

The origin and effects of the ‘patrilineal’ rule among the Motu-Koita of Papua New Guinea

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From the 1960s in late colonial Melanesia, law courts attempted to accommodate ‘custom’, procedurally. However, legal incorporation inevitably involved a degree of codification that discursively produced ‘rules’ and fixity where parochial practice demonstrated flexibility and adaptability. This *institutional* codification affected the *indigenous* discourse of customary rules and, increasingly, indigenous practice.

Here I give a brief example discussing the Motu-Koita people, two originally distinct ethnolinguistic groups who became integrated through pre-colonial territorial co-habitation and intermarriage. They are indigenous to the area on which Papua New Guinea’s capital city, Port Moresby, has grown.

The spread of the city has resulted in significant land loss, and the Motu-Koita have accordingly become experienced land-claim litigants. The principles of Motu-Koita ‘customary’ land ownership are well rehearsed in legal proceedings, to the point where a principle of ‘patrilineal’ descent has become taken for granted. The discursive representation of the Motu-Koita as ‘patrilineal’ began in the early twentieth century, and for a long time did not significantly affect the real and non-patrilineal practice of the Motu-Koita. However, the former flexibility of their practice is now diminishing, and a hard rule of ‘patrilineality’ is increasingly invoked. I trace the origins of the patrilineal rule and its contemporary effects below.

The assumption of patrilineality

If the details of nineteenth-century colonial Administration descriptions of Motu-Koita landholding and inheritance (e.g. BNG 1894: 72) are submitted to late-twentieth-century anthropological kinship models and integrated with Motu-Koita kin classification terms and exogamy rules, a cognatic descent principle would conventionally be applied (see Goddard 2011: 327, cf Keesing 1975: 96, 104). However, in the early twentieth century anthropologists assumed that Melanesians were governed by simple unilineal descent principles, and the Motu-Koita were accordingly categorised as ‘patrilineal’ in successive influential descriptions, regardless of the exegetical anomalies this created (Seligman 1910: 16, Belshaw 1957: 13, 18-20, Groves 1963). After a Land Titles Commission was established in 1963, hearing claims relating to historical land loss, a colonial official prepared a pamphlet on ‘Land Custom’ in the Port Moresby area (Bramell 1964), for reference by jurists. He drew on Seligman’s (1910) ethnology, and while he attempted a typology of quasi-cognatic land inheritance, he also reproduced the axiomatic patrilineal descent principle. Subsequently, legal procedural citation of colonial documentation has effectively codified an ostensible patrilineality.

The moral context of land inheritance

In the traditional cosmomorphic and sociocentric lifeworld of the Motu-Koita, fundamental moral imperatives were generated by a complex of duties and obligations by individuals to an extensive kinship-ordered network (including ancestors), trading partners, and warfare allies

(see Gwilliam 1982; Oram 1982; Price 1975). Consequently, among other things, an individual's acquisition or loss of land, or access to land, could be affected by his or her social behaviour, or neglect of obligations or duties (e.g. Oram 1963; PNGGLCS n.d.). For this reason, even a structural model such as 'cognatic descent' is descriptively inadequate, for it elides the situational moral judgments involved in matters of inheritance and land holding.

By the end of the colonial period the Motu-Koita had adopted some kinship jargon, and were describing themselves as patrilineal, as if this was a descent rule. However, archival documents, oral history and fieldwork observations reveal that matters of inheritance and disputes among themselves over land were handled with a great deal of flexibility, involving negotiations, reliance on oral histories provided by elders, and considerations of the behaviour and past actions of disputants and related people (Goddard 2011: 335-6; Oram 1963; PNGGLCS n.d.). Further, against a background of many generations of movement and resettlement, intermarriage, descent-group merging and fragmentation, and other historical processes, many people could in fact make claim to the same plot or area of land. Age-old disputes could easily be reopened by an individual's decision to make a new garden, build a house, and so on, if careful and diplomatic investigations were not made first.

With the advent of land courts in the 1960s, the Motu-Koita pursued legal claims relating to early colonial purchases and later land losses to foreigners. In relation to disputes among themselves, however, they used the courts very sparingly, reflecting a preference for negotiation and strategies of shaming, blandishments and other forms of persuasion. In the longer term, then, parochial disputes over land use have tended to be realistically unresolvable in a legal sense, but manageable through communal processes.

Capitalism and the attraction to Patrilineality

Increasing land loss to an expanding capital city and to resource-extractive projects has drawn the Motu-Koita into self-preserving litigation. Group representatives attempt to legitimate themselves in court as hereditary landowners by appeals to patrilineality. When several plaintiffs in the same case make similar claims the wider, shared, issue of Motu-Koita land loss becomes undermined by inter-'clan' contestations. Meanwhile village populations are steadily growing on constricted traditional territorial holdings, and competition and contestation over gardening and housing plots has intensified. Additionally, capitalism and the increasing commercialization of land have contributed to a resistance among new generations to some traditional influences on land dealings, particularly when entrepreneurial individuals are seeking to put plots to commercial use, or sell them off profitably. They have become impatient with the traditional slow, repetitive processes of consultation with elderly villagers, negotiation and re-negotiation, compromise, and situational concessions. Their priorities are increasingly shaped by a globalizing market and its persuasive futurism.

In recent decades the spreading city has encroached further on Motu-Koita village territories, and outsiders seek to obtain land from anybody willing to sell or lease them a plot. During fieldwork in the late 1990s I found that some entrepreneurial individuals were selling or leasing out plots without community consultation, invoking the patrilineal rule (Goddard 2011: 336). The practice has since become more common, often leading to parochial conflicts with community elders calling for communal consultation and solidarity in the face of incremental land loss (e.g. National 2016). The increasing appropriation of a juridically codified Motu-Koita 'descent principle' is integral to a significant shift in the sociality of a

people whose resilience in the face of colonialism, land loss and urbanization during the 20th century was sustained by a flexible communality.

REFERENCES

- Belshaw, C. S. 1957 *The Great Village*. London: Routledge & Kegan Paul.
- Bramell, J.C.B. 1964 Notes on Native Land Custom – Port Moresby region. Mimeo, New Guinea Collection, University of PNG.
- BNG [British New Guinea]. 1894 Annual Report on British New Guinea from 1st July, 1892, to 30th June, 1893. Victoria. Government Printer.
- Goddard, M. 2011 Bramell's Rules: Custom and law in contemporary land disputes among the Motu-Koita of Papua New Guinea. *Pacific Studies* 34(2/3): 323-349.
- Groves, M. 1963 Western Motu Descent Groups. *Ethnology* 2(1):15–30.
- Gwilliam, J. 1982 Some Religious Aspects of the *Hiri*. In T. Dutton (ed.) *The Hiri in History: Further Aspects of Long Distance Motu Trade in Central Papua*, pp. 35-63. Canberra: Australian National University..
- Keesing, R. M. 1975 *Kin Groups and Social Structure*. New York: Holt, Rinehart and Winston.
- National 2016. Land grabbers told to stop practice. The National, newspaper, 25 January 2016. <https://www.thenational.com.pg/land-grabbers-told-to-stop-practice/>
- Oram, N.D. 1963 Miscellaneous Papers, Box 1, Folders 6, 9. Nigel Oram Collection, MS9436. Canberra: Australian National Library.
- Oram, N.D. 1982 Pots for Sago: The *Hiri* Trading Network. In T. Dutton (ed.) *The Hiri in History: Further Aspects of Long Distance Motu Trade in Central Papua*, pp. 1-33 Canberra: Australian National University.
- PNGGLCS [Papua New Guinea Land Court Secretariat] n.d. *Genealogies of some Central Province Clans*. Microfiche. Port Moresby: University of Papua New Guinea Library.
- Price, A.V.G. (ed.) 1975 *Motu Senedia Edia Kara Daladia Sivaraida*. Port Moresby: Institute of New Guinea Studies.
- Seligman, C. G. 1910 *The Melanesians of British New Guinea*. Cambridge: Cambridge University Press.