

Copyright is owned by the Author of the thesis. Permission is given for a copy to be downloaded by an individual for the purpose of research and private study only. The thesis may not be reproduced elsewhere without the permission of the Author.

DEVELOPMENT POSSIBILITIES AND
CUSTOMARY LAND TENURE IN THE PACIFIC

Dennis Graham Rockell

A thesis presented in partial fulfilment of the requirements for the degree of Master of
Philosophy in Development Studies, Massey University, 2007.

Abstract

In parts of Africa and the Pacific, the majority of land remains in customary tenure, perhaps in modified form. This thesis explores the question of whether it is possible to retain customary land tenure in a development context.

Major development agencies such as the World Bank have, at times, placed pressure on developing countries to convert customary land into forms of tenure more compatible with boosting agricultural production.

The Vanuatu constitution specified upon the nation's independence in 1980 that all land was to be returned to the custom owners. This thesis investigates how Vanuatu has grappled with the apparently conflicting objectives of customary tenure and economic development.

An attempt was made to give the issue maximum possible focus by choosing the West Coast of Tanna Island as the location of study. Here, urbanisation and infrastructural development is attempted in surroundings where the majority of land has never been removed from customary tenure. The very small areas alienated during the colonial period have become the principal localities for such development.

Must customary tenure or modernisation triumph, one over the other, or is it possible to achieve some of the benefits of modernisation without betraying the intent of the Vanuatu constitution?

The thesis comes to no simple conclusion, but examines closely how this contradiction is unfolding and suggests that there are grounds for optimism, while noting the unrelenting nature of the forces for change.

Acknowledgements

Many are the people who helped me bring this project to fruition.

At Massey University, I particularly wish to thank my supervisors; Dr Donovan Storey for his clear advice and attention to detail, and Professor John Overton for his unflinching encouragement and gentle guidance. I also make known my appreciation of the patient assistance given by Di Barnard at Massey University Library, who eased me into the world of electronic research.

My travel was partially funded by the School of People, Environment and Planning Graduate Research Fund, and my family's needs were helped greatly by the award of a Massey scholarship. Thank you to Massey for trusting me to complete this task.

In Port Vila, Vanuatu I wish to thank Ralph Regenvanu for opening the gateway, Anne Naupa in the National Library and Nailo Tosso in the Survey Department who answered my every request, Joel Simo and Terry Adlington who gave so willingly of their time, and Marie Ng who made sure of my accommodation needs yet again.

It would be a dissertation in itself to name everyone on Tanna Island who have opened their hearts and lives to myself and family. Sam and Merianne Numake have always been so much more than hosts and made sure my comforts were attended to. Jimmy and Tini Niko made me welcome in their home whenever I descended upon them. I especially want to thank my former student, Robson Moses, who without being asked, volunteered as a very effective research assistant and gave me many hours of his time. Timothy and Denny Kaio (father and son), Iaka and Keil Maimai (brothers), helped both in answering questions and in going to considerable trouble to place me in contact with other respondents.

So many people patiently answered my questions or gave explanations. In thanking Iolu Abil, Tom Numake, Richard Saraji, Iaken Keiro, Steven Iahamnioko, Johnny Taevo, Tom Kalewat, Pastor Willie, Rex Iapen, Pita Marcel, for their extended interviews, I do not forget the many other people who provided me with excellent information, such as the elders at *Imanaka*, *Imaeloni*, *Lownelapen* and my friends

from *Iwarau* Pita Iatis, Charlie Nango and their extended families. Nor do I forget the many shopkeepers who cheerfully welcomed my intrusion. Over and above this, so many others simply made me feel welcome. Pita, Batik, Michelle, Alice, Charles and Dianna, David, Kapalu, Nellie, Rachel, I thank you all.

I feel comfortable in saying that for some of the above, their participation in the project was an act of reciprocation, so deeply rooted in the culture of Tanna Island. The cycle of reciprocation does not close now, and I am both proud and humbled to be involved.

Finally, and most importantly, I give special thanks to my wife, Conor Twyford. When I began the research for this project our baby twins were six months old. Somehow she has managed to juggle motherhood, the demands of her own work, and a six week period of single parenting while I was in Vanuatu, with considerable hands on technical advice in the presentation of this thesis.

TABLE OF CONTENTS

Abstract	ii
Acknowledgements	iii
List of Abbreviations	ix
List of Images	x
List of Maps	xi
List of Tables	xii
List of Figures	xiii
Chapter One: Introduction	1
Genesis	1
Debates and Definitions	1
Outline	3
Chapter Two: Theoretical Aspects	6
Introduction	6
Debates on Customary Tenure	6
Some Contributions to a Theory of Tenure	8
Perceptions of the Development of Society	12
Modernisation theory	12
Anthropological discourse	13
Modes of production and the Marxist school	15
A summary	17
The Interface of Social Systems	18
The paradox of customary tenure	18
Permutations	19
Dealing with the paradox	25
Concluding Comments	26

Chapter Three: The Pacific Setting	30
Introduction	30
Alienation	31
Manipulations of customary tenure	35
Fiji	36
Tonga	37
Samoa	38
New Zealand and the Cook Islands	40
Mechanisms to Resolve Tenure Issues	42
Mechanisms to Allow Land Mobilisation and Development	43
Fiji	44
Papua New Guinea	44
New Zealand	46
Solomon Islands	47
Concluding Remarks	47
Chapter Four: Methodology and Ethics	50
Background	50
The Methodology adopted	51
Issues	54
Constraints	58
Conclusion	59
Chapter Five: Vanuatu	61
Introduction	61
Customary Tenure Prior to European Contact	61
Land Alienation	62
Post Independence Challenges	63
Mechanisms to Resolve tenure Issues	65
The Customary Land Tenure Act	67
Mechanisms to Allow Land Mobilisation and Development	73

Chapter Six: Tanna	75
Part I: Background	76
A. Tanna – Introductory	76
Brief Mythology	78
Early Nineteenth Century Disturbances	79
B. Customary Land Tenure on Tanna	81
Minimal Alienation	81
The Tan	82
Custom Names	84
The Nakamaal	87
Custom Roads	87
Patrilocal Society	88
Custom and Change	89
Part II: An Investigation of Modernisation and Urbanisation on Tanna	94
C. Forces for Change	94
Nineteenth Century Influences	94
Twentieth Century influences	96
Recent Developments	99
D. Urbanisation and Customary Tenure	101
The Physical planning act	105
The Businesses of Lenakel and land use agreements	108
Analysis of Stores	109
Black Man Town	112
E. Store Enumeration and the Demand Side of the Tanna Economy	113
Aim	113
The use of money	113
The stores	114
Education expense estimates	116
Transport Expense estimates	118
Aggregate Estimates	119

Part III: Change and Response	121
F. Details Concerning the Affected Tan Areas	121
Nariakne	121
Loweniu	123
Tan Iru	125
Isila	126
G. Signs of Possible Distress	126
Migration	126
Land Disputes	128
H. Growing the Cash Economy	131
Tourism	131
Coffee	134
Sandalwood	138
Other forms of economic activity	139
Summary	140
Chapter Summary	142
Glossary of Tannese terms	
Chapter Seven: Summary and Conclusions	148
Appendix One: List of Participants	154
Appendix Two: The Story of Semu Semu	155
Appendix Three: Participant Information Sheet	156
Appendix Four: Country Map of Vanuatu	158
Bibliography	159

List of Abbreviations

BP	Burns Philp
CCNH	Compagnie Caledonienne des Nouvelle Hebrides
CDC	Commonwealth Development Corporation
CLTA	Customary Land Tenure Act
CLUA	Clan Land Usage Agreement
TCDC	Tanna Coffee Development Company
CEO	Chief Executive Officer
COV	Coffee Organisation of Vanuatu
ETLR	Evolutionary Theory of Land Rights
GDP	Gross Domestic Product
HDI	Human Development Index
IBRD	International Bank for Reconstruction and Development
ILG	Incorporated Land Group
LTCA	Land Tenure Conversion Act
NIC	Newly Industrialised Countries
NLTB	Native Lands Trust Board
OECD	Organisation for Economic Development
PEO	Principal Education Officer
PNG	Papua New Guinea
PRA	Participatory Rural Appraisal
SCFNH	Société Francais des Nouvelle Hebrides
TPK	Te Puni Kokiri
UN	United Nations
UNELCO	United Electricity Company
VCC	Vanuatu Cultural Council
VKS	Vanuatu Kaljoral Senta (Cultural Centre)
VSA	Volunteer Service Abroad
VULCAN	Vila Urban Land Corporation

List of Images

Image 1	A commemorative stone announces the urban plan of Fig. 2	106
Image 2	A store proudly announces 'Black Man Town'	112
Image 3	Drying coffee beans is a family affair, Imanaka village	134
Image 4	One of about thirty coffee processing units, Tanna Island	136

List of Maps

Map 1	Tanna Island	76
Map 2	Minimal Alienation	81
Map 3	The Customary (Tan) Areas of Lenakel	84
Map 4	The Urban Area in Repatriated Land	101
Map 5	Lenakel year 2000	103
Map 6	Lenakel year 2006	104
Map 7	Vanuatu country map	158

List of Tables

Table 3.1	Levels of Land Alienation in the Pacific	32
Table 6.1	Land Tenure Arrangements for Lenakel Stores	108
Table 6.2	Land Tenure Arrangements for Stores South of Lenakel	110
Table 6.3	Secondary School Enrolments	117
Table 6.4	Comparison of Selected Demand Items on Tanna	120
Table 6.5	Guest Accommodation on Tanna in Late 2006	132

List of Figures

Figure 1	Language Use in Lenakel Area	83
Figure 2	Customary Tenure on Tanna in Ideal Form	93
Figure 3	The Urban Plan of Imaelone	107
Figure 4	The Historic Communities of Loweniu	124