets of Sarangama and Kumundung are located, are part of an area that composes the administrative district of Reite Village. They are situated around 10 km inland on the Rai Coast in Madang Province, in the Independent State of Papua New Guinea, on steep and dramatic limestone cast substrate (Fig. 3). It is an area of uplifted ancient reef, supporting climax rain forest, cut through by numerous fast flowing streams that run away to the northern edge of the mainland, a remote coast sheltering beneath the massive Finisterre Mountain range to the south.<sup>5</sup> Reite lies about 20 km (as the crow flies) from the Rai Coast administrative center of Saidor to the east and about

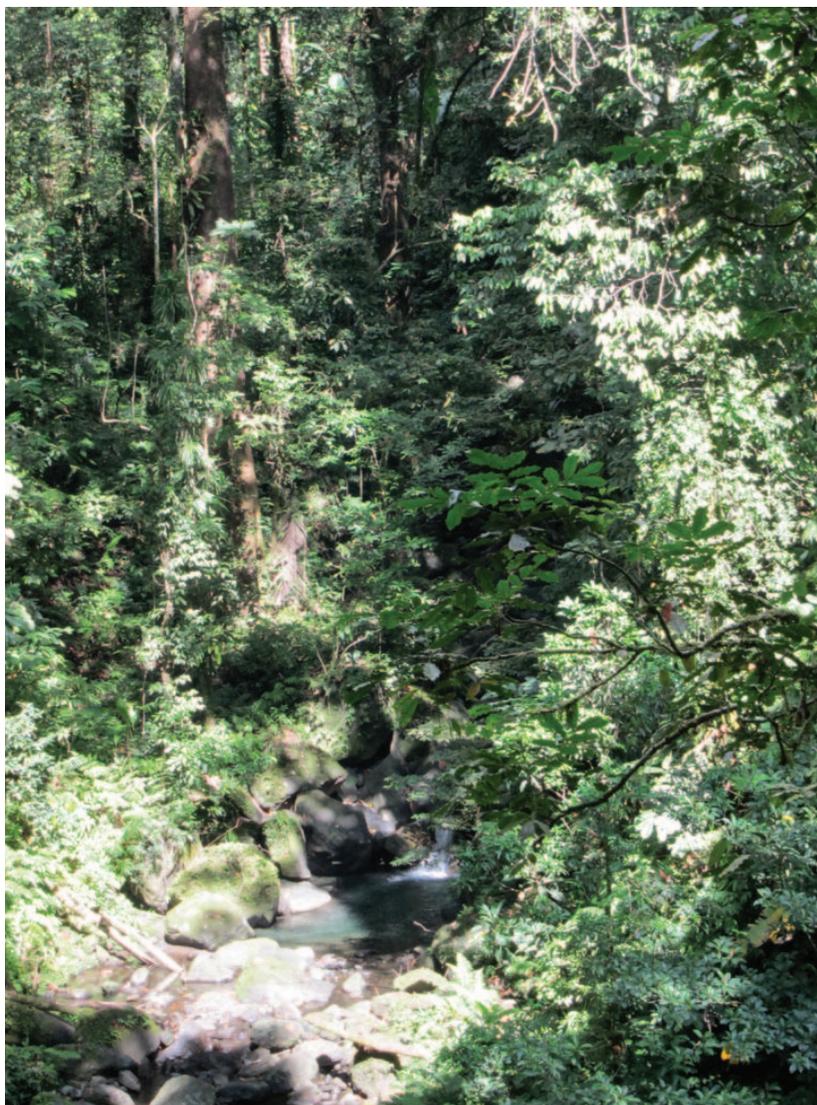


FIGURE 2. Kwang'i, between Kumundung and Sarangama lands.

70 km in a direct line from Madang town, located on the other side of Astrolabe Bay to the northwest. Reite people subsist by shifting cultivation growing tubers and vegetables, by hunting, and by some small-scale cash cropping.



**FIGURE 3. The Rai Coast's steep and dramatic limestone landscape.**

The substrate of limestone has two qualities each with very different (now political and legal) implications. It is recognized as a fragile and rare landscape and is, thus, protected under Papua New Guinean environmental law (Environment Act, No. 64, 2000). However, it is also suitable as a raw material in the processing of minerals in industrial mining (Fig 4.). Limestone has a high pH value, and is thus used to balance the acidity level of waste material generated in refining processes that are then discharged from the plant. A major factor in the location of the new mine processing facility at Basamuk Bay, 20 km to the west of Reite, is the existence of this limestone. Surveys have been undertaken for at least the last decade testing the quality and depth of the limestone all along the coast. Little bore-holes appeared near the head of the road to Reite, for example, about ten years ago, where samples had been taken of what turned out to be high grade material. It is possible that compulsory acquisition would be applied to these limestone deposits should there be outright resistance to its use by Rai Coast landowners.

The Ramu Nickel mining project, long mooted and anticipated,<sup>6</sup> began actual construction in 2006 when the then Prime Minister of Papua New



**FIGURE 4. Early stages of limestone extraction in the vicinity of Basamuk Bay, July 2010.**

Guinea, Sir Michael Somare, negotiated an agreement with the Chinese government-owned Metallurgic Corporation of China (MCC), currently 85% stakeholders in the resultant Ramu Nickel-Cobalt Project. Other

shareholders are MLL, a subsidiary of the Australian registered Highlands Pacific Limited, MRRL (3.94 percent), a subsidiary of Mineral Development Company of PNG for PNG state interests and MRML that owns 2.50 percent, a subsidiary of Madang Regional Development Corp. for landowner interests. The project involves major infrastructure development at two sites, one an extraction site at Kumbukari, inland from Madang town and 75 km to the south in the mountains, the other, a processing and treatment plant located at Basamuk Bay on the Rai Coast. A 135-km slurry pipeline joining the Kumbukari site to Basamuk has also been constructed. It is the Basamuk development that is immediately apparent in Reite and, thus, the one that was of interest and concern in Reite. This plant, and an adjacent wharf for the export of its product, is scheduled to have an annual production of 31,150 tones of nickel and 3,300 tones of cobalt (Highlands Pacific 2010, 2) over a lifespan of at least twenty years. The large wharf, the plant itself, and buildings to house and feed the workforce were all nearing completion in July 2010, and MCC Ramu NiCo Ltd. expected production to begin late 2010 or early 2011. A township to accommodate up to 10,000 people has been surveyed and begun at the site.

The long anticipation speaks of a difficult and contested history to the project, with one and then another developer pulling out over the years. More recently, court injunctions brought by local landowner associations (LOAs) and environmental NGO groups have introduced delays in the scheduled completion. At the Basamuk site, the objections have mainly centered on the proposed dumping of mine tailings into the sea adjacent to the facility. Serious concern has arisen over the likely impact on the coastline, the coral reefs, and the fauna and flora, as well as the livelihoods of people in the wider region. There have also been concerns about inadequate environmental assessment prior to the issue of a development license resulting in a major and drawn out legal battle brought by local landowners against the disposal of mine tailings into the ocean through a system known as Deep Sea Tailings Disposal (DSTD). DSTD is a controversial practice, with potentially devastating environmental impacts. It is banned in many countries of the world, including the United States and Australia.

Real and important as these concerns and conflicts are, they were poorly understood in Reite, opaque to people there because of a lack of information and reliable detail about the development, its benefits, or the legal and political struggles entrained. However, the general and oft cited desire for “development” in what is always acknowledged as a backward and overlooked area, was being tempered by concerns such as Palota expressed. Problems were apparent to people in Reite long before the processing of Nickel actually began. As one Reite man put it while visiting the U.K. in 2009 (to work at the British Museum):

We look to future generations of people and we are truly concerned. We see a large mine being built near to our villages. It is called the Ramu Nickel Project Mine at Basamuk Bay, and we have already seen many bad and destructive introductions. People went to make gardens, and were told they could not, that the land now belonged to the Prime Minister [Somare]. There are new diseases such as AIDS that have come near to us now. So when we look at [all these] things from before [that is, things from the museum collections], we also think of the future for our children and we are very troubled (Nombo and Sisau, in press).

Concerns for the future are most often expressed (as Palota's questions demonstrated) as a concern over land, land registration, and the possibility of future land alienation by the mine or the government.

While engaging and discussing these concerns with land alienation, in the rest of this paper I focus on the more subtle (but more immediately real) consequences of the way in which social, economic, and environmental pressures resulting from the appearance of the facility at Basamuk, threaten land. That is to say, the reality of the situation is that rumors of wholesale alienation, captured in the phrase that the land is now "Somare's land" are unjustified outside the immediate project lease area.<sup>7</sup> Although direct alienation may not be a current reality for those beyond the relevant mining area lease agreements, these more subtle changes are given form in different relations to land. My task here is to give a sense of why this is the case as well as to indicate how a serious misunderstanding of the relationship to land and its significance lies at the heart of current practices affecting those such as Palota. That Palota expressed anxiety over the future by asking about land is not incidental. The changes he saw occurring could be summed up by saying that the relationship Rai Coast people have had with land is being translated into one where economic value is taking precedence over other value, and thus their ownership of land as a form of property is coming to the fore. But, put starkly, their relationship to land is not one of property ownership but of constitutive interdependence. Customary tenure can only register this relationship passively as it were, by giving property rights over land. It cannot proactively protect the conditions under which such tenure operates successfully. Thus, currently customary tenure is being put under enormous pressure by development rendered through the medium of markets for produce (see below) and little else.

### Carrying Sako Fruit to the Weigh-Market

As the dawn chorus of tropical birds fades and light comes into the sky, I watch as a line of women walk past the house, bent forward under the weight of huge string-bags (*bilum*) full of garden produce. “Ooheeh, ol sako lain . . .,”<sup>8</sup> calls my host Pinbin as they pass. On this, my first morning in Reite for a year, I am not sure where they are going, nor what the large pale green fruits are that they are carrying. It is only after a succession of these strung-out little groups of women pass, their distance from each other evidence of the concentration of effort required to carry such heavy burdens, that I enquire where they are going. There is no market today surely, this being a Sunday. Some of the women are from Reite, Sarangama, and Kumundung, some are from villages in different language groups higher up in the mountains. The long answer that follows (verbatim) is worth relating in full as it speaks of many of the themes of this paper.

They are going down to “weigh-market.” Carrying Sako-fruit. People here are not messing about! Women carry three or four bilums to market. Men have three or four gardens for produce to take to this market.

Before, if we were planning a major life-cycle ceremony we would make one large garden. If not, then not. For eating [domestic consumption] we only made gardens just big enough and the forest, land and water were looked after.

Everyone wants money, and this style of caring for the forest and land supporting our way of life is dying out. Everyone thinks they like the new fashions and want only to buy things for money.<sup>9</sup> Our law, our good ways with each other are declining now. Market is there every single day now, in every house.

We went to you [the U.K.]<sup>10</sup> and saw how you live and we judged that we do not have anything similar. We think we like money, and [in that thought] are working hard to ruin what we have. I have seen with my own eyes. They [the developers at Basamuk] have not come to give proper compensation or futures to people. They have come to ruin us. It is not correct. I want the Government to develop laws or something. The Government should support us in looking after our forest lands and streams. That would be good.<sup>11</sup>

“Sako fruit” are the fruit of the *kurusako* plant, a common leaf vegetable in Reite since its introduction in the 1980s but one whose edible produce

has always (in my experience) been the leaves and shoots not these large fruit. Pinbin confirmed that Reite people do not, and have never, eaten the fruit. They were being carried to the traders who travel along the coast each day, buying produce by weight (hence the term “weigh-market”).<sup>12</sup> These, in turn, supply the mess halls and kitchens of the construction site at Basamuk Bay about an hour by motor dingy from the coast below Reite.

Weigh-market may be new for Reite people (new produce, new system of calculating a price for goods, new destination for the produce), but it had already been superseded in people’s imagination as an income source by a further development. Kauk visited my house a few days later with culinary ginger and chilli peppers as a gift. He explained how he had large gardens of each. His daughter’s husband in the neighboring village of Maibang had similar gardens, supplied by seeds from Kauk’s gardens, whereas labor for his gardens (the clearing of forest, planting, and tending) was supplied by these kin by marriage. Kauk told me he was not interested in weigh-market. The proceeds of selling to the traders on the coast were small in comparison to the amount that the same produce could fetch at the mine site itself. At the Basamuk site, there was a real market where the construction workers came to spend some of their wages. It was here that Kauk marketed his chilli and ginger.

### **Basamuk Market**

Of course, it was not Kauk but his wife that made the journey to Basamuk market regularly. In this part of contemporary PNG, it is usually women who take produce to market. Kauk’s wife, Saktung, carried the heavy bags of produce the same 10 km to the coast that those attending weigh-market did but then paid a 10K passenger fare and 5K per bag of produce for the hour-long trip.<sup>13</sup> Then she walked through the fine dust on the unpaved road behind the mine development for a couple of miles to the market site. For this outlay of time, energy, and money, women such as Saktung would return after a couple of days with something like 50K.

In some countries of the world today, the equivalent of US\$20 might not seem so bad for a few days work. However, prices in contemporary PNG are high for store-bought goods, and although there are no direct taxes on people such as those living as subsistence farmers in Reite, K50 would never be enough to support a family for a week. (One kilogram of rice was 6K, and a tin of mackerel [staple items] similarly priced in mid-2010.) When one considers the labor involved in such a trip, from clearing an area of forest for the gardens, to the planting, tending and

harvesting, carrying to the coast, from the coast to the market, and several days sitting in dust and heat, the hourly return once costs have been paid is very small. But that calculation misses one of the main points here, and one Pinbin was clear in articulating: that of committing forested land to cultivation from an increasingly limited forest, with a growing population. It is the hidden or cumulative cost of pressure on land that outweighs other costs.

The other point to be gleaned from the specifics of horticultural production and its marketing is that it has a distinctly local character. The desire for income is uppermost in the minds of those undertaking gardening for weigh-market and Basamuk market. Indeed, the rationale given for making the long trip to Basamuk to sell garden produce is that people need more and more money for everyday living, that “20t has no power anymore.”<sup>14</sup> That phrase, one I heard for the first time in 2010, bundles a whole complex of perceptions, hopes, affect, and despair. Notice, if you will, that the gardens are made by associations of kin in affinal exchange relations. And that it is women, traditionally expected to move in (virilocal) marriage and the establishment of new productive relations, who take produce to market. 20t may have no power now, and people market produce for cash income, but to conclude that these people are acting as efficient and rational proto-capitalists would be inaccurate.

### **Rai Coast Markets**

A small market was first introduced in Reite in the 1980s when, with the arrival of the community school, there was a need to supply the staff with food. A twice weekly market was instigated where villagers brought tubers, vegetables, fruit, and game to sell to the teachers (and to each other). Items were grouped together in piles costing 10 toea.

The local rule is that the school market is only twice a week. This was agreed because in fact, in Reite people’s understanding, it is not right to charge anything to a neighbor or kinsman for everyday items of garden food. Betel nut is the mark of hospitality and conviviality, to be given away as what was called *mama lo* (mother law) in tok pisin, the polite and proper greeting between people. But we have already heard that “market is everyday, in every house” now. When complaints are voiced about the twenty-four-hour marketing of local produce, or the price of betel, people respond that “20t has no power now.” This is not a phrase indicating regret in many instances. As another man explained:

In meetings if we mention the proper mother-law, people shout us down with talk of school fees, of contributions to projects, of

reciprocal exchanges designed to generate contributions to various enterprises, of obligatory attendance at ticketed “rice parties” and so on. We bring up the fact that this is changing the way we act to one another, but the women here always talk us down with the point that 10t has no power now, 20t has no power now. That is what they say.<sup>15</sup>

Now despite the conventions of representation, there is no single entity called “Reite village,” with everyone of one opinion or with one interest in the market or mine or whatever. The conditions, under which people think it worth travelling to market, gathering small amounts of cash, etc., differ between families and households. They also differ by gender. It is assumed that women move across the landscape, carrying food and making or sustaining connections through these movements. As I comment on below, at this point in their history the motivation to market produce at Basamuk is not a matter of economic necessity but is dependent on temperament, interest, aspiration, and fantasy. Motivation for many is as much about anticipation of an imagined future of wealth and ease, the conditions for which seem much closer now, as any economic rationality. That is, their interest is not a matter of everyday survival.

Accompanying a group of women with some of their male kinsmen on a trip to Basamuk market, I was able to hear first hand from my companions more about their reactions and motivations. They made direct reference to issues of land, autonomy, and the future, stimulated by their observations on the trip.<sup>16</sup>

How will we change and develop? If we remain with our ancestral ways, how will we accommodate this new life? What should we do to live with money and its ways? What route will we follow to become like developed countries? We have land, we grow things, some people sell some of this to help them with rice or tin fish. But we get these things for free. It is through our own hard work that we eat for free. Everyone says that our customary practices are the best as we have all we need for free. Money is not part of that custom. If we desire the custom of money, things will go bad here. So many of us do what we can to strengthen knowledge of custom so it will survive. We like things for free, I don't mean we don't work hard for them, we work very hard, but we don't have to buy things we need for money.

People at home in the village are making huge gardens, and then turn the land into cocoa plantations. People make large

blocks. Our land for growing food crops is very scarce now. Every family wants to own a cocoa fermentary now.<sup>17</sup> Forested land is almost finished. What can the Government do to stop all these developments? If they set higher prices for the few cash crops we have then we could implement our own restrictions on cutting new forest, on looking after land and environment and the community would listen to them. At the moment they just say, "it's my land, I will do what I want on it." What can we say? If prices were better for cocoa and vanilla then people would be content with the little income they gain for school fees and for rice sometimes and would not keep cutting forest for gardens for market and turning the land over to cocoa afterwards.

What did we go and see (Fig. 5)? I saw the villages near the site, their gardens, drinking water all ruined by dust. We saw the rubbish that is being created, bits of rusting sharp iron lying all over the place (Fig. 6). These things didn't grow there, who is responsible for them? We saw lots of things to ruin the place, disrupt people's comfort and their land. We went to the market and saw people living close to the mine dressed up and decorated, showing off in the market. That made me cross with them. They are thinking of now, and not of their children and grandchildren.

It was not like a Government station that is put there to assist us, but to take something and go. Sickness and sores were rife, and land gone. The mine isn't old, but brand new, yet these things were there already. They are ruining the land that we live through. Good forest land where we are free and get things for free. They come and buy us to do their work and our land goes to them so we will not be able to have these free things again.

Given that such perceptions are not isolated, what conditions make it possible for people in Reite to consider it worth the labor involved in making trips to Basamuk? Clearly, they are conditions where access to money is scarce enough to make the opportunity attractive. They are also conditions in which other, more complex motivations play a role (the aspirations and hopes alluded to above). But one thing Reite people do share, and that makes them differ (for the moment) from other people in other development situations is that such activities, laborious as they are, are optional. What could I mean by saying that? Quite simply, that at present, the money earned through the activities of marketing produce is supplementary and expendable wealth, not a core of their subsistence regime. As such, their interest in cash-cropping can only be sustained while the core subsistence



FIGURE 5. “What did we go and see?”



FIGURE 6. The road, dust, and debris at Basamuk, 2010.

regime that provides food and shelter to people is maintained. And that is a matter of having forests for building materials and forested land for the shifting cultivation of staple foods and for hunting.

This point brings us back to land, the autonomy that customary tenure over land allows, and increasing pressures on the system in which such tenure has its meaning and validity. Many in Reite now say, then, that times have changed and “now it is the time of money.” However, what they know of a money economy is not that of subsisting through peasant farming but of supplementing their other production with nonessentials. The real danger is that this supplement will soon become necessary, and then it will be nothing like enough to sustain the growing population.<sup>18</sup>

### **Discussion of Environmental and Land Law Issues**

Now, at the back of all these developments and concerns lies the issue of land. This is both in the way land is the register for concern among Reite people and in that customary tenure has allowed them to pursue a mode of life, based on the cultivation of tubers, that they value highly. Concerns over changes that also change this mode of life seem to be expressed in a condensed manner though anxieties over future land tenure. And that is for a very good reason, as I will come onto in the next section.

As I reported, these anxieties were most dramatically represented in the idea that all Rai Coast land now belonged to the company through an agreement with the Prime Minister. That turns out to be apocryphal. Customary tenure applies by default to all lands in PNG that have not been explicitly alienated in the past.<sup>19</sup> Although it is true that, within the mine lease agreement area, land has been alienated, and it seems likely that people there may have been told by the company that the lands were no longer theirs, it is also within this lease area that the Land Owners' Associations (LOAs) exist as a distribution mechanism for benefits. On the other hand, Palota's lands at Sarangama and Kumundung do not fall within this lease area and would, therefore, have to be subject to new agreements or compulsory acquisition were they to be used by the company.

More proximate and real are the changes to the law (actually unrelated to this mining project) that allow for the registration of customary land. This provision (Land Groups Incorporation [Amendment] Act 2009 and Land Registration [Customary Land] [Amendment] Act 2009) provide for the registration of a portion of customary land by an Incorporated Land Group (ILG). The process of such a registration determines a series of landowners (through the ILG mechanism), a demarcated area with agreed boundaries and allows for the landowners to raise capital though granting

leases on that land to others. The changes “are aimed at unlocking the vast economic potential that is locked up in customary land due to legal and administrative constraints relating to the application of customary land to modern economic enterprise” (Independent State of Papua New Guinea 2009, 5). The amendments provide a clear mechanism for this process, are wholly voluntary, and are aimed primarily at development areas in semi-urban locations. (Now, there is a whole other paper [or many] discussing the local responses, hopes, and fears that these possibilities offer in the Rai Coast context. But here it is pertinent only to say that talk about the registration of land contributed to the uncertainty Palota expressed and was spawning the formation of various “associations” along the coast to “assist” people in this registration. I do note, however, the equation in the Amendments of customary land with economically measured benefit.)

The final external legal factor causing consternation during 2010 were amendments to the Environment Act of 2000, which were said by various activists and NGOs to remove people’s rights to protest against developers and to halt permits granted under the act on the grounds of poor environmental assessment or predicted damage. As with all these matters, this was poorly understood by people in the village (including myself until I investigated with the Justice Department). In essence, according to the Justice Secretary, on the May 3, 2010, clarification was made of certain ‘ambiguous provisions’ in the act relating to permits that had been granted in the past but not made operational. There were roughly seventeen such permits, one of which had been granted to the Ramu Nickel developers. The change indicated that the permits that had been issued, but were not yet operational, were of legal standing. The ambiguity was in the wording of the original act that did not clearly delineate the status of such permits. The amendment (Independent State of Papua New Guinea 2010) did not cover any new permits issued under the new Environment Act; thus, the Justice Department considered the outcry against these changes to be unjustified.<sup>20</sup>

### **Kinship and Creative Generation**

I cite all the above so the reader can have a sense of the complex situation of land and tenure in the maelstrom of a huge mining project on the Rai Coast. It was all background to Palota’s questions that afternoon at Kwang’i. Concerns over changes to a whole mode of life seem to be expressed in a condensed manner through anxieties over land tenure. I suggest that this is for the following reasons.

The Reite social world is one in which land and people are explicitly and consciously interwoven in processes of social formation, production, and reproduction. Even the brief sketch of market gardening given above is indicative of the nexus between kinship, land and gender. Kinship is rooted in particular places; land underwrites the social relationships it nurtures. Those relationships manifest in persons, and in things, making these creations aspects of the place itself, drawn from and feeding back into a unique kind of emergent lifeworld. They are not those of property ownership but of ongoing mutual possession.

In what follows, I aim to give a sense of land from Palota's side, as it were, by briefly outlining what land is for Reite people.<sup>21</sup> Their nexus of person, place, vitality and cultural expression provides a genuine counter image to the individualism inherent at the heart of property thinking, reliant as it is on the individual's appropriation of nature. I finish by a consideration of customary tenure as a kind of property right.

Figure 7 shows a bark fibre skirt, made by Isuwing of Sarangama, and worn by her daughter Tariak in 2006. The patterns in which the white and red strings overlap and mingle at the back of the skirt are given different names and are owned by particular kin groups and places. They have deep connections with those places. In this aspect, these designs are closely analogous to all the other valuable and beautiful things (and persons) that Reite people make, from the taro tubers that have unique strains in each area and contribute to the very substance of bodies, through game animals produced by particular land areas that are specific ancestors of particular people, to the elements of the male spirit cult *kaapu* (Leach 2003: 175–85) in which carved headdresses, perfumes, spirit voices, and accompanying songs also arise from, and draw in, particular places, their productivity, and spirits.

The skirt pictured here carries the design *Tupong sarrung* (waterfall; lit. water decorative). It is a design that Isuwing brought with her from Sarangama on her marriage to Reite. All designs for skirts (made by women from different places, familiar with different lands) also mark something we might call located movement. The hornbill tail spreading into a fan (*sawing apo'wung*) is based on what a women saw in a particular spirit grove in her forest, as is *Tiak* (the opening tail of a Raggiana bird of paradise). A landslide, a dramatic movement witnessed in the past, names another design and draws landscape, and its changing form, into the dancing ground (where the skirts are worn) as effectively as the waterfall image.

Designs on the back of the skirt place them where they are visible, where the eye is drawn to the swaying and flowing motion of the dancing women, and the image of rushing/falling/opening water or feathers, light, or land in particular places. Designs are events; they are places. They arise



FIGURE 7. Reite bark-fibre skirts, 2006.

there, as do spirit songs (*kaapu*) or specific taro varieties; like people themselves in fact, whose distinctiveness and visibility is made through their constitution in relation to taro, spirit, landform, and myth. In this way, design and place are mutually constitutive, adding *naie* skirts to the other

elements of bodies that are all drawn from the particularity of named places (Leach 2003, 170).

But the significance of movement and flow in the images carried by *naie* also distinguish them from other items. They are specifically women's creations by referencing the very movement of women through the land in marriage. The voices of the spirits that men control are taken from where the water rises from the earth and sits in pools before flowing away. Women's *naie* designs dramatize their connection with flowing and moving water, places fed by, but very different from, the stasis of men's spirit pools.

In the case of Isuwing's skirt *tupong sarrung*, the naming of the skirt design as the name of the place of a waterfall is an equivalence between the two movements, that of water and that of person. This is further enhanced by the flow and swish of the *naie* as they are worn, as they are danced into life and movement during the night long dancing performances that accompany, make, and mark life cycle exchanges between kin groups. Women bring designs, much in the way they bring songs or taro plants with them on relocation in marriage, but they do not pass them on to their daughters without special payments, payments that mark the movement of a valuable item from one place and its incorporation into another. Reproductive power here is transactable but not alienable. This speaks to the association of things and persons with their lands of generation. People are, in a very real sense, land made mobile, containing as they do the power, substance, knowledge, and history of specific lands. One value of the designs on skirts is to demonstrate historical ties with other places through marriage (and the power of the particular place that captured them by drawing women there, in marriage, through love magic or visibility in exchange cycles). People do not institutionalize their connections to things and other persons through property ownership (Strathern 1988) but through their own tracing of interconnections between the history of kinship and the emergence of people and places that share common elements and rely on each other for their generation and appearance (see Kalinoe and Leach, 2004). The relationship is not that of private property (see Glaskin 2002:67, 78).

People make things for practical reasons. They also make things for decorative purposes. Here decoration and function are not separate aspects of the endeavor. Purpose is wholly social. Appreciating the indigenous aesthetic power of these skirts (or whatever one might focus upon) is to understand the relational nature of their constitution, significance, and appreciation. People are already seeing things through others' eyes here, because those eyes were constituted in processes such as the making of skirts. These are processes in which things and persons and places are parts

of each other, where an individual interiority is not possible. It follows that the appreciation of these items and objects is in desire, movement, and the reproductive cycles of the social world itself as affinity, kinship, and placement.

Reite people have a strong claim on land through this kind of reproductive engagement. Their ownership of land and long history with it manifests as persons, and as the things those persons make from and generate alongside themselves as a rich artistic and cultural life. People know where others are from because of the designs on the skirts they wear, the sounds of the spirit voices they produce, or the ability to name lands in a recollection not of use but of the emergence of people through previous gardening, exchanges, and labor. This kind of connection to places is genuinely different from the kind of relationship to things or land shaped by regimes of property. Of course property is also a form for a social relationship to take (Harrison 1992: 240), but calling all social relations property is to make a grave error.

### Relationships That Are Not Property

In a wonderful article in *Journal for New Zealand History* (1992), the distinguished political historian and philosopher J.G.A. Pocock describes as clearly as anyone (and there have been many) how Western state jurisprudence since the Enlightenment has systematically denigrated forms of relationship to land that are not based on property ownership. He describes the importance of the heavy plough as a technology of appropriation and demarcation in the European imagination and how systems other than those of settled agriculture have been ignored. Thus, systems of human association and tenure that deviate from the relationships of property ownership have been swept aside or dismissed. Pocock charts the philosophical and religious roots of a self-interested blindness to other forms of humanity and other modes of relating to land in colonial encounters and regimes.

Western property relationships reduce the meaning and significance of land from a vital and live constitutive element in a network of unfolding relationships to a simple right held against others to dispose of something (see Keen 1988). The concerns and complaints expressed by Reite people throughout this paper point to the fact that the name for relationship in Reite is still very different to property and is not appropriative or reductive. The idea of people and land as inseparably interwoven need not speak of an essentialist, primordialist mistake but rather stand as “a poetic, rhetorical or dramatic statement that there exists a close and rich relationship between the meanings of land and birth, and that there can exist between

a people and its land a similarly rich relationship, which can serve as the basis for a claim of right” (Pocock 1992, 29).

Interestingly in this context, Pocock cautions against telescoping the emergence of this “possessive individualism” at the heart of property regimes with accumulation and accumulation with the emergence of capitalism and a bourgeois class. He argues (after MacFarlane 1978) that it was in the courtroom that the tenets of possessive individualism were moulded rather than by capitalist production. Of course, law in state societies tends toward the enforcement of rights, and the simple way of understanding rights to land is through property. Law is on the side of Reite people here, upholding their customary tenure. But where customary tenure has a blind spot is a product of, in the end, having to reduce complex relationships to property (Mantzaris and Martin 2000; Glaskin and Weiner 2007: 2).

“Roman and Feudal jurisprudence alike took it for granted that that the proprietors who came before it to adjust disputes would be individuals, not the communities or agnatic kin groups who were imagined and acknowledged only in the nineteenth century. They arranged these litigant individuals in adversarial relationships, plea and counter plea, challenge and response, conflict and resolution, on which each and every image of the state of nature, the origins of *jus* meaning right and *jus* meaning authority, and the transition to the state of civil government has quite unmistakably been formed; and they established all these images at the existential centre of the Western sense of what an individual is” (Pocock 1992, 32).

Pocock traces a history of the development of western states where the protection of the person and, thus, the rationale for the state or sovereign could be reduced in essence to the protection of rights over property. The development of a society or civilization, all the institutions and achievements that made a people the people they were, were seen as dependent on forms of association (relationship) made durable by the rights each person had over property. “Western European theorists of natural law were turning towards theories of natural right, and to that end were constructing a concept of a state of nature, a primeval condition of human existence in which individuals were depicted as without rights, without mechanisms for distributive justice, and without civil government” (Pocock 1992, 31). In systems adopting this approach, systems in which land and people are explicitly and consciously interwoven in processes of social formation, production, and reproduction have been systematically ignored.

The individual then preceded property in European political theorizing. The state of nature was an image of a series of individuals roaming the earth's surface. Appropriation resulted in systems of institutionalized values. Labor led to property through the admixture of property in the person and land, which led to rights, which led to governments to enforce them. In effect, the human individual as a sociable creature was defined by his property, and the individual who had not yet appropriated was not fully human. This was of course "the savage"—a primeval, rather than a possessive individual. Primeval individuals had not appropriated the land because they had not modified and improved the land and, thus, did not develop laws, arts, and sciences, which were codified expressions of social relationships. Human society was imagined to be based on the ownership of property because relationships between individuals came into being because of appropriation of resources and the need to institutionalize that appropriation. In other words, to use Pocock's phrase "property was their name for relationship." Now this leaves us with a dilemma when it comes to customary tenure, a way of allowing rights over land, guaranteed by the state. As those rights, to be recognized by a state whose aim is to uphold property have to be a kind of property right. Of all the possible types of ownership (eg. belonging, connection, mutual possession etc. that are not property), what the state can recognise is only a very narrow sense of what is valuable about the relationships of customary tenure can be acknowledged. Our task here, our project, must be seeing the implications of those other kinds of relationships, ones that are not called property, and how they are not ancillary to, but are vital for, the continuing meaningful relationships that constitute land, person, art, and creativity in places such as Reite. The important difference is between the expectations and reality of property as the organizing trope and other kinds of ownership.

Papua New Guinea has been a state in which customary ownership has had a positive effect in allowing the persistence of other types of relationship to land, one in which practices such as Reite's male cult, or the making of skirts as part of kinship and marriage, have flourished after thirty-five years of independence. But this is under threat now, not from the direct assault on customary ownership that Palota feared, but from the more subtle redefinition of all relationships to land as relationships of property and, thus, as Farran puts it, "the move to make all value from land realisable as an economic value" (ESFO 2010). The very clear disadvantage, unsustainable nature of, and increasingly precarious existence for Reite people on the fringe of the Basamuk development is not alleviated by their customary ownership when what that ownership amounts to is the right to exploit and degrade their lands.

It seems extraordinary, churlish even, to turn the tables like this and suggest that customary tenure, the foundation of such diverse and vibrant creative social and cultural worlds in Papua New Guinea since independence, is, in its underlying mode of property, possibly contributing to the problems Reite people experience. But to do so is to suggest that we again are seeing “a debate between two modes of occupying land and acquiring rights, and the hegemony by one of them . . .” (Pocock 1992, 32) by the back door, as it were.

That Reite people regularly express their concerns and anxieties through the idiom of land is significant. The focus on what might be thought of as an aesthetic or artistic sensibility in the above is an indication of vital and live life worlds. Threats to land register threats to a way of life and living, they channel and make real to people an otherwise unformed sense of disaster and deprivation arising from changes in the vicinity of the development at Basamuk. The fear of uncompensated alienation may not have a current basis in fact, but the sense of a degradation of relationships to land, and removal from it, speaks volumes about social and economic pressures. This paper has outlined some of these pressures, including giving a sense of the importance of land-as-part-of-kinship and artistic production (that is, of social and cultural survival and reproduction for Reite people).

### Conclusion

In much policy discourse around aid and development in Pacific states such as Papua New Guinea, “the approach of policy makers and aid donors seems to be that customary land tenure should make way for, or adapt to, introduced forms of land tenure” (ESfO 2010). I do not mean to add to these calls. In fact, my call is for quite the opposite. The contributors to van Meijl and von Benda-Beckmann (1999) show how the standardization of property rights do not necessarily lead to economic development, for one thing. And I share the fear expressed by Herman (1999: 104) that “instead of gaining an improved standard of living, many people end up in worse economic and social conditions, or are even impoverished by the loss of land.” This paper set out to demonstrate both the rich and complex relationship to land in a specific place, the creative potential that lies in that relationship, and the contemporary conditions of economic change affecting it. The purpose has been to explore the consequences of “placing greater emphasis on individual economic wealth accumulation and related pressures to derive economic benefits from customary land and related resources” (ESfO 2010).

Land tenure is not just seen as problematic by aid donors and developers in PNG (see Weiner and Glaskin 2007: 1). There is a wider public

perception (such as there is a public perception at all) of land tenure as problematic. An article in the *New York Times* recently, to take one example, described how development in PNG is “bedeviled by a complex land tenure system” (October 25, 2010). But land tenure is much more than the kind of relationship enshrined in private property systems. It has long been realized that the relationship to land is crucial to identity and self-worth in PNG (e.g., Filer 1997). A “complex land tenure system” is in fact a complex series of relationships to and with elements of the earth, of history, and of other people, kinship, and social reproduction. What is lost when such systems are cleared away is not an archaic but perhaps interesting hang-over from the past but a vital and generative social form. My point is that it may not be enough to hope for its persistence if underlying assumptions about property are not examined as they structure the way customary tenure is acknowledged and supported.

As we well know, law often follows social change, and external power often forces social change into being. What is of interest in the current developments on the Rai Coast is how even with legal support for customary tenure, pressures to derive economic benefit from customary land are having the consequence of undermining these vital and generative social forms. Without more research, the conclusion of this paper is speculative and suggestive rather than detailed, but what seems necessary in such a climate is law that does more than leave land tenure systems to be battered about by other forces and actively looks to strengthen the wider conditions by which they are tenable. Economic development of the kind at Basamuk undoubtedly weakens such systems, whether by direct alienation of lands in license agreement areas, or as in the case set out here, through the proximity of new markets and opportunities which are in fact a chimera of development, mirages tempting vulnerable people into actions detrimental to ‘social organization, economic health, and the equitable distributions of access to and use of land’ (ESfO 2010).

It is important to understand that “twenty toea has no power now” is not an expression simply bemoaning inflation. It is clear from the way it was presented that the phrase itself marks a series of conundrums, contestations, futures, and concerns. Its ubiquity in Reite in 2010 signals something much deeper than inflation, and that is the shift from money as supplementary and additional luxury (in an admittedly labor-intensive existence outside the reach of the state, effective Western healthcare, or education) to something very different (but also outside the reach of meaningful education and healthcare). I use the word “luxury” carefully here. Cash has, until now, been a bonus in what is an autonomous mode of life. It provided luxuries and entertainment. Yes, essential for kin exchanges since the 1990s; yes, essential for school fees for those wanting their children educated in

state or private schools; but always available for people's projects whether or not they have it themselves, because kin assist one another, exchange one kind of wealth for another, help kinsmen, and so on. The character of "economic" activity in Reite is specific, based on assumptions about kin-based (re)productivity, gender, movement, reciprocation, and so forth. Having money oneself as an individual or household has not been essential. As mentioned in relation to weigh-market, money had similar qualities to other "whole" items of wealth. Twenty toea was not divisible into single toea but an item with certain, "power" to elicit or exchange for things.

The phrase "20t has no power now," capturing as it does the difference people feel, and which I have tried to capture in the descriptions in this paper, is a move from a situation where customary tenure made sense as part of a wider autonomy, where customary tenure's legal, state-based grounding in Western property law and the assumptions about relationships to land that this law brings as a matter of its history, was mitigated by other factors and elements that made the autonomy it offered meaningful and concrete. The arrival of the processing plant at Basamuk has shifted this to a situation where the autonomy granted by customary land tenure is the kind of autonomy that property relationships bring: the power to alienate, to exploit, and to appropriate. It amounts to the drastic narrowing of value in land.

Many of the statements from Reite people that I have included in this paper amount to questions about how to strengthen autonomy when land ownership is no longer enough. The question of the conference session from which this special issue arises was just such a question and sets the ground for a vital collaborative and imaginative project. Can we, drawing inspiration from the deep and complex kinds of ownership connection apparent in Reite, find ways for the law to support that autonomy?

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### NOTES

1. This took place in January 2009.
2. As they often are about one thing or another cf. Leach 2005.
3. Its voluntary nature was unclear to him.

4. In the first iteration of this paper, presented at the European Society for Oceanists Conference in 2010, I used the phrase “*graun bilong Somare*” in the title, a tok pisin term that was being used along the Rai Coast during 2009. The phrase had apparently been used by one of the Chinese staff at the mine development when restricting the movements of local land owners around the mine, saying it was no longer their land, but ‘*graun bilong Somare*’ (lit. ‘Somare’s land’.) My reporting of that phrase in the title of my presentation to index local discourses around the development caught the (critical) attention of a journalist in the national press in PNG (PNG National, July 2010), who called my use of the term ‘sarcastic’; an indication of the fraught situation around the Ramu Nickel project (see below).

5. And a recognized site of significant biodiversity (see Sekhran and Miller 1994; Nombo and Leach 2010).

6. “First discovered in the 1960s, the kurumbakari mine site was once explored intermittently by several companies. By 1990s, Highlands Pacific Limited completed detailed exploration followed by a feasibility study. In 2005, China Metallurgical Group Corporation (“MCC”) acquired the majority Project interest, and Ramu NiCo Management (MCC) Limited became manager and operator for the Ramu Nickel Joint Venture” <http://www.ramunico.com/plus/view.php?aid=1133>

7. And, thus, where substantial compensation and benefit sharing has been granted.

8. “Hey hey! People of the Sako-fruit!”

9. When one combines a realization of the amount of cash earned against labor expended, and of the value of these sums judged against the high price of all goods and services in PNG, the irony intended by Pinbin is easy to comprehend.

10. A reference to their visit to the British Museum in the UK the previous year.

11. The fact is, the government does support customary land tenure in PNG. This is not a settler society where land has been alienated from the indigenous people; yet as this paper sets out to show, customary tenure embedded in a system unsuited to its tenets makes that support inadequate.

12. Produce is always sold by unit or multiples in the villages and in the town market not by weight (see Strathern 1992).

13. PNG currency Kina (K) was equivalent to about US\$0.40 at the time.

14. The PNG Kina is divisible into 100 toea. Coins are 10t, 20t, and 50t.

15. *Long bung, ol man save winim mipela long tok bilong skulfi, na ol kontribusen, o baskettenis, o rais parti o kain olsem. Mipela kanapim kain gutpela skul o tingting, tasol, ol daunim mipela long dispela point. Ol mama long ples ol save tok olsem 10t nogat powa nau, 20t nogat powa nau. Em tok bilong ol.*

16. The following passage draws together the reactions of several people over the course of the day.

17. By my calculations, the income from cocoa is as marginal to subsistence as that from other money-making activities in Reite. People rely on cocoa for gathering wealth for large and irregular ceremonies. There is not enough land area, or transport potential, for the income from cocoa or coffee to replace current subsistence strategies.

18. The diversion of land for short-term production to supply Basamuk market has massively accelerated a process that began with more efficient tools and larger families in the 1970s. That is a process of deforestation, subsequent erosion and degradation of lands. As Reite people subsist on swidden tuber cultivation in a limited area, serious issues about the availability of good garden land are now real for them.

19. Interestingly, John Burton (pers. comm.) suggested the actual site of the mine at Basamuk has a complicated history. It was alienated in the past to plantations and, thus, more easily available for use by outsiders.

20. Dr. Lawrence Kalinoe (PNG Justice Secretary), pers. comm. 2010. It must be said that there has been much debate and complaint about these changes to the law, which are seen by several commentators as a direct response to the litigation against DSTD, and to have been forced through Parliament without debate. They assert that the amendment potentially deprives PNG citizens of rights to land and to protest against permitted projects and the process of granting permits. Dr. Kalinoe's explanation of the Amendment (to me) was made in this context. I have not, in this paper, taken a position on the rights and wrongs in this debate, but note it as relevant context.

21. Drawing on much longer considerations elsewhere (e.g., Leach 2000, 2003, 2006).

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