SOLOMON ISLANDS

New Ireland

New Britain

Bougainville

Choiseul

Santa Isabel

New Georgia

Guadalcanal

Molaita

San Cristóbal

New Guinea
PROBLEMS OF LAND TENURE ON MALAITA

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Malaita is a mountainous island of about 1,500 square miles with a population of just over 50,000. The total area of land available per head is thus some 20 acres: the area of cultivable land is about half the total, however. It is hard to generalize about an island on which there are still eighteen distinct dialects in five main language groups and a considerable diversity of custom, and I should like to emphasize that I am giving a personal account of impressions received as an administrator - an account by someone using a different viewpoint might differ considerably from mine.

For long the highest cohesive social group was a collection of household settlements, the head of each settlement sharing descent in the male line from a common ancestor who was buried in the area. Each group was under the loose leadership of an influential man who in some areas was self-made and in others inherited the position. Land was not owned in the sense that any person or group had freedom to allocate or dispose of it, but each individual of the descent-group had the right to use as much of the ample land accessible from his settlement as he needed - not only for gardening but also for firewood, house-site and wild or cultivated fruit. The fact that an individual cleared land (whether it was then planted with long-living fruit trees or only used briefly for gardens) gave him rights to all it produced until it was finally abandoned. Thus lasting rights could be acquired both to fruit trees and to repeatedly-used garden areas. The rare disputes within descent-groups were settled by the group's 'man of influence', and disputes between descent-groups by force of threat or occasionally by force itself.

1/ In Mr. Townsend's absence his paper was read by Dr. H. H. Aschmann, Dept. of Geography, University of California, Riverside, California.
Until the nineteenth century the Malaitan almost certainly thought of land only in terms of the use it could be put to, and not as something which could itself be owned. Gardens were established (as now) by the "slash and burn" method, with a fallow period of 6-12 years. Most men gathered fruit from trees - for the most part canarium, areca or coconut - which grew wild or which they had planted, but if a tree failed it was unusual for rights to its site to be maintained by re-planting; replacements were usually planted where the land had been cleared within recent years for gardens. Land was ample for all needs: in this connection it is possible that Malaita, which had a relatively thinly-distributed population not easily accessible from the coast, suffered less than many Pacific islands from the introduced 'killers' such as measles and tuberculosis, and that its population density at the beginning of the nineteenth century was probably less than half what it is now. By the second half of the century Europeans and others were starting to visit Malaita with some regularity, and to establish mission and trading stations. The coastal flat lands, hitherto vulnerable to canoe raids and on the whole thinly populated, became attractive to men from the interior, and (usually by arrangement with the original occupiers) many small groups established settlements there.

As the demand for copra increased from 1870 onwards, coconut trees were planted in the coastal areas (which alone were suitable) in groves of unprecedented size, and since suitable land was so restricted descendants of those who planted them saw to it that they continued to exercise their rights over the site of the grove because of the inheritance of the coconut trees upon it. The conception of a defined area being in the perpetual possession of an individual and his successors sprang up.
Further, Europeans made written agreements with Malaitans which purported to transfer land itself, and the European conception of land ownership gradually became apparent. Though the majority of plots alienated in this way were very small (up to about 10 acres) and only one (of a dozen square miles) was of real importance to the people of an area, the fact that the soil itself might be permanently alienated had (and continues to have) enormous impact on the Malaitans, and since the first World War a number of transfers between Malaitans have taken place in which both parties fully intended well-defined areas of land and not merely rights in them to pass.

Thus for forty years or more the number of Malaitans thinking of land as such, as well as of what it could produce, has been increasing. However, until very recently the demand for ownership was very limited, because the demand for money and the area on which the only cash crop (copra) could be produced were themselves limited. During the second World War many Malaitans served with the allied forces and came to appreciate a much wider variety of imported goods, with the result that a large proportion of the people either have graduated, or are in a condition to graduate, to a money economy. In addition the planting of rice and cacao, to provide the largest possible number of peasant farmers with a cash income, was encouraged by the administration, and is now being undertaken on quite a wide scale. While ownership of small groups of trees was recognized in earlier times, and the continued use of cleared land for food crops was acknowledged, a different concept began to develop when land was cleared and used for economic crops such as rice, and economic trees such as coconuts and cocoa in large numbers. Land began to have an economic as well as a subsistence value.
To many Malaitans the traditional system of all the members of a large group holding rights within the same tract is now most unsatisfactory. The young, energetic and ambitious man is unwilling to work, or even to organize the work of a group, in establishing a grazing area for cattle or a new plot of cacao, if the bulk of the proceeds from the sale of produce has to be shared with a score of relatives, some of whom may even have had to be bribed to allow permanent improvement of the land to take place at all. For its part the administration, though impartial, is anxious for the welfare of the Malaitans, and has found that the larger the group undertaking a project the greater the inefficiency and risk of failure: even a well-established coconut grove is likely to suffer if more than an elementary family holds rights to it.

The 1957 report of the Special Lands Commissioner Mr. C. H. Allan recommended that where conditions demand it the evolution of a modern system of tenure by individuals should be encouraged. The term 'individual' in this instance extended to well-defined groups acting through trustees in order that there might be nothing to prevent a traditional group establishing ownership more comprehensive than its original rights provided it could agree on its membership. Legislation now enacted provides for minor rights in an area to be extinguished on payment of fair compensation, for the settlement of disputes, and for the registration of titles. There is however no intention of forcing the pace: the transition will be gradual since claims for registration will be dealt with as they arise. For some time to come most land on Malaita will continue to be subject to the traditional system, though there is little doubt that once claims are being dealt with smoothly and consistently, and the advantages of acquiring individual title are widely apparent, the demand for it will rise progressively.
Of the obstacles to the making and consideration of claims the first is purely physical - the fact that because so much land has been available in relation to the needs of the people it has never been necessary to establish exact limits. The second is more serious - the opposition of some members of a group to any of its members claiming registration of part of its original area which he has developed. The main grounds of objection are likely to be:

(a) that 'custom' should not be changed - there are still many on Malaita who hold that custom is immutable, despite all evidence to the contrary;

(b) that members of the group who are by inclination or through no fault of their own less active will no longer be able to profit from work done by the young and ambitious;

(c) that the group at present cares well for its aged, and that once members are allowed to become wholly independent of the group many of the aged will be left destitute;

(d) that land to which an individual holds title may be sold or mortgaged for the private profit of the title-holder, leaving his family destitute and allowing persons of whom the group does not approve possession of group land.

It is impossible to have much sympathy with those who base their objections on the first two grounds, but the third poses a problem which will have to be faced, and to which the Malaita Council, which has provided valuable advice in the past, may be able to suggest a solution. It is unlikely that the economy will be able within the near future to support any extensive alternative system to provide for the care of the indigent aged.
Objection on the last ground is also valid: in such countries as India and the Gold Coast (now Ghana) the mortgaging and sale of land led to the development of a landless class or a tenancy perpetually in debt to landlords who often behaved oppressively. The alienation of land to non-natives (including leasing) is already strictly controlled by the administration, and it only remains to devise some control over alienation to natives for part of the problem to be solved. As far as pledging land is concerned, the provision of credit is essential to the orderly economic development of the islands, which at present have no major asset other than their land and its produce. Fortunately a statutory body (the Agricultural and Industrial Loans Board) already operates a revolving fund from which loans at a low rate of interest (about 5%) are made. The Loans Board is required as a general rule to take security for its loans, and accepts titles to land, but the interest rate is low enough to enable even moderately efficient projects to pay off the mortgage in the first few years of production, so that it is unlikely that the raising of credit on land which is itself to be developed by means of the loan will lead to its alienation.