



LAND TENURE IN TONGA

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The land tenure system in Tonga is a unique one, and may be considered most admirably suited to a country whose economy is based on an agricultural system operated at family level, a system where the small holder and the family group are the backbone.

To understand this one must have a knowledge of the system of rule established under the Monarch, Her Majesty Queen Salote Tupou.

Tonga is a protected state of the United Kingdom and is ruled independently under a constitutional monarchy established in 1862. The first King, George Tupou I, by strength of character and of arm, established suzerainty over Tonga and unified what had until this time been a loose alliance of a number of islands in the Tonga Group under several accepted chiefs.

With unified rule came the establishment of constitutional government modeled in miniature on that of the British Crown and Government. This has served Tonga well.

It is worth noting that there was little foreign influence on land holdings since at this stage Tonga had been open only to the educational influences of the various missions and passing New Zealand whaling fleets using the harbours for shelter and watering. It was now possible to establish the Land Control of Tonga without outside influence affecting the issue. This was done with admirable success in the framing of the Land Act, the original of which, with few amendments, has remained the charter for Land tenure of Tonga to the present day.

^{1/} In Mr. Pilling's absence his paper was read by Dr. Crocombe in addition to his own concluding paper.

Thus Land Tenure in Tonga is built on the concept that all land throughout the country is regarded as the property of the Crown and there is no freeholding whatsoever.

The land is divided out in 'Tofia' which are hereditary estates and, within broad limits, approximate the spheres of influence of the Chiefs before unification. There are also royal estates and government estates. From these all parties draw a nominal percentage of the poll tax of 32 shillings per year paid by each Tongan male of 16 years or over. Though these estates, of which there are just over 30, are nominally owned by the royal family, various holders of chiefly titles, and the government, nevertheless control of the land and its allocation lies with Government under the Land Act and is administered by the Cabinet of Tonga through the agency of the Minister of Lands and his department.

With this picture in mind we can follow the pattern as it affects the individual and the family.

During his lifetime a poll tax payer is entitled under the Act to two statutory areas of land, 8 1/4 acres of bush land for farming and 1 rood, 24 perches as a town allotment, usually in the nearest village to his bush land. I have said "during his life time." However, in practice the law of inheritance and provision for the devolution of these allotments provides for the holder's widow to receive a lifetime interest in his bush lands when he dies. In addition the eldest son of the family normally remains with the family to assist in working his father's land and on his father's death is eventually issued the allotments. Younger brothers apply for and are granted allotment in other areas for themselves and their families. One might conclude that the area will eventually become saturated with no more land available, and this is the case. However, the full survey of Tonga and land division

into these statutory areas is not yet complete. It is at present in the process by a contract survey of the Kingdom undertaken by a New Zealand Survey organization. It would appear that a "pressure of population on land problem" should not eventuate for some time yet.

I have mentioned that one of the happy features of land tenure in Tonga is the absence of alienation of land to foreign influences. This has been achieved by permitting only leasehold occupation of land by non-Tongans, and consequently there have been no difficulties arising through clashes of interests. This system possibly has had a retarding effect on commercial interests, importers, and business houses as there always exists an uncertainty among the business community concerning renewal of their leases. Consequently a retarding influence on building in the two main town areas of the Kingdom, the capital, Nuku'alofa, and the centre of the northern group of islands at Neiafu in Vava'u, is apparent. Originally large areas of Tongatapu, the main island in the kingdom, were leased to foreigners as coconut plantations for the production of copra. When these leases fall due and are required they can revert to the noble on whose estate they lie and are then available for sub-division and issue as tax allotments to the Tongan people. This is now happening but without any unrest or political difficulties since the terms of lease have always been understood and respected.

This I think gives a picture of the general charter or pattern of land tenure.

Now it would be appropriate to deal with actual land utilization by the individual allotment holder, who is essentially a small farmer, growing cash and food crops. The production for overseas markets is limited to copra (the main export), bananas, watermelons and pineapples. Ideally

the allotment is fully planted out in copra at 48 trees per acre giving a return of approximately half a ton per acre. Beneath the trees the farmer may grow his banana and pineapple crop for cash return. In separate patches he produces ground foods for home consumption - yam, sweet potato (kumala), manioca, and dalo. In a fallow area of the plantation he may keep a cow for providing milk for his family, and perhaps a few pigs and fowls. The latter more often than not are kept in town.

The Tongan land holder normally resides on his town allotment and journeys daily by horse or cart to his farm land, often with his family and some relations if he has a planting program for which he requires assistance. Naturally on the larger islands such as Tongatapu this may mean a journey of some miles from the home village. This is achieved by horse and cart or by motor lorry from the home village. Families with several adult sons may find that allotments issued to them are scattered some distance apart but generally an endeavour is made to keep the families in their own districts if possible and if desired.

A localized form of share-cropping also exists which has grown out of the tax allotment system. This has come about through many of the better educated people obtaining wage- or salary-earning jobs as civil servants, shop or office employees. The result is that relations or friends undertake to work their bush allotments or apis on a share basis. This means that the employed person receives a return from his allotment in ground foods and also a cash return on his copra as well as the cash he receives from his job. He can thus place himself in an enviable economic position in the community.

This then gives a basic impression of a type of land occupancy peculiarly suited to an island group where extensive tracts of land are not available for large scale commercial farming. In this context

success lies in production of small cash crops by small independent farmers for whom further financial and economic development lies in the increased quantity, quality and variety of such crops for export.

For this end the Land Tenure System of the Kingdom is ideally situated and administered for the indigenous people of Tonga.